



Operative Southland District Plan 2018

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**Southland District Council
Operative Southland District Plan – 2018**

At its meeting of 13 December 2017 the Southland District Council resolved to declare the Southland District Council District Plan 'Operative' pursuant to clause 17 (2) of Schedule 1 of the Resource Management Act 1991 (RMA). In accordance with clause 20 (1) of Schedule 1 of the RMA, the Southland District Council District Plan becomes 'operative ' on 22 January 2018.

Public notification of the availability of the Southland District Council District Plan - Operative was given on 11 January 2018.

Date of council resolution	13 December 2017
Date of public notice	11 January 2018
'Operative' date	22 January 2018

The COMMON SEAL of the SOUTHLAND DISTRICT COUNCIL was affixed pursuant to a resolution of the Council dated 13 December 2017.





Gary Tong, Mayor



Steve Ruru, Chief Executive

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date
Oct 2018	National Environmental Standard for Plantation Forestry Regulations 2017 – Alignment Section 2.2 Biodiversity Section 2.8 Waste, Hazardous substances and contaminated land Section 3.1 Rural Zone	R Blyth	Regulatory and Consents Committee	Regulation came into force 1 May 2018 Committee meeting 10 May 2018

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Section 1 Introduction

Southland District (the District) is New Zealand's southernmost District. It covers 30,979 square kilometres, the largest geographical land area administered by a territorial authority in New Zealand. The District is bounded to the north by the Umbrella, Garvie, Livingston and Eyre Mountain ranges with a coastline that extends from Waiparau Head in the Catlins to Awarua Point in Fiordland. The District also includes a number of off-shore islands, the largest being Stewart Island/Rakiura. The District sits within the jurisdiction of the Southland Regional Council and adjoins Invercargill City to the south, Queenstown Lakes District, Gore District, Westland District, Central Otago to the north and Clutha District to the north and east.

The District supports a wealth of natural and physical resources, including fertile plains, rolling hills, tussock lands, mountainous areas, harbours and sandy beaches. It has an abundance of lakes, rivers, streams and wetlands and a wide variety of native flora and fauna. The District supports a variety of infrastructure, including regionally significant infrastructure and also has a range of renewable electricity generation resources and non-renewable energy and mineral resources potentially suitable for development. Two Water Conservation Orders apply in the Southland District: The Water Conservation (Mataura River) Order 1997 and The Water Conservation (Oreti River) Order 2008.

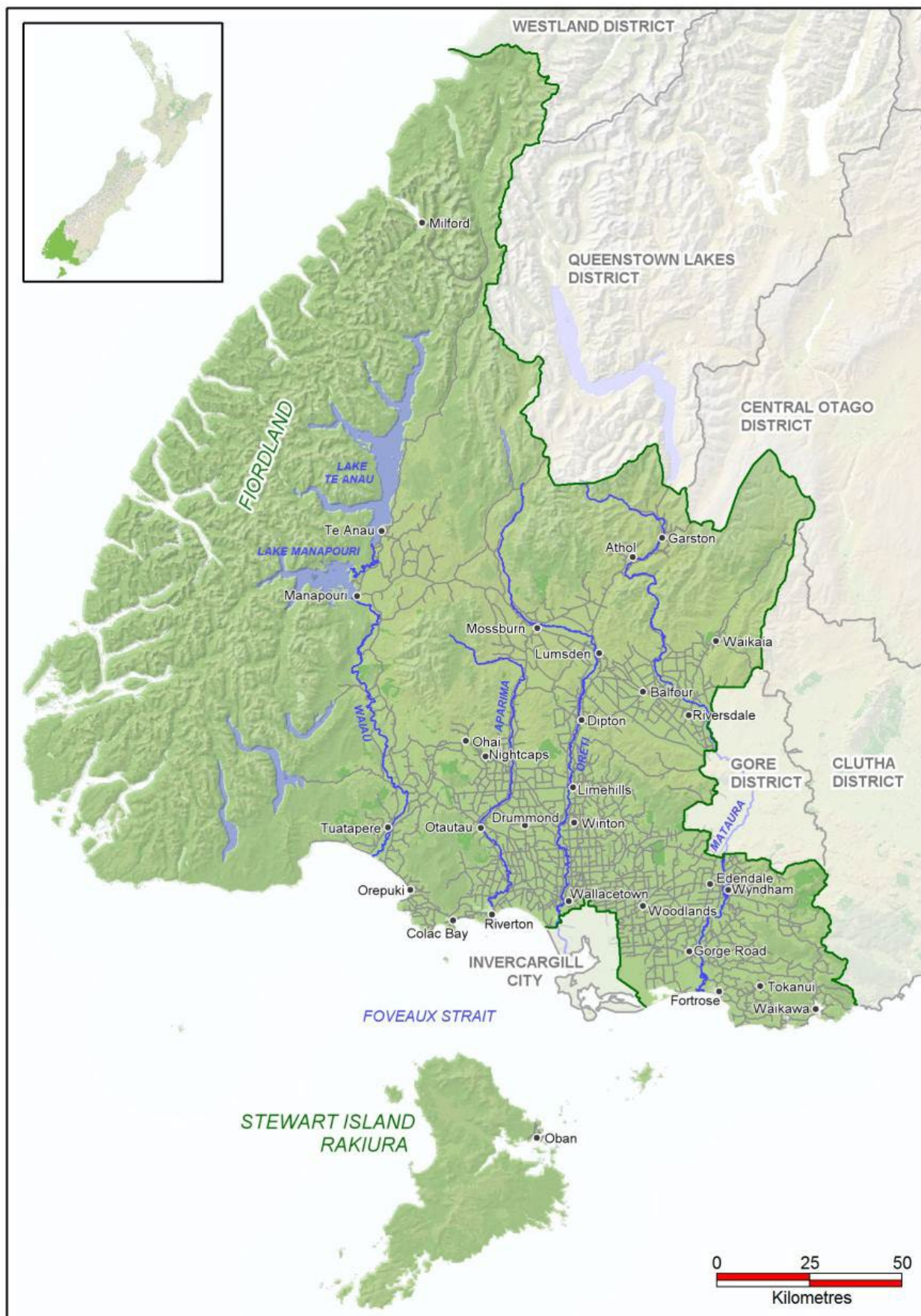
Over half of the land area of the District is held within New Zealand's Conservation Estate and administered by the Department of Conservation. This includes the Fiordland and Rakiura National Parks and part of Mt Aspiring National Park. These areas are recognised locally, nationally and internationally for their outstanding natural and wilderness qualities and support large areas of significant indigenous vegetation and habitats of indigenous fauna. The Department's Management Strategies and Plans provide guidance on management of these lands and outline relevant resource management issues that Council and applicants should have regard to when developing plans or considering resource consents on or adjacent to land managed by the Department.

Farm land and agricultural activity, predominantly dairy, sheep and beef farms, largely encompass the land outside of the Conservation Estate and these activities in turn support a thriving agricultural economy. Other key primary industries in the District include forestry, commercial fishing and mineral extraction. The District is one of New Zealand's more sparsely populated districts.

The total population of the District is 28,440, this equates to 31% of the Southland Region's population and 0.7% of New Zealand's population. While much of the District's population lives across the Southland Plains, the District also supports a number of towns and settlements, the principal towns being Winton, Te Anau and Riverton/Aparima. Some towns and settlements are experiencing slow but steady growth, while others are static or in decline.

Ngāi Tahu as tangata whenua has a cultural and spiritual relationship with the land, water and resources of the District. Tangata whenua interests are weaved through the District Plan, to reinforce the Ngāi Tahu philosophy of 'ki uta ki tai' (from the mountains to the sea).

Figure 1 Map of Southland District Council



1.1 What Is The District Plan?

The Southland District Plan (the District Plan) enables the Southland District Council (the Council) to carry out its functions under the Resource Management Act 1991 (the Act). The purpose of the Act is to provide for the sustainable management of natural and physical resources. Section 73 of the Act requires territorial authorities to have a District Plan. The District Plan is a legally enforceable document and the Act provides penalties for breaches of Plan rules. The District Plan sets a framework for development and the management of the natural and physical resources in the District. It establishes objectives, policies and rules for managing the environmental effects of land use, subdivision and development. The first Southland District Plan to become operative under the Act took legal effect in July 2001. This Plan will be a second generation District Plan under the Act and will eventually supersede the 2001 Plan following the outcomes of public notification and the formal submission hearing and appeal processes of the Act. The District Plan is representative of both the Council and the community's aspirations for the Southland District.

1.2 Obligation To Comply

No person may use land in a manner that contravenes a rule in the District Plan, unless they have existing use rights or a resource consent granted by the Council (Sections 9 and 10 of the Act). In the context of the Act, such use includes the use of the surface of lakes and rivers (Section 10A of the Act). In addition, no person may subdivide land in the District unless expressly allowed by a rule in the District Plan or resource consent (Section 11 of the Act).

In addition to the above the Manapouri-Te Anau Development Act 1963 ("MTADA") is special legislation that permits the owner of the Manapouri Power Scheme "full power and authority" to erect, construct, provide, use and operate all works, appliances and conveniences associated with the generation and transmission of electricity.

Section 9 (3) of the Resource Management Act 1991 does not apply to land use activities that are necessary or requisite to operate the Manapouri Power Station and associated works pursuant to section 4 of the Manapouri-Te Anau Development Act 1963. Section 9(3) does, however, apply to all other Manapouri Power Station land use activities.

1.3 Existing Use Rights

Sections 10 and 10A of the Act provide for the existing and continued use of land and the surface of water in a manner which contravenes a rule in the District Plan, subject to the following:

- the use was lawfully established (including by designation) before the rule became operative or the proposed District Plan was notified, and
- the effects of the use are the same or similar in character, intensity and scale to those which existed before the District Plan became operative or the proposed District Plan was notified or the designation was removed, and
- if the activity involves the use of the surface of water in lakes and rivers, the person carrying out the activity applies for a resource consent within six months of the rule in the District Plan becoming operative.

Existing use rights do not apply if:

- the use of land has been discontinued for a continuous period of more than 12 months, unless the Council has granted an extension by way of application, or
- reconstruction, alteration or extension of any building that contravenes a rule in the District Plan increases its degree of non-compliance.

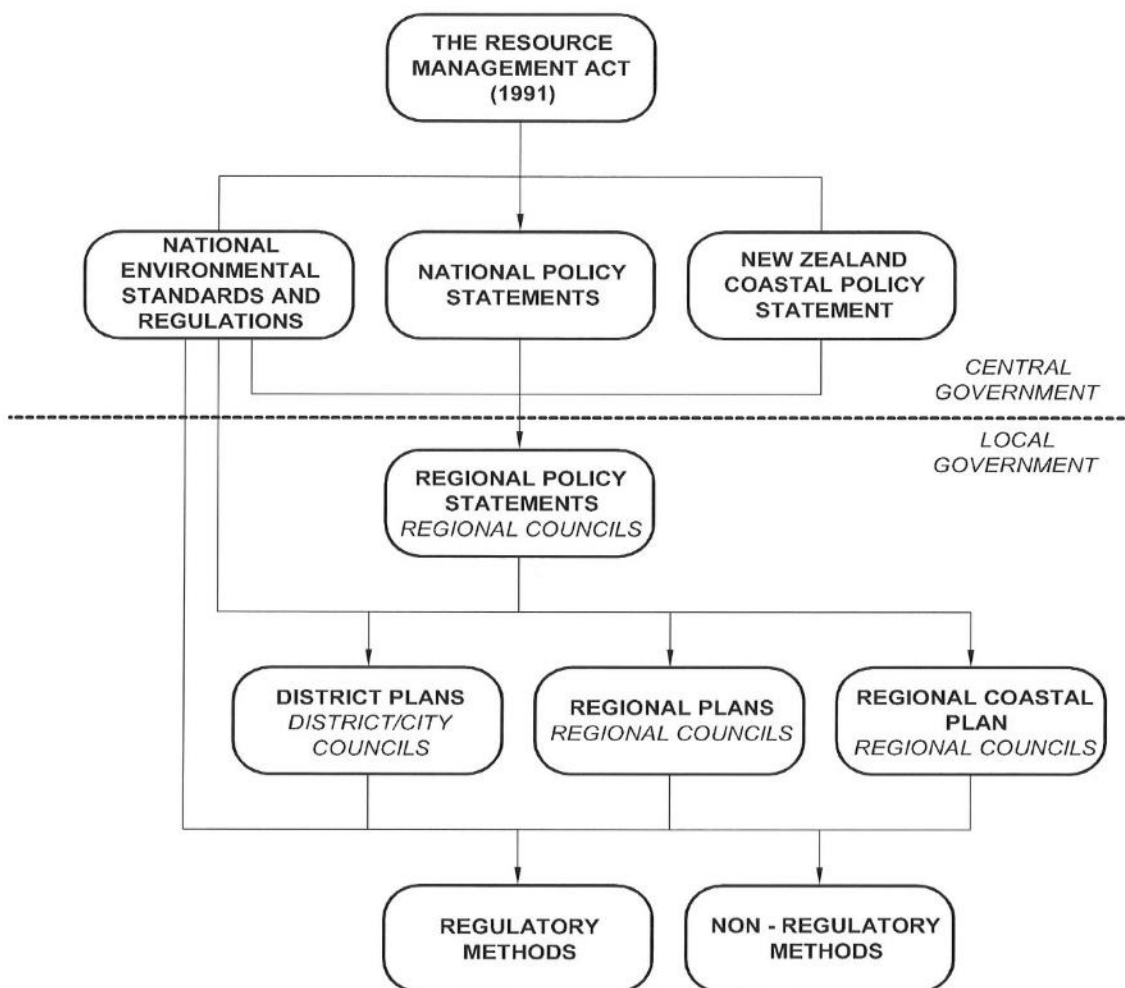
1.4 Relationship With Other Plans And Policy Documents

The Act requires the District Plan to give effect to the Southland Regional Policy Statement which acts as the overarching Resource Management Policy document for the Southland Region. In preparing the District Plan, the Council must consider a range of other plans and policy documents of relevance to the District. In particular, Section 75 of the Act requires that a District Plan must:

- **give effect to** any National Policy Statement, New Zealand Coastal Policy Statement and any Regional Policy Statement, and
- **not be inconsistent with** a Water Conservation Order or any Regional Plan.

Council will undertake Plan Changes, where these plans or policy documents are prepared or altered during the life of the District Plan. Figure 1, illustrates the key linkages in the New Zealand legislative and policy framework.

Figure 2 Legislative and Policy Framework in New Zealand



National Park Management Plans and Conservation Management Strategies are also relevant to consider in the development of plans and policies.

1.5 How The District Plan And Planning Maps Work

The District Plan is framed around two key sections: district-wide provisions and zone provisions. The district-wide provisions cover the general matters applicable to the whole District, as follows:

Section 2: District-wide Provisions

- Section 2.1: Tangata Whenua
- Section 2.2: Biodiversity
- Section 2.3: Natural Features and Landscapes
- Section 2.4: Coastal Environment
- Section 2.5: Historic Heritage
- Section 2.6: Subdivision
- Section 2.7: Natural Hazards
- Section 2.8: Waste, Hazardous Substances and Contaminated Land
- Section 2.9: Energy, Minerals and Infrastructure
- Section 2.10: Transportation
- Section 2.11: Noise
- Section 2.12: Signage
- Section 2.13: Water and Surface Water Activities
- Section 2.14: Financial Contributions

The District is also divided spatially into zones and each zone has provisions applicable to that zone. Zoning recognises that different areas of the District have different resources, land use, character and levels of amenity and that the community seek different environmental results for each area. The zones provide opportunities for land use, subdivision and development in keeping with the character and amenity sought for each area. The zones identified within the District are as follows:

Section 3: Zones

- Section 3.1: Rural Zone
- Section 3.2: Urban Zone
- Section 3.3: Te Anau Residential B Zone
- Section 3.4: Industrial Zone
- Section 3.5: Fiordland/Rakiura Zone
- Section 3.6: Eweburn Zone

Each section of the District Plan introduces the relevant issues that have been identified by Council and this is followed by a series of objectives and policies. The objectives set out the state or situation that the District Plan aims to achieve for a particular zone, resource or district-wide matter. The policies describe how a particular objective is to be achieved. To achieve the policies, each section contains a set of rules which permit, regulate or prohibit activities.

Activities are classified in the District Plan as being Permitted, Controlled, Restricted Discretionary, Discretionary, Non-complying or Prohibited.

The nature of these activities are as follows:

Table 1 Types of Activities

Permitted Activities:	Are allowed without resource consent, provided they comply with the provisions specified in the District Plan. This includes all the relevant Zone Standards and General district-wide Standards.
Controlled Activities:	Require resource consent. Controlled Activities are specified in the District Plan and are typically those activities which are anticipated within that site or zone. After considering an application for resource consent for a Controlled Activity, Council must grant consent, but may impose conditions relating to those matters over which it has reserved its control or matters controlled in national environmental standards or other regulations.
Restricted Discretionary Activities:	Require resource consent. Restricted Discretionary Activities are specified in the District Plan and are typically those activities which are anticipated within that site or zone, but over which Council wishes to have greater consideration. Council may grant or refuse resource consent and, if granting consent, may impose conditions over those matters to which it has restricted its discretion or matters of discretion in national environmental standards or other regulations.
Discretionary Activities:	Require resource consent. Discretionary Activities are typically those activities which cannot meet all of the Zone Standards and district-wide Standards. These activities may not be suitable on all sites in a zone, or where the effects of the activity on the environment are so variable that it is not possible to prescribe appropriate standards and terms. Council may grant or refuse resource consent and, if granting consent, may impose conditions.
Non-complying Activities:	Require resource consent. Non-Complying Activities are specified in the District Plan and are typically those activities not anticipated within that site or zone. Council may grant or refuse resource consent, but may only grant consent if the adverse effects on the activity on the environment will be minor or the activity will not be contrary to the objective and policies of the District Plan. If granting consent, Council may impose conditions.
Prohibited Activities:	Are those activities which a rule in the District Plan expressly prohibits. No resource consent application may be made for such activities and resource consent cannot be granted.

The District Plan Maps delineate the zones. They also identify the location of features such as items of historic heritage, the natural hazards overlay, outstanding natural features and landscapes, visual amenity landscapes, and designated sites.

1.6 Cross Boundary Issues

Cross boundary issues may arise in situations such as where:

- land use activities (including uses on the surface of water) and development give rise to environmental effects in a neighbouring jurisdiction;
- roading and transportation matters, drainage systems, water supplies and other utility services start in one jurisdiction and cross into other jurisdictions;
- resource consent matters primarily the concern of the Regional Council arise which may impinge on two or more districts.

In considering cross boundary issues, Council will be guided by the Southland Regional Policy Statement and relevant Regional Plans, the objectives and policies of the District Plan and the provisions of the District Plan of the relevant neighbouring territorial local authorities. Council will also consider significant resource management issues which may arise in an adjacent local authority which may affect the District. Where appropriate, submissions will be prepared in respect of these matters. Likewise, where Council receives an application for resource consent which is to be notified and the activity may give rise to adverse environmental effects in a neighbouring jurisdiction, the relevant local authority and affected persons will be notified. Where appropriate, Council will defer notification decisions on applications that require applications from other consent authorities (Section 91 of the Act) and participate in joint hearings with other councils (Section 102 of the Act).

1.7 Resource Consents

Resource consent is required by any person proposing to undertake an activity classified in the District Plan as Controlled, Restricted Discretionary, Discretionary or Non-Complying, as detailed in Section 1.6 above. Resource consents include land use consents and subdivision consents. An application for resource consent must be made in accordance with Section 88 of the Act.

Application forms for resource consent are available from the Council office or on the Council's website (www.southlanddc.govt.nz). Any application should be accompanied by an Assessment of Effects on the Environment prepared in accordance with the Fourth Schedule of the Act. Please refer to Section 1.11 below. The Act prescribes situations when applications need not be publicly notified, however, in many situations an application may require the written approval of affected persons. Council may impose conditions on a resource consent in accordance with Sections 108 and 220 of the Act, to manage certain aspects of the proposal and to ensure it complies with the Act and the District Plan.

1.8 Designations

A designation is a provision made in the District Plan to give effect to a requirement made by a requiring authority. Requirements apply to a public work or a particular project or utility operation. Designations limit the use of the land, overriding the provisions of the District Plan and any resource consent, in favour of the designated purpose. Any relevant resource consents are still required from the Southland Regional Council. Section 166 of the Act defines those authorities who have power to become a requiring authority and provide for their works through designations in the District Plan. A requiring authority may, at any time, give notice to the Council in respect of a requirement. No person may, without the prior written consent of the requiring authority, do anything in relation to the land that is subject to the designation that would prevent or hinder the public work, project, or work to which the designation relates. The District Plan also contains general rules for infrastructure not designated, providing for these in a manner similar to other general activities.

1.9 Monitoring

Council has a duty to gather information, monitor and maintain records on resource management matters. This includes information on the ‘state of the environment’ of whole or part of the District, the efficiency and effectiveness of policies, rules, or other methods in the District Plan, and the exercise of the resource consents that have effect in the District. As part of the District Plan process, Council intends to develop a monitoring programme to fulfil its duties in this respect. The results of this monitoring will be compiled, reviewed and made available to the public.

1.10 Information For Resource Consents

The Fourth Schedule of the Act sets out the general requirements for matters to be considered in an assessment of the effects on the environment, to be included with applications for resource and subdivision consents. Further guidance on the information requirements relating to resource and subdivision consents sought under the District Plan is set out in Section 6.1.

Section 2 District-wide Objectives, Policies, Methods and Rules

Section 2.1 Tangata Whenua

Ngāi Tahu as tangata whenua has a cultural and spiritual relationship with the land, water and resources of the District. Traditional areas such as mahinga kai sites, nohoanga, wāhi tapu and wāhi taonga, remain culturally and spiritually important and are a critical component of Ngāi Tahu identity. Ngāi Tahu maintains kaitiakitanga to ensure that mauri of these resources is maintained and enhanced for future generations.

The Resource Management Act identifies, as a matter of national importance, the relationship of Māori, including their culture and traditions with their ancestral lands, sites, water, wāhi tapu and other taonga. It also states that the principles of the Treaty of Waitangi must be taken into account when managing the use, development and protection of natural and physical resources. The Act acknowledges kaitiakitanga by ensuring that it is given particular regard in resource management decision-making.

Statutory Acknowledgements are a mechanism created under the Ngāi Tahu Claims Settlement Act as part of the Treaty of Waitangi settlement between Ngāi Tahu and the Crown. Within the District, Statutory Acknowledgements relate to land, geographic features, lakes, rivers and wetlands that have particular cultural, spiritual, historic and traditional associations with Ngāi Tahu, these are listed in Schedule 5.1 of the District Plan. Council is required to consult with Ngāi Tahu on resource consent applications which may affect a Statutory Acknowledgement Area.

Te Tangi a Tauira is an Iwi Management Plan, developed by Ngāi Tahu ki Murihiku. It is an expression of kaitiakitanga and documents values, knowledge and perspectives on resource management and broader environmental issues. It identifies Ngāi Tahu ki Murihiku's primary issues, policies and management guidelines for resource management, wāhi tapu and wāhi taonga. Te Tangi a Tauira also lists sites and areas of significance to tangata whenua. Te Tangi a Tauira can assist Council in providing for Māori interests in resource management as well as informing the assessment of resource consent applications and District Plan changes.

In addition to its statutory obligations, Council recognises the importance of maintaining a close working relationship with Ngāi Tahu, to ensure effective engagement and that its views are heard and considered. Te Roopu Taiao is a political forum made up of representatives of Ngāi Tahu and local authorities that meet regularly to discuss resource management issues in Murihiku. Te Ao Mārama Incorporated represents the Murihiku papatipu rūnanga, Waihopai Rūnanga, Te Rūnanga o Oraka-Aparima, Hokonui Rūnanga and Te Rūnanga o Awarua, in respect of the day-to-day resource management consultation process.

Tangata whenua interests are weaved through the District Plan, to reinforce the Ngāi Tahu philosophy of 'ki uta ki tai' (from the mountains to the sea) holistic resource management. Thus this chapter should be read in the context of the District Plan as a whole.

Objective TW.1

To recognise the importance of and provide for, Māori culture and traditions with ancestral lands, sites, water, wāhi tapu and other taonga.

Policy TW.1

To recognise and provide for tangata whenua to exercise kaitiakitanga in the management of and decision-making process regarding natural and physical resources, with particular regard to Iwi Management Plans.

Explanation: Tangata whenua have a cultural and spiritual relationship with natural resources and the resource management process provides opportunities for tangata whenua to exercise kaitiakitanga, or guardianship, to protect, sustain and preserve these resources. This encompasses the ethic of stewardship. Kaitiakitanga includes management of traditional Māori uses and practices relating to natural resources. It also includes maintenance of mahinga kai and access to areas of natural resources used for customary purposes, maintenance and enhancement of mauri and wairua of natural resources. Protection of places, sites and areas with significant spiritual or cultural value to tangata whenua, such as ancestral lands, sites, water, wāhi tapu and other taonga is also included. Council recognises the importance of maintaining a close working relationship with tangata whenua, to ensure Ngāi Tahu views are heard and considered and cultural and spiritual values are not compromised. This is an integral part of the principle of rangatiratanga.

The resource management process should also have particular regard to relevant Iwi Management Plans, Te Tangi a Tauira, or its equivalent.

Policy TW.2

Enable the sustainable use and development of Māori land.

Explanation: There are large areas of Māori land administered under the Māori Land Act 1993 in the District, this includes land associated with the Ngāi Tahu Claims Settlement Act 1998 and South Island Landless Natives Act 1906 (SILNA). The Māori Land Act provides for the occupation, development and utilisation of Māori land for the benefit of its owners, their whānau and their hapū, this may include the use and development of marae, papa kāinga housing or community facilities. While the Māori Land Court has jurisdiction over Māori land, Council's role under the Resource Management Act still applies. Māori land represents tūrangawaewae, however, it is traditionally held in multiple ownership which means it can be difficult to use and develop. The sustainable use and development of Māori land can enable tangata whenua to provide for their socio-economic and cultural wellbeing, support community life, cultural expression and identity. These benefits should be recognised and provided for.

Section 2.2 Biodiversity

The District has a wealth of ecosystems which support indigenous vegetation and habitats of indigenous fauna. Many of these ecosystems are the remnants of the forest and wetland areas which once largely covered the District, but over time have been modified by human settlement and activity. The largest contiguous areas which remain are located within Fiordland and Rakiura National Parks. The remnants also include internationally significant areas such as the Awarua Wetland Ramsar site. Fiordland National Park and some adjacent areas are all part of Te Wahipounamu South West New Zealand World Heritage Area. Inappropriate land use, subdivision and development can result in the loss and degradation of indigenous ecosystems and habitats, fragmentation and isolation of habitats and a reduction of species abundance and biodiversity. Freshwater habitats and indigenous aquatic life can be affected by the development and use of land. Areas of indigenous vegetation can also provide important ecosystem services. For example, at times of intense rainfall, areas of vegetation can protect soils from erosion and reduce flood flow peaks.

Land use, subdivision and development activities that have adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, should be managed in a manner that ensures biodiversity is safeguarded. The District Plan approach to biodiversity recognises that the clearance and modification of indigenous vegetation may be appropriate in some circumstances. Council has taken a practical approach to managing biodiversity in the interim, until the completion of a project identifying areas of significant indigenous vegetation and habitats of significant indigenous fauna. This is reflected in specific District Plan rules contained within Permitted Activities in the Infrastructure, Energy and Minerals, Fiordland/Rakiura Zone and Biodiversity sections of the District Plan.

Council has adopted an approach to biodiversity which incorporates a mix of regulatory and non-regulatory methods. This approach recognises that working with landowners on biodiversity related issues is a key requirement for the maintenance and enhancement of biodiversity. A significant non-regulatory method is Council's support for the High Value Area Programme (HVAP). This provides an opportunity for landowners on a voluntary basis to request an ecological assessment of indigenous vegetation and habitats of indigenous fauna located on their properties. The District Plan also provides for a regulatory approach with district-wide rules that ensure the significance of indigenous vegetation and habitats of indigenous fauna is assessed where clearance and modification is proposed through the resource consent process. Council has yet to assess the significance of all remaining areas of indigenous vegetation and habitats of indigenous fauna within the Southland District.

Objective BIO.1

Significant indigenous vegetation and significant habitats of indigenous fauna are identified and protected and other indigenous vegetation and habitats of indigenous fauna are maintained so that the overall life supporting capacity of ecosystems are safeguarded.

Policy BIO.1

Protect ecosystems which support significant indigenous vegetation and significant habitats of indigenous fauna.

Explanation: Indigenous flora and habitats of indigenous fauna considered significant are those identified using the criteria in the Regional Policy Statement being representativeness, rarity and distinctiveness, diversity and pattern, and ecological context.

Careful consideration must be given to activities where adverse effects on biodiversity cannot be avoided or appropriately remedied or mitigated. In some cases it may be appropriate to decline an activity. Particular scrutiny should be given to activities which involve earthworks, vegetation clearance, wetland drainage, significant stormwater run-off, waste management and disposal, stock grazing and the introduction of plant or animal pests, including wilding trees.

Policy BIO.2

Maintain areas of indigenous vegetation and habitats of indigenous fauna including indigenous ecosystem connections.

Explanation: Indigenous vegetation and habitats of indigenous fauna provide wide-ranging benefits to individuals and communities but are vulnerable to loss, degradation, fragmentation and isolation. Where possible, biodiversity should be maintained, to ensure ecological integrity, form, function and resilience are sustained noting that ecosystems operate irrespective of land tenure and property boundaries. Particular consideration should be given to ecological buffers and corridors including the potential for restoration or enhancement activities.

Policy BIO.3

Avoid, remedy or mitigate the adverse effects of subdivision, land use and development on indigenous vegetation and habitats of indigenous fauna.

Explanation: Activities should be undertaken in a manner that maintains biodiversity and consideration should be given to whether the adverse effects can be adequately avoided, remedied or mitigated. It is recognised that in order to provide for some activities, indigenous vegetation may need to be modified, however, careful consideration should be given to how that vegetation contributes to ecosystem buffers and corridors.

Policy BIO.4

Recognise that the removal of existing indigenous vegetation on private land within the Fiordland/Rakiura Zone may be necessary in order to establish a building platform on a property.

Explanation: The Fiordland/Rakiura Zone is characterised by large areas of indigenous vegetation. The location and nature of activities on private land within the Zone should take account of the indigenous vegetation and safeguard this wherever possible.

However, there are circumstances associated with development where removal of some indigenous vegetation is warranted. This policy seeks to enable a limited amount of clearance and modification whilst retaining as much indigenous vegetation as practicable. Removal of indigenous vegetation in these circumstances is a controlled activity under Rule FRZ.2.

Policy BIO.5

Recognise that the removal of existing indigenous vegetation within the Urban Zone on Stewart Island/Rakiura may be necessary in order to establish a building platform, outdoor living area and vehicle access on a property.

Explanation: On Stewart Island/Rakiura most subdivision, land use and development occurs within the Island's Urban Zone. This Urban Zone is characterised by large areas of indigenous vegetation which is important from both an ecological perspective and also as a contributor to the natural and village-like

character of the township. The location and nature of activities within the Urban Zone on the Island should take account of the indigenous vegetation and safeguard this wherever possible. However, there are circumstances such as those associated with urban development where removal of some indigenous vegetation is warranted. This policy seeks to enable a limited amount of clearance and modification whilst retaining as much indigenous vegetation as practicable within the township.

Policy BIO.6

Recognise the benefits of sustainable forest management of indigenous vegetation except in areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Explanation: There is a history of indigenous forestry harvesting in the District and more recently this has been undertaken by way of Sustainable Forest Management Plans and Sustainable Forest Management Permits. Indigenous forestry harvesting, undertaken in a sustainable manner, under both the Forests Act 1949 and the Resource Management Act 1991 can support the District's socio-economic wellbeing.

Policy BIO.7

Recognise the purpose of land granted under Te Ture Whenua Māori Act 1993, including the South Island Landless Natives Act 1906 (SILNA) land when considering indigenous forestry proposals that relate to Māori land.

Explanation: Areas of the District contain land held by Māori under Te Ture Whenua Māori Act 1993, including SILNA land, most of which is under indigenous forest cover. SILNA land was transferred to South Island Māori as economic redress after land purchase agreements left some sections of the South Island Māori population with insufficient land to support themselves.

Policy BIO.8

Identify the ecological value of indigenous vegetation and habitats of indigenous fauna to determine significance.

Explanation: Often the ecological significance or value of indigenous vegetation or habitats of indigenous fauna have not been identified or documented. Ecosystems which support this biodiversity can give rise to wide-ranging benefits for individuals and communities, including 'ecosystem services' such as flood and erosion control, climate regulation, waste decomposition, nutrient filtering, as well as other benefits including provision of food, resources for medicinal use, opportunities for recreational activities, natural character, aesthetic values and sense of place or identity. An ecological assessment should be undertaken to identify key species, habitats, communities and ecological processes and to evaluate their significance. Identification and documentation provide a baseline for assessing whether activities and measures to avoid, remedy or mitigate adverse effects, will appropriately maintain biodiversity. Ecological assessments should be commensurate to the scale of the activity and in particular will be required where an activity relates to a habitat identified in Appendix 2 (Schedule of Threatened, At Risk and Rare Habitat Types) in the Regional Policy Statement.

Policy BIO.9

Encourage biodiversity initiatives that promote the retention, maintenance and enhancement of indigenous biodiversity.

Explanation: This policy recognises the importance of community initiatives in achieving the sustainable management of indigenous biodiversity. Initiatives could include working with landowners and partnership with other relevant agencies.

Biodiversity Rules

Rule BIO.1 - Permitted Activities

The following activities are **Permitted Activities**:

1. The clearance, modification or harvesting of indigenous vegetation which:
 - (a) Has been planted and managed specifically for the purpose of harvesting.
 - (b) Is amenity planting.
 - (c) Is required for the purposes of fencing areas of indigenous vegetation formally protected by QE II Covenants and covenants registered under the Reserves Act 1977, Conservation Act 1987 and with local authorities.
 - (d) Is proposed within a Council reserve and the activity specifically complies with an approved management plan.
 - (e) Is required for the construction maintenance or replacement of a fence or the maintenance of vehicle crossings and tracks with the maximum width of clearance of indigenous vegetation for the purposes of fencing limited to 8 metres.
2. The clearance, modification or removal of indigenous vegetation for the purposes of providing for the safe operation of an existing network utility or to prevent damage to an existing network utility where the work is undertaken by or on behalf of the authority responsible for the network utility.
3. The clearance, modification or removal of indigenous vegetation where it is associated with the operation, maintenance, minor upgrading, repair or removal of any existing regionally significant infrastructure or existing renewable electricity facilities.
4. The removal of wind thrown trees or dead standing trees which have died as a result of natural causes where this is necessary to avoid adverse effects on remaining trees or vegetation or to avoid risks to human life or property.
5. Within the Stewart Island/Rakiura Urban Zone and Stewart Island/Rakiura Transitional Overlay the removal of existing indigenous vegetation up to a maximum of 400 m² in area or 40% of the land area contained within each certificate of title (whichever is the lesser), provided that where any of the land, contained within each individual certificate of title, is already partially cleared, any further clearance of indigenous vegetation shall not increase the total area of cleared land beyond 400 m² or 40% (whichever is the lesser).
6. The clearance, modification or removal of indigenous vegetation which has grown naturally on land lawfully cleared of vegetation since 2000, provided that:
 - (a) Clearance, modification or removal within 10 metres of a water body is limited to 20 linear metres in any 200 metre length of water body per property.
 - (b) Associated earthworks within the riparian margin do not exceed the volume provided for within Rule RURAL.1(7).

Note: For the avoidance of doubt this rule can be used to undertake 20 metres of work on each side of the water body.

7. Indigenous vegetation silviculture or harvesting where the Sustainable Forest Management Plan or Sustainable Forest Management Permit has already been granted at the date of this plan notification.
8. Indigenous vegetation harvesting for personal use that has been lawfully authorised under the Forests Act 1949, subject to the following conditions:
 - (a) Clearance is limited to not more than 50 m³ of indigenous timber in any 10 year period per certificate of title.
 - (b) It is not otherwise protected by a covenant.
 - (c) It is not in an area of significant indigenous vegetation or habitat of indigenous fauna.

Rule BIO.2 - Controlled Activities

The following activity is a **Controlled Activity**:

1. Indigenous vegetation silviculture and harvesting except in areas of significant vegetation or significant habitats of indigenous fauna that has been lawfully authorised by way of a Sustainable Forest Management Plan or Sustainable Forest Management Permit after 30 November 2012.

The matters over which Council reserves its control are:

1. Effects on Outstanding Natural Features and Landscapes or Visual Amenity Landscapes.
2. Effects on items of Historic Heritage including archaeological sites.
3. Effects on the roading network.
4. Pest management.
5. Cultural values including effects on wāhi tapu sites and other culturally significant land.
6. Financial contributions and bonds.
7. Effects on indigenous biodiversity particularly on rare or endangered species.
8. Effects on soil and water.

Rule BIO.3 - Discretionary Activities

The clearance, modification or removal of indigenous vegetation which is not provided for under Rule BIO.1 or Rule BIO.2 is a **Discretionary Activity**.

Non-Regulatory Methods

Method BIO.1

Increase awareness and provide education on maintaining biodiversity.

Method BIO.2

Encourage landowners to identify, protect, maintain, restore and enhance significant indigenous vegetation and habitats of indigenous fauna.

Method BIO.3

In collaboration with other relevant agencies including the Southland Regional Council, identify and document ecosystems which support significant indigenous vegetation and habitats of indigenous fauna.

Method BIO.4

Council shall, in partnership with landowners and where appropriate in conjunction with community groups, protect and rehabilitate areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Section 2.3 Natural Features and Landscapes

Landscapes reflect relationships between landform, land cover and land use and continue to evolve through natural and cultural processes. The District is encompassed by a range of landscapes, from those dominated by natural processes and patterns such as those in Fiordland and Rakiura National Parks to those which reflect human modification and settlement such as ‘working’ rural landscapes and urban areas. Notable natural landforms and geological features also form a key part of the District’s landscapes. Natural features and landscapes contribute to the character and identity of an area and afford a range of natural science, aesthetic, transient, scenic, natural character, ecological and open space values. Many also have historical or cultural significance. While natural features and landscapes change gradually over long periods of time through natural processes, they can be vulnerable to modification and destruction through inappropriate land use, subdivision and development.

Two tiers of landscapes are identified in the District Plan: Outstanding Natural Features and Landscapes and Visual Amenity Landscapes. Outstanding Natural Features and Landscapes have been identified as the top tier of landscape under Section 6 of the Resource Management Act 1991. Visual Amenity Landscapes have been identified as the second tier of landscapes under Section 7 of the Resource Management Act 1991. To date Outstanding Natural Features and Landscapes have been identified in the District’s coastal environment and in the Fiordland/Rakiura Zone. Visual Amenity Landscapes have been identified in the coastal environment and in the Te Anau Basin. The two tiers of landscape have been identified through the following studies:

- Landscape and Ecology Southland District Report 1993
- Southland Regional Landscape Assessment 1997
- Southland Coastal Landscape Study 2006
- Te Anau Landscape Capacity Study 2006
- Te Anau Scenic Zones Visibility/Visual Landscape Assessment 2012.

Activities located in areas of Outstanding Natural Features and Landscapes should be managed to ensure that outstanding values are protected from inappropriate subdivision, land use and development. It is expected that identified Outstanding Natural Features and Landscapes will not change significantly over time as a result of subdivision, land use and development.

Visual Amenity Landscapes have a mix of human and natural elements and generally have high aesthetic value. The majority of these landscapes identified within Te Anau Basin are visible from the main highways and contribute as a scenic resource of the area. Activities located in Visual Amenity Landscapes should achieve a balance between the maintenance and enhancement of natural feature and landscape values, with a focus on the visual aspects of amenity, whilst enabling continuation as predominantly a working rural environment.

Note to Plan Users: Schedule 5.9 Significant Geological Sites and Landforms contains information sourced from the Geoscience Society of New Zealand, ‘New Zealand Geopreservation Inventory’. Any resource consent application for subdivision, land use or development activities on land with significant geological sites and landform as listed in Schedule 5.9 - Significant Geological Sites and Landforms should consider whether or not it is likely to an effect on that feature or landform.

Objective NFL.1

Outstanding Natural Features and Landscapes are protected from inappropriate subdivision, land use and development.

Objective NFL.2

Within Visual Amenity Landscapes, subdivision, land use and development is undertaken in a manner that maintains amenity values and visual qualities.

Policy NFL.1

Avoid inappropriate subdivision, land use and development within areas identified as Outstanding Natural Features and Landscapes.

Explanation: Natural features and landscapes throughout the District can be vulnerable to modification and destruction from inappropriate activities. Within areas identified as Outstanding Natural Features and Landscapes activities should be undertaken in a manner that avoids adverse effects on these landscapes and ensures their protection. It is expected that identified Outstanding Natural Features and Landscapes will not change significantly over time as a result of subdivision, land use and development. Particular consideration should be given to the design, siting and scale of buildings and structures and associated curtilage, utilities, signage, earthworks and landscape plantings and the way in which these factors integrate and respect the landform, natural character and landscape quality. Consideration should also be given to the visibility of buildings, structures and activities from public places.

Policy NFL.2

Ensure that subdivision, land use and development located within Visual Amenity Landscapes achieves appropriate integration with that landscape.

Explanation: Visual Amenity Landscapes contribute to the District's locally distinctive and valued character and activities within these landscapes should integrate with and respect landform, natural character and landscape and visual qualities.

Adverse effects on Visual Amenity Landscapes should be avoided, remedied or mitigated through consideration of the design, siting and scale of buildings and structures and associated utilities, signage, earthworks and landscape plantings. Particular consideration should also be given to the visibility of activities from public places.

Policy NFL.3

Avoid, remedy or mitigate adverse effects of subdivision, land use and development on the District's natural features and landscapes that have not been assessed by Council for landscape values.

Explanation: Policies NFL.1 and NFL.2 provide specific direction for Outstanding Natural Features and Landscapes and Visual Amenity Landscapes. However there are a range of natural features and landscapes within the District that have not been assessed to determine their landscape values. These landscapes are the Inland Mountains (Takitimu, Livingstone, Eyre, Garvie and Umbrella Ranges), the Southland Hills (Longwoods, Taringaturas, Hokonuis and Inland Catlins), the Southland Valleys and Plains (Lower Waiau Valley, Waimea Plains, Southland Plains). As landscape assessments of these areas are undertaken Council, through the plan change process, may identify and protect additional Outstanding Natural Features and Landscapes and Visual Amenity Landscapes.

Subdivision, land use and development requiring resource consent should give particular consideration to the location to which they are proposed, to ensure that they achieve integration with the landscape.

Policy NFL.4

Through the Lakeside Protection Area, avoid adverse effects on the character and visual amenity values associated with Te Anau township's lakeside.

Explanation: Te Anau township's lakeside is locally distinctive and valued for its open space character and scenic views across Fiordland National Park's Lake Te Anau towards the mountains. The height of buildings in the Lakeside Protection Area is restricted to maintain and enhance these values. Subdivision, land use and development should also consider relevant non-regulatory guidelines.

Natural Feature and Landscape Rules

The Natural Feature and Landscape rules apply to those areas identified on the District Plan Maps as Outstanding Landscapes and Natural Features and Visual Amenity Landscapes. These rules are contained within the Rural and Fiordland/Rakiura Zone provisions of the District Plan.

Non-Regulatory Method

Method NFL.1

Increase awareness of the District's Outstanding Landscapes and Natural Features and Visual Amenity Landscapes and encourage their protection through the use of non-regulatory design guidelines.

Method NFL.2

Undertake landscape studies and assessments focussed on those areas of the District where natural features and landscapes have not been assessed.

Section 2.4 Coastal Environment

The coastal environment encompasses those parts of the Fiordland/Rakiura Zone and Rural Zone located within the Coastal Environment Overlay. The coastal environment within the Fiordland/Rakiura Zone is largely unmodified and recognised for its natural and wilderness qualities. In contrast the coastal environment within the Rural Zone is recognised as predominantly being a ‘working’ rural landscape. The coastal environment also has characteristics and natural physical resources of significant value for a number of activities, including renewable energy resources. The coastal environment is generally influenced by exposure to coastal processes and is characterised by natural character, natural features, landscapes and visual qualities associated with the coast. Outstanding Natural Features and Landscapes have been identified in the District’s coastal environment within the Rural Zone and Fiordland/Rakiura Zone. Visual Amenity Landscapes have also been identified within the coastal environment in the Rural Zone. Identified natural features and landscapes within the coastal environment were identified in the Southland Coastal Landscape Study 2006.

Inappropriate subdivision, land use and development activities, including coastal protection works and coastal infrastructure, can compromise coastal influences, processes and values. Activities within the coastal environment should take account of coastal influences, processes and values and give particular consideration to the avoidance or mitigation of significant risks from natural hazards, the protection of significant indigenous vegetation and habitats of indigenous fauna, the preservation of natural character, the protection of natural features and landscapes, the relationship of tangata whenua with the Coastal Environment, and the maintenance and enhancement of visual qualities, amenity values and public access to the Coastal Marine Area (the CMA). The wider coastal environment extends beyond the District’s administrative boundary and encompasses the CMA. While the Southland Regional Council has primary responsibility for managing the CMA, Council recognises the need for the integrated management of the wider coastal environment, this reflects the objectives of the New Zealand Coastal Policy Statement 2010.

The policy framework for the coastal environment is contained within various sections within the plan. Objective CE.1 below refers to a number of different matters which are all significant to the coastal environment but are also addressed within their own section of the plan. Therefore, policies which support this objective can be found throughout the plan, in particular in the Natural Features and Landscapes, Tangata Whenua, Historic Heritage, Biodiversity, and Natural Hazards sections.

Objective CE.1

The coastal environment is managed in an integrated and sustainable that:

1. Preserves the natural character of the coastal environment from inappropriate subdivision, land use and development.
2. Protects Outstanding Natural Features and Landscapes from inappropriate subdivision, land use and development.
3. Maintains Visual Amenity Landscapes.
4. Recognises and provides for the importance of coastal resources to Māori.
5. Provides for the protection of items of historic heritage.
6. Protects areas of significant indigenous vegetation and significant habitats of indigenous fauna.
7. Takes into account coastal hazard risks.
8. Provides for the maintenance and enhancement of public access to and along the Coastal Marine Area.

Policy CE.1

Avoid, remedy or mitigate the adverse effects of subdivision, land use and development on the Coastal Environment.

Explanation: Subdivision, land use and development can give rise to adverse effects on natural character, visual qualities, amenity values, historic heritage, cultural values, areas of significant indigenous vegetation and habitats of indigenous fauna and public access associated with the coastal environment. Intensive development has the potential to compromise the natural character of the coastal environment. The location, design and nature of subdivision, land use and development activities, within the coastal environment, should be responsive to their context and integrate and reflect natural character. Buildings and structures can have a significant effect on natural character and should be designed to be sympathetic to the visual qualities and amenity values associated with natural features and landscapes. In some cases it may be appropriate to decline an activity.

Policy CE.2

Avoid subdivision, land use and development in areas at significant risk from coastal hazards.

Explanation: The coastal environment is prone to coastal hazards, including sea level rise, coastal erosion and inundation by storm surge or tsunamis. These hazards pose risks to people, property, communities, businesses and infrastructure. The intensity, frequency and risk of coastal hazards vary and are likely to be exacerbated over time by climate change. Activities intended to be located in areas at significant risk from coastal hazards should demonstrate that the activity is suitable for that location and careful consideration must be given where significant risks cannot be avoided, often it may be appropriate to decline that activity. Activities should not exacerbate coastal hazard risks at the site, or elsewhere. The avoidance of inappropriate activities in areas prone to coastal hazards support community resilience and safeguard health, safety, socio-economic and cultural wellbeing. It also lessens the need for further coastal hazard protection works.

Policy CE.3

Mitigate the adverse effects of coastal hazards, by controlling subdivision, land use and development in areas other than those at significant risk.

Explanation: Where coastal hazard risks cannot be avoided, activities located within areas prone to coastal hazards should adopt appropriate mitigation measures. An activity should demonstrate that it is suitable for that location and should not exacerbate coastal hazard risk at the site, or elsewhere. Often, effects can be mitigated through land use control and the location, nature and design of the activity, this relates to both new and existing activities. Where coastal hazard risks are not fully understood, a precautionary approach should be adopted.

Policy CE.4

Recognise the benefits of coastal protection works, including the protection or restoration of natural defences to coastal hazards.

Explanation: Coastal protection works, including physical protection works and natural features and landforms can avoid or mitigate the risk of coastal hazards. Natural defences such as beaches, sand dunes and wetlands, should be protected and retained wherever possible, and their benefits should be considered instead of, or in partnership with, physical protection works. Physical protection works may be

appropriate where activities exist in a known coastal hazard risk area and those risks that cannot be avoided or mitigated by, for example, managed retreat.

Such works should only be undertaken where all alternatives and opportunities to avoid or mitigate the natural hazard risks, including relocation of the activity, have been exhausted.

Careful consideration should be given to the form, location and design of the physical protection works to mitigate any adverse effects on the coastal environment.

Policy CE.5

Recognise that coastal development activities including infrastructure and renewable electricity generation facilities may have a functional, technical or operational requirement to be sited within the coastal environment.

Explanation: Coastal development, such as boat ramps, jetties and infrastructure including roads, ports, marine farms and renewable electricity generation projects often need to be located within the coastal environment due to functional requirements.

Coastal development and infrastructure can give rise to adverse effects, including effects on the natural character, public access, visual, landscape and ecological values of the coastal environment. Careful consideration should be given to the development, operation, maintenance and upgrading of coastal infrastructure to ensure that adverse effects on the Coastal environment are avoided, remedied or mitigated. Where practicable, consideration should be given to locating new infrastructure where existing infrastructure is already located.

Policy CE.6

Maintain or enhance public access to and along the Coastal Marine Area.

Explanation: Subdivision, land use and development should facilitate public access to and along the Coastal Marine Area. Public access to the Coastal Marine Area can provide recreational and open space benefits, promote a sense of place and identity and support public health and wellbeing.

Policy CE.7

Recognise that subdivision, land use and development activity within the coastal environment may be appropriate where it contributes to consolidation of existing coastal settlements and urban areas.

Explanation: Coastal subdivision has the potential to change existing settlement patterns and contribute to a loss of the rural and remote character of parts of the District's coastline. This policy recognises that coastal development and subdivision could be accommodated without creating significant adverse effects in areas capable of absorbing landscape change.

Coastal Environment Rules

Rules relating to the coastal environment are contained within the Fiordland/Rakiura Zone, Rural Zone and Subdivision sections of the District Plan.

Section 2.5 Historic Heritage

The District has a wealth of historic heritage which encompasses archaeological, architectural, cultural, historic, scientific and technological qualities. It is both tangible, being physical traces of past activity and intangible being sites that have historical associations. Items of historic heritage value within the Southland District have been listed in Schedule 5.2 of the District Plan and are linked to the objectives, policies, rules and methods listed in this section. The Plan approach recognises that items of historic heritage and associated heritage values are vulnerable to modification, damage or destruction from inappropriate subdivision, use or development. Particular consideration should be given to earthworks at or about known archaeological sites and any activities which may alter the heritage fabric and form of heritage buildings and their curtilage. Historic heritage can also be vulnerable to natural processes such as flooding, sea level rise and coastal erosion. Whilst historic heritage must be actively managed to ensure protection, a balance must be achieved between protection and reasonable or necessary restoration, reuse and redevelopment.

Objective HH.1

Historic heritage is protected from inappropriate subdivision, land use and development.

Policy HH.1

Recognise and provide for the protection of historic heritage from inappropriate subdivision, land use and development.

Explanation: Historic heritage is finite and vulnerable and careful consideration should be given to subdivision, use and development to ensure that historic heritage and associated heritage values are protected from inappropriate modification, damage or destruction.

Policy HH.2

Recognise and provide for the restoration, adaptive reuse and redevelopment of historic heritage, while maintaining and enhancing heritage values.

Explanation: A balance should be achieved between protection of historic heritage and reasonable or necessary restoration, adaptive reuse or redevelopment including the strengthening of buildings to increase their ability to withstand future earthquakes and/or other hazards. Careful consideration should be given to any such restoration, adaptive reuse or redevelopment alterations to ensure they are complementary and sympathetic to the scale, detailing, style, materials and character of the historic heritage and associated heritage values.

Policy HH.3

Maintain or enhance the heritage values associated with the relationship between historic heritage and its curtilage.

Explanation: The curtilage of historic heritage can provide setting and context for the interpretation of heritage values. Typically heritage values are enhanced by the relationship between historic heritage and its setting, however often these are considered in isolation. Particular consideration should be given to subdivision, which can undermine the integrity of the setting of the historic heritage. Historic areas are a

key example of setting and demonstrate collective value, where the buildings or features alone may not individually have significant value.

Policy HH.4

Integrate subdivision, use and development with historic heritage, whilst avoiding, remedying or mitigating any adverse effects on historic heritage.

Explanation: Historic heritage should be integrated with subdivision, use and development. Careful consideration should be given to the design, scale and nature of subdivision, use and development to avoid, remedy or mitigate any adverse effects on historic heritage.

Policy HH.5

Recognise that relocation or demolition of historic heritage may be necessary where:

1. Its condition is likely to pose serious risk to human safety; or
2. Investigation of alternative options demonstrates it is unreasonable to restore, adapt or reuse the item of historic heritage.

Explanation: Historic heritage should be actively managed to ensure that potential restoration, adaption, reuse or relocation is identified and pursued at the earliest opportunity. The condition of some historic heritage may limit restoration, adaption, reuse or relocation and may pose health and safety risks.

Policy HH.6

Recognise and provide for the protection of sites and areas of significance to tangata whenua, in a manner which respects and accommodates tikanga Māori.

Explanation: A number of sites and areas of significance to the tangata whenua are listed in Schedule 5.2 - Archaeological Sites. Careful consideration should be given to any subdivision, land use or development located in the setting of a listed site or area of cultural significance, in particular any activities which involve earthworks.

Historic Heritage Rules

The Zone Sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to Historic Heritage. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5
- Eweburn Zone – Section 3.6.

Rule HH.1 - Permitted Activities

The following activities are **Permitted Activities**:

1. The following works on an item of Historic Heritage (excluding archaeological sites) identified in Schedule 5.2 - Historic Heritage Items:

- (a) Restoration, maintenance and/or repairs that use the same or similar materials to that originally used that retain the original design, form and texture of the feature under restoration, repair or maintenance.
 - (b) Plumbing and electrical work.
 - (c) Earthquake strengthening works that retains the original design and form of the item and does not remove or obscure external decorative features.
 - (d) Signs permitted under Section 2.12 - Signage.
 - (e) The alteration and addition to buildings where the alteration or addition does not affect any part of the building listed as requiring protection in Schedule 5.2 - Historic Heritage Items.
2. Archaeological investigations where an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014 has been issued.

Note: Any design which alters an item of historic heritage for the purposes of earthquake strengthening, should be sympathetic to and minimise the adverse effects on the heritage values of the building. For example, the design and placement of components that are visible on the façade should, as far as reasonable, be chosen to retain original façade materials and reduce visual impact on individual features, details and the overall appearance of the building.

Rule HH.2 - Discretionary Activities

Any works on an item of Historic Heritage identified in Schedule 5.2 - Historic Heritage Items that is not provided for by Rule HH.1 or subject to Rule HH.3 are **Discretionary Activities**.

Rule HH.3 - Non-Complying Activities

The demolition, destruction or removal of any item of Historic Heritage identified in Schedule 5.2 - Historic Heritage Items is a **Non-Complying Activity**.

Note: Whether registered in the District Plan, or by Heritage New Zealand, recorded and unrecorded sites associated with human activity that occurred before 1900 are protected and cannot be destroyed, damaged or modified without an archaeological authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014.

Historic Heritage Non-Regulatory Methods

Method HH.1 - Consultation

To consult and collaborate with Heritage New Zealand, Southland Regional Council, Iwi authorities, the Department of Conservation, the Southland Heritage Forum and affected landowners where appropriate, on matters relating to historic heritage.

Method HH.2 - Public Awareness

Promote public awareness and support of historic heritage and encourage landowners to actively manage in order to protect and enhance historic heritage.

Section 2.6 Subdivision

Subdivision is a process of defining and redefining land parcel boundaries and can provide a framework for future land use and development. Integrated, well planned subdivision can enhance character and amenity values by creating safe, healthy and pleasant environments. In contrast, inappropriately designed or located subdivision can result in the inefficient use of natural and physical resources and can give rise to adverse environmental effects. Subdivision design should be responsive to its context and integrating with and reflecting the site and wider environment. It should recognise anticipated future land use or development to ensure that the size, shape and configuration of the resultant allotments and access to utility services, infrastructure, transport and facilities, are appropriate.

This chapter is focussed on the location, nature and design of subdivision, connection of resultant allotments to infrastructure and vehicular and public access. However, subdivision has a direct relationship with land use and this chapter is complemented by provisions of other sections in the District Plan including the Rural, Urban, Industrial and Fiordland/Rakiura Zones. To enable subdivision and future land use and development to be comprehensively considered, Council encourages the concurrent lodgement of subdivision and land use resource consent applications. The subdivision provisions of the District Plan are linked to the Southland District Council Subdivision, Land Use and Development Bylaw 2012. The Bylaw sets minimum standards required by Council and ensures there is a consistent approach to subdivision and development across the District.

Objective SUB.1

Subdivision is integrated and well planned and gives particular consideration to anticipated future land use and development.

Objective SUB.2

Allotments are provided with connections to utility services and infrastructure, where they are available.

Objective SUB.3

Subdivision enables public access and recreational opportunities to and along the District's coastline, lakes, rivers and public spaces, where appropriate.

Policy SUB.1

Recognise that integrated and well planned subdivision design:

1. Creates desirable places to live.
2. Results in the efficient and effective land use.
3. Provides for anticipated future land use and development.
4. Recognises the physical layout and underlying topography of the site.
5. Integrates with existing utility services and infrastructure.
6. Gives effect to any relevant outline development plan or structure plan.
7. Implements best practice urban design principles.

Explanation: Subdivision design and the resultant pattern of allotments, infrastructure and open space linkages influence the character of the environment. The form and design of subdivision should reflect

and respond to the physical characteristics and topography of the site and recognise anticipated future land use and development. This can enable appropriate access to utility services and infrastructure.

Integrated and well planned subdivision provides a platform for sustainable growth, land use and development. Urban design is a key tool in achieving this and appropriate implementation of design principles can create safe, healthy and pleasant environments. Subdivision design should also consider the implementation of Crime Prevention Through Environmental Design measures. Where any outline development plan or structure plan for the site exists, this should be given effect to.

Policy SUB.2

Have regard to the following matters through the subdivision process where relevant:

1. The protection of areas of Outstanding Natural Features and Landscapes.
2. The protection of significant indigenous vegetation and significant habitats of indigenous fauna.
3. The protection of historic heritage and sites of significance to Iwi.
4. Risks associated with natural hazards.
5. Risks associated with areas of land identified as contaminated or potentially contaminated.
6. The preservation of natural character of the coastal environment and the margins of lakes, rivers and wetlands.

Explanation: Subdivision has a direct relationship with land use and can provide a framework for future use and development. Consideration of the resource management matters listed above can ensure that potential effects from land use and development are adequately assessed at the time of subdivision. The resource management issues outlined in this policy are detailed further in the following sections of the District Plan - Biodiversity (Section 2.2), Natural Features and Landscapes (Section 2.3), Coastal Environment (Section 2.4), Historic Heritage (Section 2.5), Natural Hazards (Section 2.7) and Waste, Hazardous Substances and Contaminated Land (Section 2.8).

Policy SUB.3

Recognise the benefits of an outline development plan or structure plan where large areas of land are to be rezoned or redeveloped.

Explanation: Outline development plans and structure plans provide a framework for areas of land that are to be rezoned or redeveloped. This includes the indicative type and density of development, its layout, connections to transport infrastructure, provision of and/or connection to reticulated infrastructure, open space linkages and any site constraints. These can provide the community with a level of certainty of the nature of future development and can assist in avoiding ad-hoc or un-coordinated development. Particular consideration to the provision of an outline development plan or structure plan should be given where rezoning or large scale green-field development occurs.

Policy SUB.4

Recognise the benefits of a compact urban form and infill subdivision that provides for:

1. The protection of the high value soils in the Rural Zone.
2. The effective connection and efficient use of existing infrastructure, including reticulated utility services and the transport network.

Explanation: Council is seeking to consolidate subdivision and future growth around existing settlements, existing reticulated utility services and existing infrastructure. This approach can provide for

the protection of farming activities utilising high value soils for productive use. This manner of subdivision can promote coordinated, integrated and compact urban form and optimise the efficient use of utility services and infrastructure. It can also discourage urban sprawl, ad-hoc and ribbon development and the unviable extension of infrastructure.

However, cumulative effects of infill subdivision need to be addressed, including additional demands on utility services and infrastructure and the maintenance and enhancement of amenity values.

Policy SUB.5

Recognise that rural-residential subdivision may be appropriate in locations where:

1. Allotment size, shape and configuration maintain open rural character.
2. Soils are not identified as being of high value.
3. Sites are not subject to significant risk from natural hazards.
4. Integration can be achieved with existing available reticulated utility services and transport infrastructure.
5. Consolidation can be achieved within and around existing residential areas.

Explanation: Rural-residential subdivision, independent of any farming or intensive farming activity, may be appropriate in some locations of the District, particularly in locations in close proximity to existing settlements. However, it must be undertaken in a manner that maintains open rural character, achieves the efficient use of soil and land resources and connectivity with existing available utility services and transport infrastructure. Rural-residential subdivision applications should not be considered in isolation, cumulative effects should also be considered. Rural-residential development should only be undertaken in areas that are not subject to significant risk from natural hazards.

Policy SUB.6

Subdivision is undertaken in compliance with the Southland District Council Subdivision, Land Use and Development Bylaw 2012.

Explanation: The subdivision process is the appropriate time to ensure that connections to utility services and transport infrastructure are created. Requirements relating to vehicle access and connections to utility services are set out in Council's Subdivision, Land Use and Development Bylaw 2012. The Bylaw sets minimum standards required by Council and ensures there is a consistent approach to subdivision and development across the District.

Policy SUB.7

Allotments are provided with a connection to the following utility services where they are available:

1. A reticulated potable water supply.
2. A reticulated stormwater system.
3. A reticulated sewer system.
4. A reticulated energy supply.
5. Telecommunications.
6. Trade waste disposal in the Industrial Zone only.

Explanation: Council considers that the subdivision process provides an appropriate opportunity to provide connections to utility services, where such services are available and the location of the

development within the site is known. Within the Urban Zone allotments should be connected to utility services.

Within the Rural Zone it is acknowledged that connections would only be practical where the site of the future development has been identified. Where this has not been identified it is recognised that connections would best be provided at development stage and consent notices on subdivision consents can provide for this. Where possible, the nature of connection should reflect the level of service required by anticipated future land use or development. Where water supply, wastewater and stormwater disposal reticulations are not available these shall be provided on-site or as part of a communal scheme. Where a subdivision is staged, careful consideration should be given to the coordinated and efficient provision of connections.

Additional demands on reticulated services can be a burden on ratepayers and development contributions ensure that costs are appropriately apportioned. Development costs associated with the connection to and any development or upgrading of reticulated services associated with subdivision shall be met by the applicant of the subdivision consent, under the Local Government Act. Council's Long Term Plan outlines the contributions required.

Policy SUB.8

Recognise that alternative means of telecommunication and energy supply may be available and may be appropriate in certain circumstances where subdivision is proposed in the Rural Zone and Fiordland/Rakiura Zone.

Explanation: Modern broadband and satellite telecommunication technologies provide opportunities for alternative telecommunication. The use of alternative means of communication in remote areas of the District should be undertaken in a manner that ensures that access to essential emergency services is provided and will be maintained at the time of subdivision.

Policy SUB.9

Maintain or enhance public access to the coastline, lakes, rivers and public spaces by integrating pedestrian and cycle linkages, through the subdivision process.

Explanation: The subdivision process provides an appropriate opportunity to facilitate and coordinate this access and associated linkages. This can be provided via a range of mechanisms, including esplanade reserves and strips provided for under the Resource Management Act and access easements. Public access and pedestrian and cycle networks provide recreational and open space opportunities, promote a sense of place and identity and support public health and wellbeing.

Policy SUB.10

Provision of esplanade mechanisms to and along the coastline, lakes and rivers.

Explanation: The Resource Management Act enables Council to require esplanade reserves or strips through provisions in the District Plan, at the time of subdivision. Esplanade mechanisms provide for the protection of conservation values of riparian margins, the maintenance of water quality and aquatic habitats and the enhancement of public access and recreational opportunities. In addition, esplanade reserves can provide access for waterway maintenance or bank stability works.

Esplanade requirements vary, but generally reflect the nature and width of the waterway, its value for public access and recreation, its conservation value and the nature of adjoining land use. Schedule 5.4 of

the District Plan lists the areas of coastline, lakes and rivers where esplanade mechanisms are required and the nature of that esplanade.

Policy SUB.11

Costs associated with the extension of existing infrastructure services are to be borne by the developer.

Explanation: Subdivision and development can adversely affect the sustainability of reticulated services. The full cost associated with the connection to and any upgrading of existing reticulated services that is brought about by subdivision and subsequent development should, in Council's view, be met by the developer. Additional demands on transport infrastructure from subdivision can be a burden on ratepayers and financial contributions ensure that costs are appropriately apportioned.

Costs associated with access to and any development, upgrading or maintenance of, existing transport infrastructure associated with subdivision shall be met by the applicant of the subdivision consent, by way of financial contributions under the Resource Management Act 1991. Section 2.14 - Financial Contributions of the District Plan outlines the situations where contributions are required.

Policy SUB.12

Adopt a precautionary approach where subdivision is proposed on contaminated land or potentially contaminated land.

Explanation: Determining the absence, presence, extent and degree of any contamination in or on areas of land provides a baseline when assessing application for subdivision and development activities. The presence, extent and nature of contamination should be determined in accordance with the Ministry for the Environment's Contaminated Land Management Guidelines No. 1 to No. 5 and the Resource Management Act 1991 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011. Applications for Subdivision may also require consent under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

Policy SUB.13

Adopt a precautionary approach where subdivision is proposed in areas at significant risk of natural hazards.

Explanation: Our knowledge of natural hazards is incomplete, evolving and inherently uncertain to some degree. Where there is uncertainty about natural hazard risks, a precautionary approach should be adopted.

Policy SUB.14

Avoid or mitigate the potential adverse effects of natural hazards on new allotments created through the subdivision process.

Explanation: Effects can be avoided through ensuring each new allotment provides a natural hazard free area suitable for future development. Where effects cannot be avoided it may be appropriate to decline the activity. Where consent is granted, effects should be appropriately mitigated through land use controls.

Policy SUB.15

Recognise that subdivision in areas of significant natural hazard risk, should not create a density of development that exacerbates the risk of the hazard to people or property.

Explanation: It is not appropriate to exacerbate risks to people by allowing intensive subdivision to occur in an area of known significant flood hazard. A larger lot size will assist in reducing potential housing density in these areas and therefore the number of people and properties at risk whilst at the same time enabling the use of land for social and economic benefit. Where appropriate mitigation of the potential hazard risk through larger lot sizes cannot be achieved, it may be appropriate to decline the activity.

Policy SUB.16

Avoid, remedy or mitigate reverse sensitivity effects on infrastructure.

Explanation: Subdivision and subsequent land use and development can increase the potential for reverse sensitivity effects on infrastructure. Infrastructure and network utility operators provide an important essential service to the Southland District and Wider National Networks. To ensure the continuation of this essential service the presence and function of the infrastructure should be recognised and careful consideration given to preventing the establishment and expansion of sensitive activities located in the vicinity of infrastructure. With regard to the National Grid Lines and Support Structures in particular, Council has adopted a National Grid corridor approach with associated land use rules contained with the Rural and Urban Zone Sections of the District Plan to manage these potential effects on National Grid Lines and Support Structures. Any subdivision design adjacent or within a National Grid corridor will be required to address the extent to which the subdivision design provides for roading, reserves, landscaping and building platforms that do not affect or are not affected by the transmission line.

Subdivision Rules

The Zone Sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to Subdivision. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5
- Eweburn Zone – Section 3.6.

Section 6.1 should also be referred to for guidance on what to include in applications.

Rule SUB.1 - Permitted Activity

Applications for certification of allotments on an existing Survey Plan under section 226(1)(e)(ii) of the Resource Management Act must ensure all allotments for certification comply with the following criteria:

1. Access must comply with minimum sight distances and formation standards outlined in the Subdivision, Land Use and Development Bylaw.
2. No buildings are within 1 metre of the title boundaries to be created by the certification.

3. The property is not located within the Flooding Inundation Natural Hazard Overlay on the Planning Maps.
4. In addition to (a) - (c), lots of less than 2,000 m² in the Urban, Rural Settlement Areas or Rural Zones must also:
 - (a) Have power and telephone services connected to the boundary.
 - (b) Have water, wastewater and surface water infrastructure connected to the boundary where that infrastructure is provided in that zone or where the lot is within 500 metres of a reticulated network, in accordance with the requirements of the Subdivision, Land Use and Development Bylaw.
 - (c) Be able to comply with NZS 1547:2012 ‘On-Site Domestic Wastewater Management’ where the lot is greater than 500 metres from reticulated wastewater infrastructure.

Rule SUB.2 - Controlled Activity

The following subdivision activities are **Controlled Activities**:

1. Subdivision of land to provide for an unmanned network utility.
2. Boundary adjustments.
3. Amendments to cross-lease subdivisions; where they comply with the following criteria:
 - (a) The Standards set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012.
 - (b) The site on which the activity is to be undertaken does not contain an item of Historic Heritage as listed in Schedule 5.2.
 - (c) The subdivision boundaries of any allotments, which have existing buildings, are aligned to ensure that the buildings comply with the requirements of:
 - (i) the Building Act 2004 and the Building Code 2004; and
 - (ii) the bulk and location requirements of the relevant Zone.

The matters over which Council reserves its control for Rule SUB.2(1), (2) and (3) are:

1. The provision of services including adequate provision of on-site wastewater systems where required.
2. The need for financial contributions and/or bonds.
4. Subdivision within the Urban Zone where each allotment complies with the following criteria:
 - (a) There is a minimum buildable area of 15 metres x 12 metres free of impediments and capable of meeting bulk and location requirements of the Urban Zone.
 - (b) All infrastructure (including water, stormwater, wastewater, electricity, telecommunications) will be installed to the boundary as a minimum by the developer, as part of the subdivision consent, where that infrastructure is provided within that Urban Zone.
OR be capable of accommodating a suitable on-site wastewater disposal system that complies with the relevant New Zealand Standard, where that urban zone does not have a reticulated wastewater system.
 - (c) There is no new access off a State Highway.
 - (d) No allotment is identified as being subject to natural hazards as shown in the Hazard Overlay on the District Plan Maps.
 - (e) No allotment includes part or all of the National Grid Yard or National Grid Corridor.
 - (f) The standards set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012.

- (g) The site on which the activity is to be undertaken does not contain an item of Historic Heritage as listed in Schedule 5.2.
- (h) The subdivision boundaries of any allotments, which have existing buildings are aligned to ensure that the buildings comply with the requirements of the Building Act 2004 and the Building Code 2004.

The matters over which Council reserves its control for Rule SUB.2(4) are:

1. Esplanade mechanism requirements.
2. The need for financial contributions and/or bonds.

Notwithstanding Rule SUB.3, Rule SUB.4 and Rule SUB.5, where an activity described in Rule SUB.2 does not comply with any of the specified criteria, that activity is a **Discretionary Activity**.

Note: Impediments are considered to include easements, infrastructure not covered by easements but protected under the Local Government Act, right of ways, or an area of contamination.

Rule SUB.2A - Restricted Discretionary Activity

Subdivision within the Eweburn Zone shall be a Restricted Discretionary Activity.

The matters over which Council's discretion is restricted is as follows:

1. Connection to infrastructure services including electricity and telecommunications (landline or otherwise).
2. Suitable disposal of wastewater (either through onsite disposal or through a communal disposal system).
3. Potable water and fire fighting water supply.
4. The apportioned site coverage allowance and number of dwellings (based on Rule EWB.6.1 to EWB.6.7) within the Activity Cluster or Activity Area.
5. That the allotments are of sufficient size to accommodate any intended activity, development and use.
6. Aspects outlined in Council's Subdivision, Land Use and Development Bylaw.
7. The timing and completion of planting within the State Highway Buffer Landscape Strip.

Note: Any subdivision within Activity Areas 1, 2 or 3 and Activity Clusters A and B shall be submitted outlining how the remaining site coverage allowance will be apportioned to each new allotment created. Council will then issue a Consent Notice on the Computer Freehold Register for each respective allotment which outlines the site coverage allowance.

Rule SUB.3 - Discretionary Activity

The following subdivision activities are **Discretionary Activities**:

1. Any subdivision activity not provided for by Rules SUB.1, SUB.2 or SUB.4 or prohibited by Rule SUB.5.
2. Subdivision of land within the Fiordland/Rakiura Zone Transitional Area.
3. Subdivision of land within the Fiordland/Rakiura Zone but outside of the Transitional Area and National Parks, provided that the resultant lots are all greater than 10 hectares.
4. Subdivision that creates allotments that include the National Grid Corridor but not the National Grid Yard.

Rule SUB.4 - Non-Complying Activity

The following subdivision activities are **Non-Complying Activities**:

1. Except as provided in Rule SUB.1 and SUB.2, any subdivision in the Fiordland/Rakiura Zone outside of a National Park and the Transitional Area, where any resultant lot is less than 10 hectares.
2. Subdivision in an area identified as an Outstanding Natural Feature or Landscape.
3. Subdivision that creates allotments that include the National Grid Yard.

Rule SUB.5 - Prohibited Activities

The subdivision of any land within a National Park is a **Prohibited Activity**.

Note: Any lease granted by the Minister of Conservation on Conservation Land is exempt from the subdivision provisions of this plan in accordance with Section 17P of the Conservation Act 1987.

Rule SUB.6 - Esplanade Mechanisms

Esplanade mechanisms shall apply to the following subdivision activities:

1. Where an allotment of less than 4 hectares is created when land is subdivided adjoining a lake or river identified in Schedule 5.4 - Rivers and Streams Requiring Esplanade Mechanisms, an esplanade strip or reserve up to 20 metres in width shall be required within the allotment along the bank of the river or lake.
2. Where an allotment greater than 4 hectares is created when land is subdivided adjoining a lake or river identified in Schedule 5.4 - Rivers and Streams Requiring Esplanade Mechanisms, the Council may require an esplanade strip in the following circumstances:
 - (a) Where strips/reserves already exist adjacent to or in the general vicinity of the subdivision and the creation of an esplanade strip would complement or increase the area of land available for public access.
 - (b) On land adjacent to any water body where such a strip or reserve may be necessary to provide for the purposes set out in Section 229 of the Resource Management Act 1991.

Section 2.7 Natural Hazards

The District is prone to a range of natural hazards which can pose risks to people, property, communities, businesses and infrastructure. The intensity, frequency and risk of natural hazards vary and some are likely to be exacerbated over time by climate change.

The location and nature of subdivision, land use and development, including regionally significant infrastructure, must take account of natural hazard risks and avoid or mitigate these risks, where practicable. This includes any change or intensification of developed areas now known to be at risk from natural hazards. Similarly, these activities must not exacerbate natural hazard risks and any associated adverse environmental effects. Areas of the District identified as being at risk from flood and coastal hazards are identified on the District Plan Maps through the Natural Hazard Overlay. The Natural Hazard Overlay incorporates flood inundation and coastal hazard information which has been sourced from the Southland Regional Council. Generally the significance and level of risk can only be identified following a site specific assessment of an area. That applies to areas covered by Natural Hazard Overlays as well as areas that are not.

Objective NHZ.1

Reduce the risk of natural hazards to people, communities, businesses and infrastructure.

Policy NHZ.1

Avoid inappropriate subdivision, land use and development and avoid wherever practicable the placement of regionally significant infrastructure, in areas at significant risk from natural hazards.

Explanation: Careful consideration must be given to activities where significant natural hazard risks exist as it may be appropriate to prevent an activity. The avoidance of inappropriate activities in areas prone to significant natural hazards supports community resilience and safeguards health, safety and socio-economic and cultural wellbeing. It is recognised that there may be some instances where avoidance is not possible or practical and there is no reasonable alternative or situations where adverse effects can be completely mitigated.

Policy NHZ.2

Mitigate the adverse effects of natural hazards, by controlling subdivision, land use and development in natural hazard areas other than those at significant risk from natural hazards.

Explanation: Where natural hazard risks cannot be avoided, activities located within areas prone to natural hazards should adopt appropriate mitigation measures. Often, adverse effects can be mitigated through land use control and the location, nature and design of the activity. This relates to both new and existing subdivision, land use and development. Where natural hazard risks are not fully understood, a precautionary approach should be adopted.

Policy NHZ.3

Recognise the benefits of and allow for the undertaking and establishment of physical protection works to reduce the risk of natural hazards.

Explanation: The establishment of physical protection works may be appropriate where subdivision, land use or development exists in a known natural hazard risk area and that risk cannot be avoided or mitigated. Such works should only be undertaken where all alternatives and opportunities to avoid or mitigate the natural hazard risk, including relocation of the activity, have been exhausted. Careful consideration should be given to the form, location and design of the physical protection works to mitigate any potential adverse effects on the character and amenity of the site and surrounds. New subdivision, land use and development should be located and designed so as to avoid the need for further physical protection works.

Policy NHZ.4

Recognise the benefits of the protection, re-creation and enhancement of natural features and landforms that mitigate the risk of natural hazards.

Explanation: Natural features and landforms have the potential to mitigate natural hazard risks and buffer associated adverse effects. Where possible, they should be protected, re-created and enhanced. The benefits of natural features and landforms should be considered instead of, or in partnership with, any physical protection works proposed. The protection, re-creation and enhancement of natural features and landforms may also safeguard associated biodiversity, cultural, amenity and landscape values.

Policy NHZ.5

Subdivision, land use, development and physical protection works shall not exacerbate the risk of natural hazards.

Explanation: Inappropriate location or design of subdivision, land use, development and physical protection works have the potential to shift or create a risk of natural hazards and associated adverse effects. The exacerbation of natural hazard risks may occur at the site, or elsewhere. Where a natural hazard risk is known, careful consideration should be given to the location and design of these activities to take account of that risk.

Policy NHZ.6

Adopt a precautionary approach in managing the effects of climate change and sea level rise and any associated changes in the scale and frequency of natural hazards, to ensure potential adverse effects are avoided or mitigated.

Explanation: The intensity, frequency and risk of natural hazards are likely to be exacerbated over time by climate change. While scientific and technical uncertainty exists about the natural hazard risks associated with climate change, a precautionary approach will ensure that risks are reduced long term. Central government provides guidance on this and in particular provides projections on likely sea level rises until 2100. Careful consideration should be given to the location of subdivision, land use, development and regionally significant infrastructure to avoid effects associated with climate change, including sea level rise.

Natural Hazard Rules

Rules relating to natural hazards are contained within the Urban Zone, Rural Zone, Industrial Zone, Infrastructure and Subdivision chapters of the District Plan.

Natural Hazard Non-Regulatory Methods

Method NHZ.1

In collaboration with the other relevant agencies and with the community:

- Develop and maintain a record of existing or potential natural hazards (including the nature, location, dynamics, characteristics and climate change).
- Develop approaches for managing existing or potential natural hazards affecting the District.

Method NHZ.2

Make available maps which identify the location of known natural hazard risks.

Guidance Note:

Generally the significance and level of risk can only be identified following a site specific assessment of an area, however, guidance on areas potentially at significant risk that should be considered as part of such a site specific assessment is provided below:

- (a) Areas that have flooded to a depth of more than 100 mm previously (including marine and riverine inundation but excluding urban stormwater inundation in reticulated areas) and for which the likelihood of inundation has not been reduced by flood alleviation works designed to protect the area from floods with a 2% or less Annual Exceedance Probability.
- (b) Spillways, secondary flowpaths and ponding areas.
- (c) Areas immediately downstream of large dams (dams over 3 metres in height and more than 20,000 m³ in volume).
- (d) Unprotected areas less than 800 mm higher than land that has been previously inundated by the sea.
- (e) Areas in close proximity to the coastline that on the basis of past trends and/or the erosive effect of projected sea level rise could erode in the next 100 years.
- (f) Areas prone to slipping, slumping, landslides, landslide runout, avalanche or rock falls.
- (g) Areas subject to multiple hazards (including where none in themselves would constitute a significant risk).
- (h) Geomorphic floodplains of small watercourses whose flood history is unknown.
- (i) Alluvial fans and river deltas especially in steep, fast flowing, dynamic watercourses.
- (j) Areas in close proximity to identified active faults.
- (k) Land adjacent to lakes and less than 1 metre higher than the previous highest lake levels.

Section 2.8 Waste, Hazardous Substances and Contaminated Land

Waste, hazardous substances and contaminated land topics have been incorporated into one section of the District Plan in acknowledgement of the similar nature of the activities related to these topics. All three topics relate to the management of man-made hazards and risks to human health.

Waste

Southland District Council is responsible for collecting and managing solid waste and the promotion of effective and efficient solid waste management and minimisation. Waste management and disposal is a cross-boundary issue and an integrated approach to waste management has been developed between local authorities in the Southland Region. An integrated approach is achieved through WasteNet Southland, a shared Council service between the region's three territorial authorities the Southland District Council, Invercargill City Council and Gore District Council. The three territorial authorities, through WasteNet Southland in collaboration with the Southland Regional Council, have also jointly developed and implemented the Southland Waste Management and Minimisation Plan 2012-2018.

Under the Resource Management Act, the Council is responsible for managing the effects of the use and development of land including those that relate to solid waste management. Solid waste management and disposal can give rise to a range of adverse environmental effects. These effects can be avoided, remedied or mitigated through appropriate handling, storage, processing, transportation and disposal. Solid waste management can also have positive environmental effects where waste is recycled, reused and recovered. Solid waste management facilities and disposal sites are necessary to effectively manage waste. However, these activities can potentially give rise to adverse environmental effects and as such are not desirable in all locations. The District Plan requires resource consent applications for solid waste facilities and disposal sites outside of Industrial Zones.

Hazardous Substances

Hazardous substances are stored, used and managed throughout the District and play a role in many industrial, commercial, domestic, horticultural and farming activities.

Inappropriate storage, use and management of hazardous substances can pose a risk to human health and adverse effects on the environment. This includes the location, design, construction and management of hazardous substances facilities. District Plan rules relating to hazardous substances are linked to the Hazardous Substances Table detailed in Schedule 5.12 - Hazardous Substances.

Contaminated Land

There is an elevated risk of contaminants in or on land in some areas of the District. These areas of land are either suspected or known to be contaminated because of previous storage, use, or disposal of hazardous substances. The Ministry for the Environment's Hazardous Activities and Industries List (HAIL) provides direction on situations where hazardous substances may result in land contamination. Identified HAIL sites in Southland are recorded on Southland Regional Council's Sites Associated with Hazardous Substances Register (SAHS Register). Under the Section 31 functions of the Resource Management Act 1991 Council is responsible for the prevention or mitigation of any adverse effects of the development, subdivision or use of contaminated land. The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES) requires that Council control the subdivision, use and development of land on all HAIL sites.

Land use, subdivision and development on land suspected or known to be contaminated can give rise to risks to human health and adverse effects on the environment. Methods to manage this risk are specified in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011. Prior to a change in land use, subdivision or development on land suspected or known to be contaminated that will result in any potential to cause exposure of that contaminant in a way that will impact on human health, it should be demonstrated that the land is suitable for that activity by undertaking investigations and adopting appropriate mitigation measures where necessary. A precautionary approach should be adopted.

Waste

Objective WASTE.1

Minimise the adverse effects of solid waste management and disposal on human health and the environment.

Policy WASTE.1

Ensure that solid waste is handled, stored, processed, transported and disposed of in a manner that avoids, remedies or mitigates adverse effects on the environment.

Explanation: Solid waste management can give rise to a range of adverse environmental effects which should be avoided, remedied or mitigated through appropriate handling, storage, processing, transportation and disposal. Careful consideration should be given to the location, design, management and monitoring of solid waste management activities and associated facilities, to take account of potential adverse environmental effects. Adverse effects on human health and safety should be avoided.

Policy WASTE.2

Recognise the benefits of solid waste recycling, reuse and recovery activities.

Explanation: The processing of waste through recycling, reuse and recovery activities can reduce the volume of waste disposed of to landfill, cleanfill or other disposal facility. These solid waste management activities can give rise to positive environmental effects.

Waste Rules

Farm landfills and dead holes (offal pits) are activities controlled through the Southland Regional Council's Regional Plans and are permitted in the Rural Zone if they comply with the earthworks and cleanfill provisions of this District Plan.

Non-Regulatory Method

Method WASTE.1

Council will continue to work through WasteNet Southland to implement the Southland Waste Management and Minimisation Plan 2012-2018 in order to:

1. Effectively monitor the quantities and types of waste produced in the District and how this waste is being disposed of.

2. Provide information and undertake education to encourage, promote and support waste minimisation in the District.

Hazardous Substances

Objective HAZS.1

Manage the storage, use, transportation and disposal of hazardous substances in order to prevent adverse effects on human health and mitigate other adverse effects on the environment.

Policy HAZS.1

Ensure that hazardous substances are stored, used, transported and disposed of in a manner that avoids, remedies or mitigates adverse effects on human health and the environment.

Explanation: If not stored, used, transported or disposed of appropriately, hazardous substances can give rise to a range of adverse environmental effects, including effects on human health. These effects can be reduced through appropriate storage, use, transportation and disposal activities. The storage, use, transportation and disposal of hazardous substances should be undertaken in accordance with the Hazardous Substances and New Organisms Act 1996 and current best practice. Particular consideration should be given to the adoption of appropriate operating procedures and systems, staff training, defined transport routes, management plans, monitoring regimes and contingency plans.

Policy HAZS.2

Ensure that hazardous facilities are located, designed, constructed and operated to avoid, remedy or mitigate adverse environmental effects from hazardous substances.

Explanation: Facilities that provide for storage, use and disposal of hazardous substances should be located, designed, constructed and managed to address any adverse effects on and the environment. Current best practice should be adopted. Particular consideration should also be given to the provision of containment systems or contingencies to control spillage or leakage, installation of appropriate signage and separation or buffers from sensitive natural environments, areas at significant risk of natural hazards and incompatible land use activities.

Hazardous Substances Rules

The Zone Sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to hazardous substances. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5
- Eweburn Zone – Section 3.6.

Note: Fuel Storage, refuelling and oil changing associated with plantation forestry is managed under regulation 104 of the National Environmental Standard for Plantation Forestry Regulations 2017. That regulation prevails over the rules in this section in relation to plantation forestry.

Rule HAZS.1 - Permitted Activities

The following activities are **Permitted Activities**:

1. The storage, use and management of hazardous substances for domestic purposes, associated with a lawfully established residential activity, excluding home occupations. The hazardous substance(s) must form part of a consumer product intended for domestic use. The product must be clearly identified and stored in the container in which it was sold. The product must be used or disposed of in accordance with the manufacturer's instructions.
2. The storage and use of fuel as part of a vehicle's fuel system.
3. The storage, use and management of hazardous substances not exceeding the quantity limits and other requirements stipulated in Table HAZS.1 - contained in Schedule 5.12 - Hazardous Substances.
4. The storage and use of agrichemicals within the Rural and Eweburn Zones, in accordance with NZS 8409:2004.
5. The storage and use of Class 3 fuels within the Rural and Eweburn Zones in accordance with the Environmental Protection Agency's Approved Practice Guide for Above-ground Fuel Storage on Farms, September 2010.
6. The storage and use of fertiliser within the Rural and Eweburn Zones in accordance with the:
 - (a) Fertiliser (Corrosive) Group Standard HSR002569; and
 - (b) Fertiliser (Oxidising) Group Standard HSR002570; and
 - (c) Fertiliser (Subsidiary Hazard) Group Standard HSR002571; and
 - (d) Fertiliser (Toxic) Group Standard HSR002572; and
 - (e) FertResearch's Code of Practice for Nutrient Management 2013.
7. The storage and use of transformer cooling oils in electricity transformers.
8. The transit and up to two-hour storage of tracked hazardous substances except for 1080 bait which may be stored for up to 12 hours in the Rural, Fiordland/Rakiura and Eweburn Zones only if it is in a locked or guarded site.
9. The transit and 72 hour storage maximum of non-tracked hazardous substances within all Zones.
10. The storage, use of radioactive substances in compliance with the Radiation Protection Act and licence conditions and any other requirements made by the Office of Radiation Safety (Ministry of Health).

Rule HAZS.2 - Controlled Activities

The following activities are **Controlled Activities**:

1. The storage of HSNO class 2.1.1A LPG as follows:
 - (a) In quantities exceeding those permitted in Rule HAZS.1 but not exceeding 6 tonne.
 - (b) Propane-based refrigerant, in 45, 90 and 222 kg cylinder installations in quantities exceeding those permitted in Rule HAZS.1.
 - (c) Propane-based refrigerant in commercial refrigeration receivers, in quantities exceeding those permitted in Rule HAZS.1.

The matters that Council has restricted its control to are:

1. location and design of storage tanks;
2. monitoring systems;
3. emergency response plans;
4. site security and containment of the hazardous substance;

5. For storage of LPG, including siting of LPG facilities, adherence to the Hazardous Substances (Classes 1-5 Controls) Regulations 2001 and to AS/NZS 1596:2014 “The Storage and Handling of LP Gas”.

2. The storage of HSNO sub-class 3.1A-D liquid petroleum fuels in underground tanks.

The matters that Council has restricted its control to are:

1. Location and design of storage tanks.
2. Monitoring systems.
3. Emergency response plans.
4. Site security and containment.
5. For storage of petrol and/or diesel, adherence to the following codes of practice:
 - (a) Environmental Protection Authority (EPA) Approved Code of Practice HSNOCOP 13-2, “Code of Practice for the Management of Existing Stationary Container Systems up to 60,000 litres Capacity”.
 - (b) Below Ground Stationary Container Systems for Petroleum - Design and Installation HSNOCOP 44, Environmental Protection Agency, May 2012; and
 - (c) Below Ground Stationary Container Systems for Petroleum - Operation HSNOCOP 45, Environmental Protection Agency May 2012.
6. Any unusual soil or other underground conditions of the site and any natural hazards which contribute to risks of tank or pipework failure.
7. The nature of activities and density of use in the vicinity of the site, including any potential for synergistic enhancement of risk from use on the same or adjacent sites of quantities of the same substance or the co-storage and/or use of other hazardous substances.

3. The storage in aboveground and underground tanks of HSNO classes 8 and 9.1A-D aquatic ecotoxics and/or HSNO sub-class 9.2A-D soil ecotoxics, in quantities that exceed the limits and other requirements stipulated in Table HAZS.1 - contained in Schedule 5.12 - Hazardous Substances.

The matters that Council has restricted its control to are:

1. Location and design of storage tanks or cylinders.
2. Monitoring systems.
3. The monitoring of tank performance and emergency plan testing.
4. Emergency response plans.
5. Site security and containment.
6. For storage of aquatic or soil ecotoxics, adherence to the Environmental Protection Authority (EPA) Approved Code of Practice HSNOCOP 13-2, “Code of Practice for the Management of Existing Stationary Container Systems up to 60,000 litres Capacity”.

Rule HAZS.3 - Discretionary Activities

The manufacture, storage, use and management of hazardous substances other than provided for by Rule HAZS.1 and Rule HAZS.2 are **Discretionary Activities**.

A site management plan and an emergency response plan shall be submitted with any application for resource consent under Rule HAZS.3.

Contaminated Land

Objective CONTAM.1

Manage contaminated land or potentially contaminated land in order to prevent adverse effects on human health and mitigate other adverse effects on the environment.

Policy CONTAM.1

Promote the identification of contaminated land where it is proposed for subdivision, development or land use activity.

Explanation: Determining the absence, presence, extent, degree and nature of any contamination in or on pieces of land provides a baseline for the establishment of suitable land use, subdivision or development activities, as well as the appropriate level of management required. The presence, extent and nature of contamination should be determined through site investigations undertaken in accordance with national best practice, including the Ministry for the Environment's Contaminated Land Management Guidelines No. 1 to No. 5, or its updated equivalent and the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. It should be noted that the National Environmental Standard does not apply to land that is to continue to be used for production purposes.

Policy CONTAM.2

Manage subdivision, land use and development of contaminated land or potentially contaminated land in a manner that prevents adverse effects on human health and mitigates adverse effects on the environment.

Explanation: Careful consideration must be given to activities where the adverse effects of contaminated land, or potentially contaminated land, cannot be avoided or appropriately remedied or mitigated. This includes any associated earthworks and particularly relates to adverse effects on human health and the health of future residents or other land users. In some cases it may be appropriate to decline an activity. The avoidance of inappropriate activities on contaminated land, where adverse effects are not able to be appropriately remedied or mitigated, safeguards the health and safety of individuals and communities.

Policy CONTAM.3

Where land is identified as contaminated or potentially contaminated it shall be demonstrated that the land is suitable for the intended subdivision, land use or development activity.

Explanation: Subdivision, land use and development activities have different tolerances to the adverse effects of contamination present in contaminated land. Contaminated land should therefore be managed to a standard suitable for the intended activity. Remediation or mitigation should be undertaken prior to the establishment of the activity, including any change in land use. The level of remediation or mitigation required should be established by determining the extent and degree of contamination and in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

Particular consideration should be given to the management of adverse effects on human health and to ongoing monitoring. The developer shall demonstrate the land is suitable for its intended subdivision, land use or development.

Contaminated Land Rules

All activities including removing or replacing a fuel tank, soil sampling, soil disturbance, subdivision or change in land use undertaken on a “piece of land” shall comply with the requirements of Clause 8 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 contained in Schedule 5.8 - National Environmental Standard - Contaminated Land. The National Environmental Standard sets out what can be undertaken as a permitted activity and where resource consent will be required.

Contaminated Land Non-Regulatory Methods

Method CONTAM.1

In collaboration with other relevant agencies, including the Southland Regional Council, identify and document contaminated land and other land where an activity or industry is described in the Hazardous Activities and Industries List (HAII).

Method CONTAM.2

Increase awareness and provide education on contaminated land and activities on the Hazardous Activities and Industries List and make available information on known areas of contaminated land.

Section 2.9 Energy, Minerals and Infrastructure

Energy, minerals and infrastructure are incorporated into one Section of the District Plan in acknowledgement of the strategic importance of a coordinated approach to these matters. In particular there is a close association between the development of energy resources, the generation of electricity and the provision of essential infrastructure throughout the District.

Energy and Minerals

Energy and mineral resources play a key role in the socio-economic wellbeing and growth of the District. For example quarries and aggregates for agricultural products, building materials and roading materials, provide important social and economic benefits. A range of renewable and non-renewable energy and mineral resources are located within the District. While the development of these resources and the generation of energy can provide wide-ranging benefits, they can also give rise to adverse environmental effects. Renewable energy resources provide significant opportunities for sustainable energy generation. The benefits of renewable energy are recognised by central government through the National Policy Statement for Renewable Electricity Generation 2011. Southland has existing wind and hydro electricity generation facilities located within the District including the Manapouri Power Station, Monowai Power Station and White Hill Wind Farm. Where the objectives and policies refer to 'energy' this should be areas as including renewable electricity generation as is identified in the explanations to the policies. This avoids duplication of policies, while still giving effect to the National Policy Statement for Renewable Electricity Generation.

Infrastructure

Infrastructure provides services essential to the maintenance and enhancement of social and economic wellbeing at local, regional and national levels and plays a key role in enabling effective and efficient functioning of the District. Given its strategic importance, it is vital that infrastructure is developed, operated, maintained and upgraded in a safe, effective and efficient manner. While infrastructure provides wide-ranging benefits, its development, operation, maintenance and upgrading has the potential to generate adverse environmental effects. These effects may be in the form of visual intrusion or the generation of odour, dust or noise. Typically, adverse effects arise where infrastructure is of a scale, or at a location, which is incompatible with neighbouring land use or the surrounding environment. In some cases, infrastructure is not well integrated with subdivision, land use and development. Infrastructure can be subject to the effects of climate change and natural hazards events and it is important that it is developed, operated, maintained, upgraded or relocated to take account of the risks posed. This will ensure that the provision of services is not compromised. The strategic importance of infrastructure should be recognised and provided for by Council. In many cases this will be by way of a Designation. Council must balance an enabling approach while ensuring that any adverse effects associated with infrastructure are avoided, remedied, or mitigated. To carry out this function, controls on the effects of infrastructure and the effects on infrastructure, are required.

The importance of enabling existing electricity transmission activities is acknowledged through the National Environmental Standard for Electricity Transmission Activities which came into effect on 14 January 2010. This National Standard takes precedence over any rules in the District Plan relating to operation, maintenance, upgrading, relocation and removal of national grid electricity transmission facilities that existed on 14 January 2010. This applies to all zones in the Southland District Plan.

The National Policy Statement on Electricity Transmission 2008 (NPSET) recognises the national significance of the need to operate, maintain, develop and upgrade the electricity transmission network and Section 75 (3) of the RMA requires district plans to give effect to the NPSET. In particular the NPSET requires decision makers to recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission, and to recognise and provide for the effective operation, maintenance, upgrading and development of the network.

The importance of providing for enhanced telecommunication activities is acknowledged through the National Environmental Standard for Telecommunications Facilities which came into effect on 9 October 2008 and was updated in 2016. The National Standard is primarily about telecommunication equipment in the road reserve and also deals with radio frequency fields, noise from telecommunications cabinets and the installation of masts or antennae on existing structures.

Energy and Minerals

Objective ENGM.1

Energy and mineral resources are developed and electricity is generated, in a manner that avoids, remedies or mitigates the adverse effects on the environment.

Objective ENGM.2

To recognise that energy and mineral resources are important to the current and foreseeable needs of Southland and New Zealand.

Policy ENGM.1

Provide for the investigation and development of renewable electricity and energy resources and non-renewable energy and mineral resources whilst avoiding, remedying or mitigating adverse effects on the environment.

Explanation: Energy and mineral resources play a key role in the functioning of the District and it is important that they are developed and energy is generated, to meet current and foreseeable needs. The development of these resources and the generation of electricity can give rise to adverse effects on the environment, in particular the character and amenity of the environment in which it is located. These adverse effects must be avoided, remedied or mitigated. Particular consideration should also be given to the avoidance of adverse effects on public health and safety.

Policy ENGM.2

To enable the operation, maintenance, repowering, upgrade and development of existing renewable electricity generation activities.

Explanation: There are existing renewable electricity generation activities within the Southland District. To give effect to the National Policy Statement for Renewable Electricity Generation it is important that the generation capacity from these facilities can be maintained. This policy will provide for these existing activities to continue within the District.

Policy ENGM.3

Recognise the local, regional and national benefits associated with the development of energy and mineral resources and the generation of electricity.

Explanation: The development of energy and mineral resources and the generation of electricity can give rise to local, regional and national benefits. It is important that these benefits are considered when assessing resource consent applications for the investigation and development of energy and mineral resources and the operation, maintenance and upgrading of energy generation activities. The National Policy Statement for Renewable Electricity Generation 2011 identifies that the benefits of renewable electricity generation are of national significance. The local, regional and national benefits of renewable electricity resources, particularly in association with climate change, are widely recognised and the development of renewable electricity resources and associated renewable electricity generation should be promoted.

Policy ENGM.4

Recognise that development of energy and mineral resources and the generation of electricity can have a functional, technical or operational requirement to be sited at a particular location.

Explanation: Energy and mineral resource development and particularly renewable energy production needs to be in areas where the natural resource is located. The effects of such activities on the natural character of the amenity of the surrounding environment need to be managed and given careful consideration as part of the investigation and development of these resources.

Policy ENGM.5

Protect the development of energy and mineral resources and the generation of electricity, including renewable energy, from the reverse sensitivity effects of incompatible subdivision, land use and development.

Explanation: The development of energy and mineral resources and the generation of electricity have the potential to give rise to adverse effects on neighbouring land use and surrounding areas. Often these effects arise where these activities are incompatible with neighbouring activities. A common adverse effect that can arise is reverse sensitivity.

To ensure the ongoing development of energy and mineral resources and generation of electricity, the presence and function of the energy and mineral resources should be recognised and careful consideration should be given to activities proposed to be located in the vicinity of existing or consented facilities.

Policy ENGM.6

Recognise and provide for the development, operation, maintenance, repowering and upgrading of new and existing renewable electricity generation activities, in a matter that:

1. Recognises the need to locate renewable electricity generation activities where the renewable electricity resources are available.
2. Recognises logistical and technical practicalities associated with developing, upgrading, operating and maintaining renewable electricity generation activities.
3. Encourages, facilitates and provides for research and exploratory-scale investigations into existing and emerging renewable electricity generation technologies and methods.

Explanation: The benefits associated with renewable electricity resources are widely recognised and the development of renewable electricity resources and associated renewable electricity generation must be promoted. This supports the government’s target of increasing the percentage of electricity generated by renewable energy by 2025. To achieve this target it will be necessary for both the current electricity generation capacity to be retained as well as needing the development of additional electricity generation activities.

Policy ENGM.7

Provide for the investigation, development, operation, maintenance and upgrading of small and community-scale distributed renewable energy generation.

Explanation: Small and community-scale distributed renewable energy generation activities benefit a particular site or immediate community by increasing the security and reliability of energy supply. In some cases small and community-scale distributed renewable energy generation activities also provide these benefits to the national grid. The ability for small and community-scale distributed renewable energy generation activities to provide opportunities for individuals, businesses and communities to provide for their own needs should be encouraged, however, careful consideration must be given to avoid, remedy or mitigate adverse effects of these activities on the environment.

Policy ENGM.8

Provide for offsetting measures or environmental compensation where any residual environmental effects of renewable electricity generation activities cannot be avoided, remedied or mitigated.

Explanation: The adverse effects from renewable electricity generation activities should as far as possible be avoided, remedied or mitigated. However, where there are any residual environment effects, consideration should be given to offsetting measures or compensation which benefits the environment and community affected. The Regional Policy Statement contains principles in relation to biodiversity offsets and other references to offsetting measures and environmental compensation which are to be implemented.

Energy and Minerals Rules

Rules relating to Energy and Minerals, including on-farm gravel extraction for maintenance activities, are contained within the Urban Zone, Rural Zone, Industrial Zone, Fiordland/Rakiura Zone and Noise sections of the District Plan.

Infrastructure

Objective INF.1

To ensure that infrastructure meets the current and foreseeable needs of the District whilst ensuring that the adverse effects on the environment are avoided, remedied or mitigated.

Policy INF.1

Recognise and provide for the development, operation, maintenance upgrading or relocation of infrastructure, particularly regionally significant infrastructure, whilst avoiding, remedying or mitigating the adverse effects of that infrastructure on the environment.

Explanation: Infrastructure plays a key role in the functioning of the District, however, it can give rise to adverse effects on the environment, in particular on character and amenity. Adverse effects on amenity values should be avoided, remedied or mitigated. Particular consideration should be given to the avoidance of adverse effects on public health and safety. Consideration should be given to the consolidation of infrastructure where practicable.

Policy INF.2

Recognise that infrastructure can have a functional, technical or operational requirement to be sited at a particular location.

Explanation: Typically infrastructure is located where it will achieve optimal operational efficiencies and often the functional, technical and operational constraints of infrastructure dictate the location of that infrastructure. In some cases this location may not achieve 'best fit' with the character or amenity of the surrounding environment. Therefore careful consideration must be given to the design, operation, maintenance and upgrading of that infrastructure to avoid, remedy or mitigate any adverse effects.

Policy INF.3

Protect infrastructure, particularly regionally significant infrastructure, from incompatible subdivision, land use and development.

Explanation: A common adverse effect associated with infrastructure is reverse sensitivity. Typically this arises where inappropriate subdivision, land use or development occurs in the vicinity of existing or proposed infrastructure. To ensure the ongoing operation, maintenance and upgrading of infrastructure, the presence and function of the infrastructure should be recognised and careful consideration should be given to subdivision, land use and development where it is to be located in the vicinity of existing or proposed infrastructure.

Policy INF.4

Infrastructure, particularly regionally significant infrastructure, should be located so that the effects of climate change and natural hazards are avoided or mitigated.

Explanation: Infrastructure is subject to the effects of climate change and natural hazards. The development, operation, maintenance and upgrading of infrastructure should take account of the risks posed by climate change and natural hazards to ensure that the provision of infrastructure services is not compromised. This is particularly important for regionally significant infrastructure. It is acknowledged as in Policy INF.2 that some regionally significant infrastructure will have technical requirements to be located in areas that may be subject to natural hazards, for example hydro-generation facilities.

Infrastructure Rules

Note: District-wide rules

The rules in the Infrastructure section override Zone and district-wide rules of the District Plan with the exception of Rule INF.6(1) General Infrastructure Standards.

The National Environmental Standard for Electricity Transmission Activities contains rules for the operation, maintenance, upgrading, relocation or removal of existing transmission lines. Except as provided for by the regulation, no rules in this plan apply to such activities.

The National Environmental Standards for Telecommunications Facilities provides standardised rules for certain low impact telecommunications equipment within legal road boundaries, and radiofrequency exposures in accordance with New Zealand Standard NZS 2772.1.1999. This standard establishes a baseline when considering the potential effects from the development of telecommunications facilities.

Rule INF.1 - Permitted Activities

The following activities are **Permitted Activities**, provided they meet the General Infrastructure Standards:

1. The operation, maintenance, minor upgrading, repair or removal of any existing network utilities including the clearance, modification or removal of indigenous vegetation, undertaken by any network utility operator, for the purpose of ensuring the safety and integrity of existing infrastructure or to maintain access to that infrastructure.
2. Development, installation, maintenance and upgrading of network utilities located underground not otherwise provided for.
3. The maintenance and repair of existing formed roads including street furniture within the existing legal road, accessways and rights of way.
(Note: Works to accessways and rights of way may require a permit under the Southland District Council Subdivision, Land Use and Development Bylaw 2012).
4. The construction or realignment of a road by Council, not within the Outstanding Natural Features and Landscapes Overlay or an area of significant indigenous vegetation or habitat of indigenous fauna.
5. The trimming and pruning of vegetation necessary to protect electric lines (required to meet the Electricity (Hazards from Trees) Regulations 2003) or telecommunication lines.
6. Minor upgrading of existing above-ground transmission and distribution lines and support structures.
7. Addition of telecommunications cables and lines to existing support structures.
8. Buildings housing network utilities (including cabinets, electricity transformers and switching stations) above-ground not exceeding 30 m² in area.
9. Dish antennae not exceeding 5 m² in area.
10. Extensions to, or new above-ground electricity or telecommunication distribution and transmission lines and single-pole support structures, where the existing distribution is overhead.
11. Generators including Emergency Generators, provided that they shall only operate:
 - (a) During emergency situations; or
 - (b) For standard performance testing procedures as required by law or by the engine manufacturer for emergency generators, or as a backup when the main power supply is undergoing maintenance, up to a maximum of 500 hours per calendar year; or
 - (c) Where they are required by network utility operators for maintenance works.
12. Wind monitoring masts provided that:
 - (a) The mast does not exceed a height of 100 metres.
 - (b) The mast is setback 500 metres from any dwelling and 100 metres from any property boundary.
 - (c) A notice of commencement is provided to Council prior to the construction of the mast.
 - (d) The mast is removed and the land remediated within five years of the notice of commencement.
 - (e) The mast is not within 50 metres of the highest point of the landscape on which it is located.
 - (f) The mast is not located within the Visual Amenity Landscape or Outstanding Natural Features and Landscapes as identified on the Planning Maps.

Rule INF.2 - Permitted Activities

The following activities are permitted:

1. In the case of masts, poles and towers including associated telemetry equipment (except as provided for under Rules INF.2 (3) and INF.2 (4) below), these shall comply with a maximum height of:
 - (a) 25 metres in Rural, Eweburn and Industrial Zones.
 - (b) 15 metres in the Urban Zone.
 - (c) 20 metres in the Fiordland/Rakiura Zone.
2. The construction of hose drying towers associated with Fire Stations up to a maximum height of 15 metres, provided they comply with the relevant zone minimum yards.
3. Aerials and antennae attached to masts, poles and towers may exceed the maximum height for masts, poles and towers as set out in Rule INF.2 (1) above and the maximum height for the Zone in which they are located, by up to 5 metres.
4. In the case of aerials and antennae and their brackets or attachments, that are located on buildings, these may exceed the maximum height to boundary standards for the Zone in which they are located by up to 5 metres.

Rule INF.3 - Restricted Discretionary Activities

The following activities are **Restricted Discretionary Activities**:

1. The establishment, operation and maintenance of telecommunication lines, cables and support structures, aerials and antennae and telecommunications buildings that are not provided for in Rule INF.1, Rule INF.2 or INF.4.

The matters to which Council has restricted its discretion are:

1. The degree and effects of non-compliance with the permitted activity standards.
 2. The visual effects of the utility structure.
 3. The location of the infrastructure.
 4. The effects on any Outstanding Natural Features and Landscapes.
2. Wind Monitoring Masts that fail to comply with the permitted activity criteria.

The matters to which Council has restricted its discretion are:

1. Navigational and safety requirements.
2. The visual effects of the structure.
3. The location and height of the structure.
4. The duration of the structure.

Rule INF.4 - Discretionary Activities

The following activities are **Discretionary Activities**:

1. Any activity that cannot be undertaken as a Permitted, Controlled or Restricted Discretionary Activity and is not listed as a Non-Complying Activity.
2. New transformers, substations and switching stations distributing electricity (including their ancillary buildings) that exceed 30 m³ in area.
3. Underground gas transmission pipelines at a pressure 2,000 kilopascals or greater.
4. New water treatment facilities.
5. New wastewater treatment facilities provided that the facility is:
 - (a) Located a minimum of 150 metres from residential buildings and approved residential building platforms or buildings primarily occupied by people for whatever purpose, on adjacent properties.

- (b) Located a minimum of 300 metres from the Urban Zone.
- 6. The development of a railway line or siding.
- 7. The realignment of a formed road within the Outstanding Natural Features and Landscapes Overlay or within an area of significant indigenous vegetation or habitat of indigenous fauna.

Rule INF.5 - Non-Complying Activities

The following activities are **Non-Complying Activities**:

- 1. Wastewater treatment facilities other than those identified as Discretionary Activities.
- 2. Any activity that does not comply with standards for telecommunication facilities generating radiofrequency fields.
- 3. The construction of a road within the Outstanding Natural Features and Landscapes Overlay or an area of significant indigenous vegetation or habitat of indigenous fauna.

Note: this rule applies regardless of whether the road is to be constructed within or outside of legal road.

Rule INF.6 - General Infrastructure Standards

All Infrastructure Activities shall comply with the following General Infrastructure Standards:

- 1. The relevant noise, lighting and glare provisions of the Zone they are located in.
- 2. All above-ground network utility and meteorological structures, shall comply with the maximum height standards, maximum height to boundary and minimum yards (except where they relate to roads), for the Zone in which they are located, except as provided for in Rule INF.2.
- 3. Earthworks that:
 - (a) are greater than 20 metres from a waterbody that do not alter the existing ground level by more than 5 metres in depth or 2 metres in height;
 - (b) are within 20 metres of a waterbody that do not alter the existing ground level by more than 2 metres in depth or height; or
 are permitted provided that the activity:
 - (a) shall not be undertaken at an elevation greater than 700 metres above mean sea level, with the exception of earthworks ancillary to fencing activities;
 - (b) shall not be undertaken on slopes of more than 20° except cultivation; and/or cause slope instability;
 - (c) shall protect any stockpiles of material and all areas of bare ground created by the activity from soil erosion as soon as practicable;
 - (d) shall not be undertaken within 5 metres of any water body, including wetlands and coastal water, or flood protection works, except cultivation of a field or domestic gardening;
 - (e) shall not be undertaken on a contaminated or potentially contaminated piece of land unless it is in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 contained in Schedule 5.8;
 - (f) does not affect the site of items listed in the Historic Heritage in Schedule 5.2;
 - (g) is not undertaken in an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.
- 4. Earthworks within National Grid Yards are permitted provided that
 - (a) Earthworks within 2.2 metres of a pole support structure or stay wire shall not be greater than 300 mm in depth.
 - (b) Earthworks between 2.2 metres and 5 metres of a pole support structure or stay wire shall not be greater than 750 mm in depth.

- (c) Earthworks within 12 metres of the outer edge of the visible foundation of a tower support structure shall not be greater than 300 mm in depth.
- (d) Earthworks shall not compromise transmission support structure stability.
- (e) Earthworks shall not result in a reduction of the existing conductor clearance distance above the ground as required in NZECP 34:2001.
- (f) Provided that the following activities are exempt from (4)(a) and (b) above:
 - (i) earthworks undertaken by a Network Utility Operator; or
 - (ii) earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway.

Section 2.10 Transportation

The District's transport network provides for the movement of people, goods and services and includes land, air and water-borne forms of transportation. The key elements of the transport network are transport infrastructure, transport modes and transport movements. The network plays a vital role in enabling the effective and efficient functioning of the District and supports socio-economic wellbeing and growth through facilitating connections between home, employment, commercial, educational, recreational and cultural activities, as well as routes for visitors to or through the District. The transport network is an essential element of the region's engineering lifelines and provides essential access both during and following a natural hazard event. The benefits of maintaining an efficient transport network should be balanced with the adverse effects that can arise through development, operation, maintenance and upgrading.

Objective TRAN.1

An integrated, safe, responsive and sustainable transport network.

Policy TRAN.1

Recognise the benefits of a safe and efficient transport network.

Explanation: The transport network gives rise to a range of positive socio-economic effects which can be maintained and potentially enhanced, through the provision of safe and efficient transport movements. This includes the reduction of potential hazards or distractions to users and the provision of infrastructure which suitably reflects transport modes and movements.

Policy TRAN.2

Recognise benefits from the development, operation, maintenance and upgrading of the transport network, whilst avoiding, remedying or mitigating adverse effects on the environment.

Explanation: The transport network plays a vital role in the functioning of the District, however, it can give rise to adverse effects on the environment, including effects on water quality, natural character, amenity values and community severance. The development, operation, maintenance and upgrading of every facet of the transport network should give careful consideration to the reduction of any such effects. Particular consideration should be given to adverse effects on public health and safety. The consideration of the impact of natural hazards on the transport network is considered under Policy INF.4 and Objective NHZ.1.

Policy TRAN.3

Manage subdivision, land use and development to achieve integration with the transport network.

Explanation: Careful consideration should be given to the location, nature and design of subdivision, land use and development to ensure appropriate integration with the transport network. Activities should achieve appropriate accessibility and connectivity, to and from the network.

The New Zealand Building Code, District Plan and Southland District Council's Subdivision, Land Use and Development Bylaw 2012 provide guidance on this. The integration of activities and the transport network support best practice urban design. Where appropriate integration is not achieved, adverse effects on the transport network can arise.

Policy TRAN.4

Protect the transport network from incompatible land use, subdivision and development.

Explanation: The transport network can give rise to reverse sensitivity issues. Typically this arises where incompatible land use, subdivision or development occurs in the vicinity of the transport network. Often it may be inappropriate for noise sensitive activities to be located adjacent to the transport network. To ensure the ongoing development, operation, maintenance and upgrading of the transport network, the presence and function of the network should be recognised and, where possible, adverse effects should be reduced.

Policy TRAN.5

Recognise the benefits of transport choice.

Explanation: Land use, subdivision and development should provide transport choices through connections and accessibility to a range of transport modes such as cycling and walking networks, road and rail corridors and public transport routes. Transport choice can promote the efficient development and operation of the transport network and movement of people, goods and services.

Transportation Rules

Rules relating to Transportation are contained within the Urban Zone, Rural Zone, Fiordland/Rakiura Zone, Industrial Zone, including the Edendale Development Concept Plan, Infrastructure and Subdivision sections of the District Plan.

Section 2.11 Noise

Noise is a derivative of a range of activities in the District, however, it can cause nuisance and give rise to adverse effects on amenity values and the health and wellbeing of people and communities. Often adverse effects arise where the character, intensity, duration and timing of noise is inconsistent or incompatible with anticipated or reasonable noise levels. 'Reasonable' noise levels are determined by the standard of amenity and ambient noise level of the receiving environment and Council provides direction on this through the prescription of noise levels for each Zone. Noise is also managed by Council through the use of relevant New Zealand Standards for noise. The Resource Management Act 1991 requires every occupier of land and every person carrying out an activity to adopt the best practicable option to ensure noise does not exceed a reasonable level. Subdivision, land use and development activities, including temporary activities and events, should be managed in a manner that avoids, remedies or mitigates the adverse effects of noise. Activities should consider the control of noise at the source and the mitigation of adverse effects of noise on the receiving environment. The onus on the reduction of effects of noise should not always fall on the noise generating activity. In some cases it may be appropriate for the noise receiver to avoid or mitigate the effects from an existing noise generating activity, particularly where the noise receiver is a noise sensitive activity. The Resource Management Act 1991 defines noise to include vibration.

Objective NSE.1

To control the adverse effects of noise emissions and manage the potential for conflict between land use activities.

Policy NSE.1

Manage subdivision, land use and development in a manner that avoids, remedies or mitigates the adverse effects of noise.

Explanation: Subdivision, land use and development activities should take account of noise to avoid, remedy and mitigate adverse effects on amenity values and the health and wellbeing of people and communities. Noise generating activities can include certain industrial, agricultural and construction processes, together with the operation of the transport network and other infrastructure. It also includes temporary activities, including events and temporary military activities. Vibration from machinery and explosive devices as well as potentially causing damage to structures can interfere with comfort, working efficiency and, in some circumstances, with health and safety. Adverse effects of noise can be controlled at the source through the use of measures such as alternative techniques or machinery, insulation of machinery or buildings, boundary treatments and hours of operation. Adverse effects on the receiving environment can also be controlled through appropriate separation between noise generator and receiver, as well as attenuation measures such as physical buffers or building insulation. Council is aware that noise is a derivative of activity within the District and that much of this activity contributes to socio-economic wellbeing and growth, thus noise control measures should achieve a balance between reducing adverse effects of noise and the continued operation of noise generating activities without undue restriction.

Policy NSE.2

Avoid, remedy or mitigate reverse sensitivity effects arising from noise emissions.

Explanation: The District provides for a range of land use activities which can increase the potential for conflict between noise generating and receiving activities. Reverse sensitivity can occur where a proposed land use is not compatible with noise generated by neighbouring or nearby land use, particularly where the proposed land use is a noise sensitive activity. Council provides direction on this through the prescription of noise levels for each Zone and therefore the nature of activities which are anticipated for each Zone. Activities should achieve integration within the Zone and should also achieve integration with the wider environment. Activities located on the interface between Zones should also take account of any adverse effects on adjoining Zones. Noise sensitive activities should give particular consideration to the location, nature and design of their activity, including the implementation of noise attenuation measures such as physical buffers or building insulation.

Noise Rules

The Zone Sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to Noise. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5
- Eweburn Zone – Section 3.6

Rule NSE.1 - Permitted Activities

All activities shall be Permitted Activities (unless specified below) provided that they comply with all of the relevant Noise Standards, Zone and district-wide rules.

Rule NSE.2 - General Standards

Noise Measurement - Noise levels shall be measured and assessed in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and NZS 6802:2008 Acoustics - Environmental Noise, except where another standard has been referenced in these rules, in which case that standard should apply.

Note: The only way to measure compliance with the plan is through the methods outlined above. No other method will be accepted.

Rule NSE.3 - Noise Standards Exemptions

The following activities are exempt from complying with the limits set out in the relevant zones:

- (a) Within the Rural and Eweburn Zones, any operational rural equipment which is mobile during its normal use and which is associated with primary production (including tractors and equipment towed by them, harvesters and farm vehicles).
- (b) Vehicles on public roads or trains on train lines (including at railway yards, railway sidings or stations).
- (c) Spontaneous social activities and children's play. For the avoidance of doubt this exemption does not apply to organised childcare facilities and schools.

- (d) Any warning device that is activated in the event of intrusion, danger, an emergency or for safety purposes.
- (e) Subject to the best practicable option always being adopted to minimise noise levels, noise arising from fire stations (including rural fire stations), fire service appliance sirens and call-out sirens for volunteer brigades.

Rule NSE.4 - Temporary Military Training Activities

Noise from temporary military training activities shall not exceed the limits set out in Table NSE.4 - Noise Standards for Temporary Military Training Activities.

Table 2 NSE.4 Noise Standards for Temporary Military Training Activities

Type of military noise source	Noise Control Standards		
	Time (Monday to Saturday)	Separation distance required to any dwelling, residentially zoned site, or building used for residential, educational or healthcare purposes	
1. Live firing of weapons and single or multiple explosive events	0700 to 1900 hours	At least 1,500 metres	Less than 1,500 metres if conditions (a) and (c) below are complied with
	1900 to 0700 hours	At least 4,500 metres	Less than 4,500 metres if conditions (b) and (c) below are complied with
2. Firing of blank ammunition	0700 to 1900 hours	At least 750 metres	Less than 750 metres if conditions (a) and (c) below are complied with
	1900 to 0700 hours	At least 2,250 metres	Less than 2,250 metres if conditions (b) and (c) below are complied with
<p>Conditions to be complied with if minimum separation distances for sources (1) and (2) cannot be met:</p> <ul style="list-style-type: none"> (a) Day time sound levels do not exceed a peak sound pressure level of 120 dBC when measured at or within the 20 metre notional boundary of any dwelling, residentially zoned site, building used for residential, educational or health care purposes. (b) Night time sound levels do not exceed a peak sound pressure level of 90 dBC when measured at or within the 20 metre notional boundary of any dwelling, residentially zoned site, building used for residential, educational or health care purposes. (c) The activity is undertaken in accordance with a Noise Management Plan prepared by a suitably qualified expert and approved by Council at least 15 working days prior to the activity taking place. The Noise Management Plan shall, as a minimum, contain: 			

Type of military noise source	Noise Control Standards		
	<ul style="list-style-type: none"> • A description of the site and activity including times, dates and nature and location of the proposed training activities. • Methods to minimise the noise disturbance at noise sensitive receiver sites such as selection of location, orientation, timing of noisy activities to limit noise received at sensitive receiver sites. • A map showing potentially affected noise sensitive sites and predicted peak sound pressure levels for each of these locations. • A programme for notification and communication with the occupiers of affected noise sensitive sites prior to the activities commencing, including updates during the event. • A method for following up any complaints received during or after the event and any proposed de-briefing meetings with Council. 		
3. Mobile noise sources, excluding sources (1) and (2)	Compliance with the noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics - Construction Noise, with reference to 'construction noise' taken to refer to other, mobile noise sources		
Note: Mobile noise sources (other than firing of weapons) include sources such as personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.			
4. Fixed (stationary) noise sources, excluding sources (1) and (2)	Time (Monday to Sunday)	Noise level at the 20 metre notional boundary of any dwelling, residentially zoned site, or building used for residential, educational or healthcare purposes	
	0700 to 1900 hours	55dB LAeq(15min)	n.a.
	1900 to 2200 hours	50dB LAeq(15min)	
	2200 to 0700 hours the next day	45dB LAeq(15min)	75dB LA Fmax
Note: Fixed (stationary) noise sources (other than firing of weapons and explosives) include noise sources such as power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.			

Rule NSE.5 - Temporary Activities/Events

Noise from outdoor events in a public place shall comply with the following standards:

1. A noise limit of 70 dB LAeq(15 min) measured at any point within the notional boundary of any property containing a dwelling.
2. All activities creating a noise level greater than permitted for the zone in which the activity is located, shall not be undertaken between 10.00 pm and 7.00 am.
3. No more than six events (days) are to be held on the property in any one calendar year.

Note: Rule NSE.5 does not apply to Temporary Military Training Activities or Jet Boat Racing Events as these are covered by Rule NSE.4 and Rule SWA.1(5)(d) respectively.

Rule NSE.6 - Noise From Helicopters

Noise from any helicopter landing pad shall comply with NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Pads.

Rule NSE.7 - Noise From Aircraft

Noise from aircraft shall comply with NZS 6805:1992 Airport Noise Management and Land Use Planning. Except that this Rule shall not apply to the Manapouri Airport operations which are provided for through a Designation.

Rule NSE.8 - Noise From Wind Turbines

Noise from wind turbines shall comply with NZS 6808:2010 Acoustics - Wind Farm Noise.

Rule NSE.9 - Audible Devices In Rural and Eweburn Zones

The operation of audible devices (including gas guns, audible avian distress alarms and firearms for the purpose of bird scaring) shall comply with the following standards within the hours of daylight but not earlier than 6.30 am:

1. A noise limit of 65 dB LAE shall apply to any one event when measured at any point within the Residential Zone and at any point within the notional boundary of any rural dwelling other than on the property in which the device is located.
2. In relation to gas guns, audible avian distress alarms and firearms no more than 15 audible events shall occur per device in any 60 minute period.
3. Each audible event shall not exceed three sound emissions from any single device within a 1 minute period and no such events are permitted during the period between sunset and sunrise the following day.
4. The number of devices shall not exceed one device per 4 hectares of land in any single land holding, except that in the case of a single land holding less than 4 hectares in area, one device shall be permitted.
5. Provided no device shall be placed in such a manner that in any public place more than 90 dB LAE is received from any one noise event.

Rule NSE.10 - Vibration

Vibration emanating from any activity, shall not exceed the limits given in any of the following standards at any dwelling, residential activity, educational facility or office on any other property:

1. AS 2670.1-2001 Evaluation of human exposure to whole-body vibration - General requirements.
2. AS 2670.2-1990 Evaluation of human exposure to whole-body vibration - Continuous and shock induced vibration in buildings (1 to 80 Hz).
3. DIN 4150-3:1999 Effects of vibration on structures.

Note: This rule excludes vibration produced by Temporary Military Training Activities as this is controlled by the noise standards in Rule NSE.4.

Rule NSE.11 - Edendale Industrial Noise Control Boundary

Noise from any activity within the Edendale Noise Control Boundary (shown on the District Plan Maps) shall comply with Schedule 5.6.

Rule NSE.12 - Construction Noise

Construction noise shall comply with NZS 6803:1999 Acoustics - Construction Noise.

Rule NSE.13 - Frost Fans

Noise of frost control fans shall not exceed 55 dB [LAeq (10 min)] when assessed at the notional boundary of any dwelling on a separate lot under different ownership. The noise limit applies to the total noise from all frost control fans in the vicinity operating simultaneously. The noise limit includes a correction for the special audible characteristics of frost control fans and no further penalty shall be applied to measured or calculated noise levels.

Rule NSE.14 - Discretionary Activities

Noise generating activities that are unable to comply with or are not provided for by Rule NSE.4 - Rule NSE.14 are **Discretionary Activities**.

Rule NSE.15 - Shooting Ranges

Shooting Ranges, including but not restricted to those involving the use of rifles, shotguns and handguns, with respect to noise shall be **Discretionary Activities**.

Noise Non-Regulatory Method

Method NSE.1

Increase awareness and provide education on ways to reduce adverse effects of noise.

Section 2.12 Signage

Signage provide information, identification, direction and safety functions and typically promote goods, services, activities and events. Signage indirectly contributes to the District's social, cultural and economic wellbeing and supports public health and safety. Signage is typically located, designed and sized to maximise visibility and catch attention, often they are located adjacent to public places or the transport network. Inappropriate location, design and size of signage can give rise to adverse effects on the environment, including adverse effects on amenity values and the safety and efficiency of the transport network. A proliferation of signage on a site, or at a location, can also give rise to cumulative effects.

Objective SIGN.1

Signage is appropriately located and conveys necessary information in a manner that avoids or mitigates adverse effects on the environment.

Policy SIGN.1

The location and design of signage:

1. Minimises or avoids adverse effects on amenity values.
2. Avoids adverse effects on the safe and efficient operation of the transport network.

Explanation: Signage provide a number of functions which positively contribute to community wellbeing, however, they can also have adverse effects on the environment. Amenity values can be compromised by factors such as the character of signage, level of illumination or the proliferation or clutter of signage. Signage can also reduce the safety and efficiency of the transport network if it is poorly located, distract driver's attention or restrict visibility. Signage should be located and designed in a manner that avoids these effects and particular consideration should be given to the size of signage and the message displayed.

Policy SIGN.2

Enable the display of temporary signage.

Explanation: Temporary signage should generally only be displayed for the duration of the activity to which they relate. Exceptions are provided for Real Estate and Event Signage allowing this temporary signage to be removed no later than two weeks after a property is sold or seven days after an event has been held. Temporary signage should be located and designed in a manner that avoids adverse effects on amenity values and the safety and efficiency of the transport network.

Policy SIGN.3

Recognise there may be a need for off-site signage in circumstances where community or commercial land use activities are not located adjacent to State Highways or Regional Arterial Roads.

Explanation: There may be some cases, where the display of signage, on a site to which it does not relate, may be appropriate. Any such signage should avoid adverse effects on amenity values and the transport network and be consistent with the maximum sign height and area limits for the Rural Zone. The location of the commercial land use activity should be in the vicinity of the site of the signage, and the signage does not need to be located on a State Highway or Regional Arterial Road.

Policy SIGN.4

Avoid inappropriate off-site signage where:

1. It adversely affects pedestrian and/or traffic safety.
2. Its content does not directly relate to providing directions, locations and the name of the business.
3. It detracts from the amenity and character of the area.

Explanation: While off-site signage may be acceptable in some circumstances, it may also be appropriate to decline an activity. Effects on safety or amenity could include, but are not limited to, the cumulative effects of the proliferation of signage and any effects on the landscape values of an area.

Signage Rules

The Zone Sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to Signage. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5
- Eweburn Zone – Section 3.6.

Rule SIGN.1 (A) - Permitted Signage

Signage provided for in Table SIG

N.1.1 below is permitted provided it meets the General Signage Standards in Rule SIGN.4.

Table 3 Signage Limits

Zone	Maximum area m ² of freestanding signage and signage attached at an angle to buildings	Maximum area m ² of signage painted on to, or attached parallel to, buildings	Maximum height of freestanding signage
Urban Zone	1.5 m ²	1.5 m ²	3 metres
Commercial Precinct	0.5 m ² per metre of street frontage except that only two freestanding signs are permitted and the areas of such signs shall not exceed 14 m ² .	1 m ² per metre of building frontage	6 metres
Industrial Zone	7 m ²	1 m ² per metre of building frontage	9 metres
Rural and Eweburn Zones	3 m ²	3 m ²	3 metres
Fiordland/ Rakiura Zone	1.5 m ²	1.5 m ²	2 metres

Rule SIGN.1 (B) - Temporary Signage Permitted Throughout The District:

1. The following temporary signage shall be Permitted provided it meets the height limitations in Table SIGN.1.1 and the general signage standards in Rule SIGN.4
 - (a) **Real Estate Signage** - Signage not exceeding 0.6 m² in area advertising the disposal of land or premises on which it is located displayed while the property is on the market and removed no later than two weeks after the property has been sold.
 - (b) **Construction Signage** - Signage not exceeding 3 m² in area erected on a construction site. No such signage shall be displayed for a period exceeding the duration of the construction period and shall include only details of the project and names of parties connected therewith.
 - (c) **Event Signage** - Signage not exceeding 3 m² may be displayed within a period of no more than six weeks before the event and must be removed no later than seven days after the event.
2. **Public Election Signage** shall be Permitted provided that:
 - (a) Signage does not exceed 3 m².
 - (b) It is not displayed more than six weeks before the election and is removed no later than midnight on the day preceding election/polling day.
 - (c) It complies with the signage requirements outlined in the Electoral Act.

Rule SIGN.1 (C) - Sandwich Boards:

One sandwich board sign per premises shall be permitted provided it meets the following conditions:

1. Sandwich board signage shall only be displayed during the trading hours of the business to which the sandwich board relates.
2. The signage shall be located immediately adjacent to the street frontage of the premises to which it relates.
3. Such signage shall comply with the following dimensions:
 - (a) Height - minimum of 0.5 metres; maximum of 0.9 metres.
 - (b) Width - maximum of 0.6 metres.
 - (c) Spread - maximum of 0.5 metres.
4. Sandwich board signage must be located a minimum of 300 mm back from the carriageway edge and in such a position that there is a minimum 2 metre clearance of footpath for pedestrian traffic.
5. Where the area has a grass verge or a gravel berm then the signage is to be placed on this at least 600 mm from the carriageway and not on the footpath.
6. Where there are no footpaths then the signage will be sited in the berm area.
7. Sandwich boards shall not be located on footpath extensions and traffic islands constructed to accommodate pedestrian crossing points or traffic control devices.
8. Sandwich boards shall comply with Conditions 2, 3, 5, 7, 8, 9, 11 and 12 of Rule SIGN.4.

Rule SIGN.1 (D) - Information and Warning Signage:

The following information and warning signage shall be Permitted provided it meets the relevant zone height and size requirements of Table SIGN.1.1:

1. Hazard identification and warning signage.
2. Interpretational signage.
3. Directional signage.
4. Signage erected by Fish & Game New Zealand for angling and hunting activity information purposes.

Rule SIGN.2 - Restricted Discretionary Activities

1. Off-site signage that does not exceed 3 m² in area is a **Restricted Discretionary Activity**.
2. Any other signage that does not comply with Rule SIGN.1 or is not subject to Rule SIGN.3 is a **Restricted Discretionary Activity**.

The matters to which Council will restrict its discretion are:

1. The effects of signage on the safety and visibility on transportation networks.
2. The content, size, colour and character of the signage, lettering size and style.
3. The illumination of the signage and the effects of light spill.
4. The siting of the signage with respect to sight lines pertaining to any road or rail intersection, or accessway on to a road.
5. Effects on the visual amenity and aesthetic coherence of the surrounding environment.
6. Effects on outstanding natural features and landscapes and Visual Amenity Landscapes.
7. Effects on historic or cultural heritage values of sites, structures, places and areas.
8. Cumulative effects of signage.
9. The location of the business premises or activity in relation to the signage.
10. The level of non-compliance with the maximum signage height and area limits for the relevant Zone or Precinct.

Rule SIGN.3 - Prohibited Activities

Off-site signage that exceeds 3 m² in area is a Prohibited Activity throughout the District.

Rule SIGN.4 - General Signage Standards

Signage shall comply with the following General Signage Standards:

1. **Under verandah signage** - In addition to the signage provided for above, signage attached under verandah is permitted within Commercial Precincts, provided that:
 - (a) It does not exceed the width of the verandah.
 - (b) There is at least 2.6 metres clearance to the footpath.
 - (c) There is a maximum of one under verandah sign per site per street frontage.
2. **International symbols** - Internationally recognised symbols shall be displayed on signs where appropriate.
3. **Similarity to traffic signage** - Signage shall not conflict with the colour combinations and/or shape or design of traffic signs.
4. **Orientation of Signage** - Roadside signage (excluding under verandah signage) shall be orientated a minimum of 5° off right angle to the road.
5. **Illumination** - Illuminated signage shall only be permitted within the Industrial Zone or Commercial Precincts and excludes any signage attached to an item of historic heritage or located within the site of an item listed in Schedule 5.2 - Historic Heritage Items.

Any illuminated signage shall ensure that artificial light spill shall not exceed the following luminance levels, within the boundary of any other site not zoned Industrial or not within the Commercial Precinct overlay:

(a) Day time	25 lux
(b) Night time	10 lux

Luminance levels shall be measured vertically or horizontally anywhere along the affected site boundary in accordance with professional engineering practice.

6. **Signage attached to buildings** - Signage on or attached to buildings shall be within 200 mm of the profile of the building on which they are painted or attached (excluding under verandah signage).
7. **Clarity** - Messages displayed on signage must be clear, concise and of a clear lettering style. Signage located adjacent to a road shall comply with the following minimum letter height standards:

Table 4 Minimum letter height standards

Speed Limit (km/hr)	Main Message (mm)	Property Name (mm)	Secondary Message (mm)
50	150	100	75
60	175	125	90
70	200	150	100
80	250	175	125
100	300	200	150

8. **Location of Signage** -
 - (a) Unless otherwise stated, yard or setback requirements relating to buildings shall not apply to signage.
 - (b) Unless otherwise stated, signage shall be located on the site where the lawfully established activity to which the signage relates is occurring.
 - (c) Signage shall be sited such that it does not restrict visibility to and from intersections and accesses.
 - (d) Signage shall not be located where it could adversely affect driver/pedestrian safety.
9. Signage may be single or double sided provided that each side does not exceed the maximum area permitted within that Zone.
10. Any signage attached to a building shall not exceed the height of that building.
11. Signage shall not be reflective or have any moving or flashing components.
12. Signage can include sponsorship logos where they comprise no more than 10% of the area of the signage.

Note: The New Zealand Transport Agency also has requirements for signage located adjacent to a State Highway. Please check the NZTA website or contact NZTA directly to ensure your signage can comply with these requirements

Section 2.13 Water and Surface Water Activities

The District has an abundance of lakes, rivers, streams and wetlands which afford a range of recreational and socio-economic opportunities and cultural, wildlife and natural character values. The Waituna Lagoon is also part of the internationally recognised 20,000 hectare Awarua Wetlands is located within the Southland District. The lagoon was designated a RAMSAR Wetland of International Importance in 1976, with the wider wetland complex being included in 2008. The District's freshwater resources provide important sources of human and stock drinking water and mahinga kai. Tangata whenua consider water as taonga and believe that it has the spiritual qualities of mauri and wairua. The continued wellbeing of these qualities is dependent on the physical health of the water. While the Southland Regional Council has primary responsibility for managing water quality and quantity, the Southland District Council recognises the need for an integrated catchment approach, as promoted by the National Policy Statement for Freshwater Management 2011. Southland District Council is responsible for the control of adverse environmental effects of inappropriate land use, subdivision and development on water quality and water quantity. Activities should give particular consideration to the preservation of the natural character of water bodies and the maintenance and enhancement of public access to lakes and rivers. Southland District Council is also responsible for the control of effects of surface water activities. Inappropriate activities on surface water can give rise to adverse environmental effects on natural character, ecological, amenity, cultural and recreational values and water quality and can compromise safe and efficient navigation.

Water

Objective WATER.1

Manage adverse effects of land use, subdivision and development on the quality and quantity of water bodies to ensure the overall quality of fresh water within the district is maintained or improved.

Objective WATER.2

In the catchment areas of community water supply schemes:

Water quality shall be maintained or enhanced.

Adverse effects on water quality shall be avoided, remedied or mitigated.

Policy WATER.1

Avoid, remedy or mitigate the adverse effects of subdivision, land use and development on water quality and quantity.

Explanation: Water quality can be degraded by the effects of inappropriate land use, subdivision and development. Degradation of water quality and changes in flow and levels of water bodies can give rise to adverse effects on the life supporting capacity of that water body, together with effects on natural character, amenity, cultural and recreational values. Particular consideration should be given to activities that involve earthworks, mineral extraction, stormwater or wastewater management. Activities should also take into account maintaining and enhancing human and stock drinking water supplies and mahinga kai sites.

Policy WATER.2

Subdivision, land use and development within the catchment areas of community water supply schemes shall avoid, remedy or mitigate adverse effects on water quality and water quantity.

Explanation: The District's freshwater resources provide important sources of human and stock drinking water. The quantity and quality of water utilised by community water supply schemes can be affected by land use, subdivision and development within the catchment. Removal of tussock grasslands and/or drainage of wetlands will also reduce flows of water during drought periods. The effects of activities, including any cumulative effects, should therefore be managed to avoid, remedy and mitigate adverse effects.

Water Non-Regulatory Methods

Method WATER.1

Provide information and education on water efficiency and conservation measures, including rainwater collection and water reuse.

Method WATER.2

Manage the effects of activities on water quality by promoting:

1. Measures to manage the effects of stormwater contamination.
2. Appropriate design, siting and operation of on-site domestic wastewater treatment systems.

Method WATER.3

To work in collaboration with relevant agencies to develop an integrated and coordinated approach to:

1. Manage land use activities and their effects on water quality.
2. Address the effects of discharges and land use activities on the quality of human drinking water sources.

Surface Water

Objective SWA.1

Surface water activities and associated facilities and structures, maintain or enhance socio-economic and recreational opportunities whilst avoiding, remedying and mitigating adverse effects on the environment.

Policy SWA.1

Surface water activities are undertaken in a manner that:

1. Maintains or enhances recreational opportunities and public use of water bodies and their margins.
2. Maintains safe and efficient navigation.
3. Maintains or enhances natural character, amenity and cultural values.
4. Avoids adverse effects on wildlife habitats and significant indigenous biodiversity values.
5. Minimises noise.
6. Maintains or enhances socio-economic benefits.
7. Does not impact on nationally and/or regionally significant infrastructure.

Explanation: Surface water activities, of varying nature and intensity, are undertaken throughout the District. Due to the range of activities undertaken, there is potential for conflict between surface water activities and other recreationalists, particularly motorised craft. Surface water activities can also give rise to adverse effects on natural character, amenity, cultural and recreational values and wildlife habitats through noise and an increase in wave action and concentration of people and vessels. Surface water activities can also compromise safe and efficient navigation of other vessels if not managed appropriately. Whilst it is Council's role to control any adverse effects of surface water activities, Maritime New Zealand and Southland Regional Council also provide a range of navigation, vessel and safety functions.

On surface water managed by the Department of Conservation such as the Fiordland National Park Lakes of Manapouri and Te Anau, the Department controls commercial surface water activities, recreation and structures in accordance with the relevant Conservation Management Strategy and National Park Management Plan.

Policy SWA.2

Facilities and structures associated with surface water activities are established, operated, maintained and upgraded in a manner that:

1. Maintains or enhances the recreational opportunities and public use of water bodies and their margins.
2. Does not detract from the natural and visual character of the water body and its margins.
3. Does not compromise safe and efficient navigation.
4. Maintains or enhances amenity, cultural and socio-economic values.
5. Avoids adverse effects on wildlife habitats and significant indigenous biodiversity values.
6. Maintains or enhances public access to and along rivers, lakes, other fresh water bodies and their margins.

Explanation: Facilities and structures such as jetties, moorings, toilets, carparking and administrative facilities, enable surface water activities to be undertaken and the benefits of these are recognised by Council. Facilities and structures associated with surface water activities include navigational aids and equipment used for activities such as inspections, surveys and investigations. Consideration should be given to the location, design, subsequent operation, maintenance and upgrading of these facilities to avoid, remedy or mitigate any adverse environmental effects.

Surface Water Activities Rules

The Zone Sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to Surface Water Activities. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5
- Eweburn Zone – Section 3.6.

Rule SWA.1 - Permitted Activities

The following surface water activities are **Permitted Activities**:

1. The establishment, operation, maintenance and upgrading of any navigational aid or sign required by Maritime New Zealand and/or the Southland Regional Council.
2. The establishment, operation, maintenance and upgrading of any equipment, measuring apparatus or similar device for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples, provided that:
 - (a) The use of the structure shall not cause a hazard to navigation or any other lawfully established activity.
3. Any non-commercial recreational activity or organised event that does not require the uplifting of speed restrictions.
4. Any non-commercial recreational activity or organised event, requiring speed restrictions to be uplifted:
 - (a) Is publicly notified no earlier than 14 days and no later than seven days prior to the activity or event taking place.
 - (b) The notice advertising the event clearly identifies the date, time, duration and relevant sections of the water body affected.
 - (c) There is a safety plan to ensure the safety of other users of that section of the water body.
 - (d) No more than six organised jet boat racing events (days) per club on lakes and rivers in any one calendar year provided that:
 - (i) it meets a noise limit of 95dB LAF, max measured at any point within the notional boundary of a property containing a dwelling;
 - (ii) is not undertaken between 10.00 pm and 7.00 am;
 - (iii) notice is given to Council at least five working days prior to the race being held.
5. Any surface water activity associated with the ongoing operation, maintenance, enhancement, refurbishment or upgrading of any lawfully established energy generation facility.

Note: The activities set out in Rule SWA.1 must also comply with the Operative Southland Regional Council Navigational Safety Bylaws, the relevant Regional Plans in particular for structures in the beds of Lakes and Rivers. On land managed by the Department of Conservation must be consistent with the relevant conservation management strategy or plan and may require the appropriate authorisation.

Rule SWA.2 - Discretionary Activities

Any surface water activities not provided for by Rules SWA.1 or SWA.3 are **Discretionary Activities**.

In considering resource consents for surface water activities and associated facilities and structures Council shall have regard to:

1. Effects on ecology, wildlife habitats and water quality.
2. Effects on other existing surface water activities and safe and efficient navigation.
3. Effects of noise.
4. Potential for adverse effects on land from vessel wake.
5. Visual amenity effects.
6. Effects on recreational opportunities and public use of water bodies and their margins.
7. Effects on natural character, amenity and cultural values.
8. Any recreational or socio-economic benefits.
9. Effects on significant national and/or regional infrastructure facilities located within or near water bodies.

10. Effects of lightspill and waste disposal.
11. The protection of the habitat of trout and salmon.
12. Public access to and along rivers, lakes and other freshwater bodies and their margins.

Rule SWA.3 - Non-Complying Activities

Any surface water activity within the Fiordland/Rakiura Zone not provided for by Rule SWA.1 is a **Non-Complying Activity**.

Surface Water Non-Regulatory Method

Method SWA.1

To liaise with relevant agencies to ensure that the use of surface water is managed in a manner consistent with any navigation safety bylaws, maritime rules, conservation management strategies or plans, or other regulations or controls and the provisions of the Regional Water Plan for Southland.

Section 2.14 Financial Contributions

Subdivision, land use and development can increase demands on infrastructure and of particular concern to the Council, is any increased pressure on roading and reserve infrastructure. The Resource Management Act enables the Council to require financial contributions through the resource management process, which can ensure that costs associated with the development, maintenance and upgrading of roading and reserves infrastructure, necessitated by subdivision, land use and development, are met by the developer. Costs attributed to the developer shall be fair and reasonable and reflect the actual adverse environmental effects that the subdivision, land use or development imposes on natural and physical resources. Financial contributions can offset adverse effects and relieve the burden on ratepayers to meet those costs. The Local Government Act also enables the Council to require development contributions for community infrastructure, network infrastructure and reserves. The reserve contribution framework is in both the Council's Long Term Plan (developed under the Local Government Act 2002) and District Plan (developed under the Resource Management Act 1991). However, the Council cannot 'double up' and impose contributions towards the same asset or infrastructure under both Acts. The Council's Long Term Plan outlines the circumstances where development contributions are required.

Objective FIN.1

The developer shall meet the fair and reasonable costs of developing, maintaining and upgrading roading infrastructure, necessitated by the subdivision, land use or development.

Objective FIN.2

Reserves managed by the Council are appropriately located and adequately developed and maintained to meet the needs of the community.

Policy FIN.1

Financial contributions shall be applied in a fair and equitable manner that:

1. Is financially transparent.
2. Reflects the adverse effects generated by the subdivision, land use or development.
3. Is complementary to the Council's other financial management policies.
4. Takes into account the Council's maintenance and operational obligations.
5. Takes into account any costs incurred in the taking, holding and allocating of the financial contribution, including, but not limited to:
 - (a) The reimbursement of legal costs incurred by the Council in providing easements, encumbrances, covenants and the like.
 - (b) The reimbursement of fees charged to the Council by Government Departments, local authorities and the suppliers of public utilities.
 - (c) Survey work.
 - (d) Any other administration fees.

Explanation: Subdivision, land use and development can give rise to significant adverse effects on the District's roading and reserve infrastructure. To ensure that the ratepayers interests are protected, the maximum financial contributions payable are the full actual monetary cost, but the actual amount levied must be determined on a case-by-case basis.

Policy FIN.2

Make provision for reserve acquisition, improvement and development, either via land or a financial contribution at the time of subdivision, land use or development.

Explanation: The Resource Management Act 1991 enables the taking of a financial contribution in the form of cash, land or any combination of these. The contribution is intended to go towards providing for public open space and recreation areas, including parks and sports fields, where this will effectively maintain or add to the quality and diversity of open spaces and recreation areas in the District.

Financial Contributions

The Zone sections of the District Plan apply in addition to any relevant district-wide rules such as those relating to financial contributions. If any of the Zone Rules detailed in the following sections are breached, the activity will require resource consent:

- Rural Zone - Section 3.1
- Urban Zone - Section 3.2
- Te Anau Residential B Zone - Section 3.3
- Industrial Zone - Section 3.4
- Fiordland/Rakiura Zone - Section 3.5.

Rule FIN.1 - General Rule

All Non-Complying and Discretionary Activity resource consents are subject to the potential imposition of a financial contribution in accordance with the financial contribution provisions A to E specified below.

Controlled and Restricted Discretionary Activity resource consents are subject to the potential imposition of a financial contribution only where specifically stated as a matter of control or discretion.

A Purpose of Financial Contributions

The Council may require financial contributions for the purposes of:

1. Offsetting the effects of a subdivision, land use or development on roading and reserve infrastructure.
2. To secure environmental compensation for adverse effects on roading and reserve infrastructure associated with the subdivision, land use or development that cannot be avoided, remedied or otherwise mitigated, so that a positive environmental outcome is achieved.
3. To add to the quality and diversity of open spaces and recreation areas available to communities within the District.

B Calculation of Financial Contributions

B.1 Roading Infrastructure

The maximum contribution required for the development, maintenance and upgrading of roading infrastructure that serve a subdivision, land use or development shall be 100% of the estimated cost provided that the actual contribution levied shall be a fair and reasonable contribution having regard to the following matters:

1. The current status and standard of the roading infrastructure both leading to and fronting the site and the adequacy of that roading infrastructure for its current and proposed use.

2. The benefit to the subdivision, land use or development arising from the improvement to the roading infrastructure relative to the benefit to existing users and other members of the public.
3. The standard and classification of the road required as a result of the subdivision, land use or development.
4. The expenditure required to meet this standard.
5. The use or likely future use of the road by other parties and the contributions (if any) to be made or already made by such parties.
6. The contributions made by central government or other agencies or organisations towards the development of the road and any contribution (if any) already made by the developer.
7. Any equitable contribution toward work for which a financial contribution has previously been taken where the developer will benefit from that work.
8. Development and upgrading costs shall be calculated as per the standards in the Southland District Council Subdivision, Land Use and Development Bylaw 2012.

Note: Roading infrastructure may include more than one road where these are significantly affected by the subdivision, land use or development.

Cost calculations and associated financial contributions payable should reflect the New Zealand Transport Agency's Construction Index. Due to the volatile nature of bitumen prices, costs can vary from the standard rate of inflation and if not taken into consideration can result in a significant shortfall for the Council.

B.2 Reserves

Reserve contributions shall be required as follows:

- 1A. Where existing reserves in the locality are unable to absorb the additional demand resulting from the proposed development then the following reserves contribution will be required:
 - 2% of the value of additional allotments, at the time of subdivision consent (either in cash or land equivalent, at Council's option) up to a maximum of 2% of the value of 1,000 m² of the land within each additional allotment.
- 1B. Where minor improvements to existing reserves in the locality would enable absorption of the additional demand resulting from the proposed development then the following reserves contribution will be required:
 - 1% of the value of additional allotments, at the time of subdivision consent (either in cash or land equivalent, at Council's option) up to a maximum of 1% of the value of 1,000 m² of the land within each additional allotment.
2. Cash equivalent of the value of 20 m² of land for each additional residential unit created, at the time of resource consent less any contribution made at the time of previous subdivision within the preceding 10 years.
3. Cash equivalent of the value of 4 m² of land for each additional 100 m² of new, net, non-residential, building floor area created in the Urban Zone, Commercial Precinct or Industrial Zone, at the time of resource consent, less any contribution made at the time of previous subdivision within the preceding 10 years.
4. Where the contribution is given as land, the location shall be suitable for the reserve purposes of the area and shall be no less than 1,000 m² in each separate title. Acceptance of land is at the discretion of the Council.
5. No reserve contribution shall be required for any allotment exceeding 4 hectares in area.

For the purposes of this policy, the land value used is to be the current market value, exclusive of GST, at the time of the application for consent or approval to connect to utility services.

Where an agreed current market value cannot be established by mutual agreement between the Council and the developer, then the value will be that established by a registered valuer agreed by both parties and jointly retained, with the cost of the valuation fees being shared equally by the Council and the developer.

C. Circumstances When Financial Contributions May Be Taken

The Council may require as a condition or conditions of a subdivision or land use consent the payment of financial contributions where the subdivision, land use or development necessitates the development, maintenance or upgrading of roading or reserve infrastructure.

1. Where any financial contribution is, or includes the payment of money, the Council may specify any one or more of the following in the conditions of the resource consent:
 - (a) The amount to be paid by the developer.
 - (b) How the payment is to be made, including whether payment is to be made by instalment and whether bonding or security can be entered into.
 - (c) When the payment is to be made:
 - (i) generally in the case of subdivision, prior to uplifting the Section 224 certificate; and
 - (ii) generally in the case of land use, prior to the consent being given effect to.
 - (d) If the amount of the payment is to be adjusted to take account of inflation¹ and if so, how the amount is to be adjusted.
 - (e) Whether any penalty is to be imposed for default in payment and if so, the amount of the penalty or formula by which the penalty is to be calculated.
2. Where any financial contribution is, or includes land, the Council may specify any one or more of the following in the conditions of the resource consent:
 - (a) The location and area of the land.
 - (b) The state the land is to be in prior to vesting in or transferring to the Council.
 - (c) The purpose of the land if it is to be classified under the Reserves Act 1977, or the general purpose of the land.
 - (d) When and how the land is to be vested in, or transferred to the Council. In the case of subdivision consent the land shall be vested on the deposit of the survey plan under Section 224 of the Resource Management Act 1991, or transferred as soon as the certificate of title or computer freehold register is available.

D. Review of Calculation of Costs

Where a developer requests that the calculation of costs be reviewed, any costs incurred in reviewing Council's cost calculations shall be met by the developer.

Note: If the Council agrees with the appeal on costs, then the Council will not charge for staff time spent in reviewing the calculation.

¹ Inflation to be determined by the NZTA Construction Index (or its appropriate successor) not the Consumer Price Index

E. Credits and Refunds

Financial contributions may be credited or refunded by the Council in circumstances where:

1. A resource consent which includes a condition requiring a financial contribution lapses or is cancelled or surrendered in accordance with the provisions of the Resource Management Act.
2. The Council does not undertake the works or infrastructure for which the contribution was required.
3. The Council does not utilise the contribution for the specified reserves purposes within 10 years.

The Council shall, on notice, pay or return to the person entitled to the financial contribution less a value equivalent to the costs incurred by the Council in relation to the activity and its discontinuance

PROVIDED THAT the Council shall not pay for or credit the value of any work or services provided as a financial contribution before the resource consent lapses or is cancelled or surrendered or does not proceed. No interest will be paid.

The amount of any previous payment shall be deducted from the level of the financial contribution payable in respect of any subdivision or land use consent in the following circumstances:

1. Where the financial contributions previously paid was to provide capacity in roading and reserve infrastructure.
2. If a financial contribution has previously been paid to the Council in respect of a land use consent subject to an application for subdivision consent.
3. If a financial contribution has previously been paid to the Council in respect of a subdivision consent for the land subject to an application for a land use consent.

F. Administration

The Council shall keep a register of all financial contributions made which shall contain the following information:

1. The amount of the financial contribution.
2. The name of the person making the contribution and the date on which the financial contribution was made.
3. The purpose for which the financial contribution was imposed and made.
4. The name of the person entitled to any refund or credit.

Section 3 Zone Objectives, Policies, Rules and Methods

Section 3.1 Rural Zone

The District's rural areas, defined as the Rural Zone, predominantly supports farming related activities but also provides for a range of land uses, such as infrastructure and renewable electricity generation activities. The character of the rural area is one where there is a mix of activities that require a rural location. The protection and maintenance of the life supporting capacity and productive value of the land resource, is of critical importance to the District's socio-economic and cultural wellbeing. Inappropriate land use and development can give rise to a range of adverse effects and careful consideration should be given to the location and nature of activities to promote sustainable land use and development. Many areas within the Rural Zone are valued for their rural character and amenity and the Rural Zone can be an attractive location for residential activities. The Rural Settlement Areas provide for the consolidation or clustering of development around those existing established areas. Inappropriate subdivision, land use and development can give rise to a range of adverse effects on the District's rural environments and can result in the inefficient use of natural and physical resources. The location and nature of activities, particularly those that can be sensitive to farming activities, should be given careful consideration in order to promote sustainable growth and development and ensure integration with rural environments. The Mountains Overlay encompasses the mountainous areas of the Rural Zone, where Council seeks to protect and enhance the soil resource and the natural character of the area.

Rural

Objective RURAL.1

Subdivision, land use and development in the Rural Zone shall be undertaken in a manner that maintains the life supporting capacity and productive value of the land resource.

Objective RURAL.2

Maintain amenity values, including rural character.

Policy RURAL.1

Recognise the benefits of subdivision, land use and development in providing for growth and development of the District, whilst avoiding, remedying or mitigating adverse effects on the environment.

Explanation: Well planned subdivision, land use and development can provide a framework for the sustainable growth and development of the District. Farming and non-farming activities are key contributors to the socio-economic wellbeing of the District. However, adverse effects can arise from the nature and scale and the physical or built form, of some rural activities. Land use and development should integrate with infrastructure and transportation networks and careful consideration should be given to the location and nature of activities in order to avoid, remedy or mitigate adverse environmental effects. The District contains a diverse range of activities within the rural area that contribute to the continued growth and development of agriculture, such as the Woodlands Research Farm and other industry monitor farms.

Policy RURAL.2

Manage subdivision, land use and development in a manner that maintains or enhances amenity values, including rural character and landscapes.

Explanation: Subdivision, land use and development should be sympathetic to rural character and amenity values, and enhance these where possible.

The dominant character of the District's rural working landscapes includes reasonable separation between dwellings to maintain privacy and a sense of openness, the clustering of dwellings with other farm buildings and structures, a generally low background noise level but with some intermittent and/or seasonal noise from rural activities, clean air but with some significant short term and/or seasonal odour associated with farming activities.

Policy RURAL.3

Avoid, remedy or mitigate reverse sensitivity effects.

Explanation: The Rural Zone provides for a range of activities that may at times be incompatible with each other. Further, rural character and amenity values can serve as an attraction for residential activity in the Rural Zone. However, character associated with working rural environments can give rise to conflict between land use activities and result in reverse sensitivity. Conflict between land use activities can occur where neighbouring or nearby land uses are not compatible. In the Rural Zone some farming and intensive farming activities can generate significant noise, lighting, odour and dust effects. In many cases these effects should be avoided, remedied or mitigated. Such effects should be reasonably expected within the Rural Zone and it is preferable that the management of these effects do not result in undue restrictions on farming and intensive farming activities.

Policy RURAL.4

Subdivision, land use and development shall be undertaken in a manner that:

1. Promotes sustainable land use and soil management practices.
2. Maintains the life supporting capacity and productive value of the land resource.
3. Avoids or mitigates erosion, sedimentation and instability of soils, particularly on hill country land.

Explanation: The District's land and soil resources are a key contributor to the socio-economic wellbeing of the District. The control of inappropriate subdivision, land use and development of land and soil resources can protect and maintain the productive use of land and ensure that the economic value of these resources is preserved. Land use practices should ensure soil properties are maintained or enhanced and erosion, compaction, nutrient loss and soil disturbance are avoided or minimised, this is particularly critical for high value soils and soils on hill country land. These soils provide highly productive farming land, suitable for a range of rural production activities. The District's hill country can be prone to erosion and instability and inappropriate activities can give rise to adverse effects including sedimentation and slips. Fragmentation of rural properties for rural-residential subdivision can potentially reduce the productive use of land in the Rural Zone.

Policy RURAL.5

Recognise that rural-residential activity may be appropriate in locations where:

1. Soils are not identified as being of high value.
2. Integration can be achieved with infrastructure and transportation networks.

3. Sites are not subject to significant risk from natural hazards.
4. Allotment size, shape and configuration maintains open rural character.
5. Consolidation can be achieved within and around existing residential areas and Rural Settlement Areas.

Explanation: There are townships in the District that are zoned Rural but are essentially Urban in their layout. Many of these have been shown on the planning maps as Rural Settlement Areas. This policy recognises that it may be appropriate to provide for ongoing residential development and growth in these areas. Other rural-residential activity independent of any farming or intensive farming activity may be appropriate, however, it must be undertaken in a manner that maintains open rural character, achieves the efficient use of soil and land resources and connectivity with existing infrastructure.

Policy RURAL.6

Avoid rural-residential activity in locations where the ongoing cost of maintenance of roading infrastructure will have adverse effects on the wider community.

Explanation: Additional demands on roading infrastructure associated with rural-residential activity can place costs on local communities and ratepayers. Council's role is to maintain infrastructure in accordance with the relevant Asset Management Plans and rural-residential activity can in some situations lead to an unsustainable demand for funding. Funding maintenance of infrastructure whilst trying to limit costs on ratepayers can result in Council having to prioritise spending and other activities missing out. Refusal of consent applications that adversely affect the economic wellbeing of the wider community and ratepayers is consistent with the sustainable management of natural and physical resources.

Policy RURAL.7

Recognise the benefits of gravel extraction, whilst ensuring that adverse effects are avoided, remedied or mitigated.

Explanation: On site mineral extraction can provide for socio-economic wellbeing by reducing the time and financial costs of sourcing gravel from elsewhere, while minimising the transport of rock or gravel for activities which assist in reducing the wear on the roading network. However, these extraction and associated processing activities can give rise to adverse environmental effects. Careful consideration should be given to the location and nature of these activities to manage any adverse effects and should include the implementation of a robust management and monitoring plan as part of any resource consent application.

Policy RURAL.8

Avoid, remedy or mitigate the adverse effects of earthworks.

Explanation: Earthworks are often necessary as part of day to day farming activities or land use and development activities. Earthworks can give rise to a range of adverse effects, including effects on slope and soil stability, biological diversity, visual amenity, water quality and heritage (including archaeological) values. Earthworks should be managed through the implementation of a robust methodology and works supervision procedures to avoid adverse effects. Industry specific Standards and Guidelines provide one way of demonstrating these methods and procedures and achievement of the required environmental outcomes. Particular consideration should be given to the avoidance of effects on water and soil quality and public health.

Policy RURAL.9

Avoid, remedy or mitigate reverse sensitivity effects on infrastructure and network utility operations.

Explanation: Infrastructure and network utility operations provide an important essential service to the Southland District and wider national networks. To ensure the continuation of this essential service the presence and function of the infrastructure should be recognised and careful consideration given to preventing the establishment and expansion of sensitive activities where they are to be located in the vicinity of existing or proposed infrastructure.

The National Grid network has been identified on planning maps and rules established to provide for minimum setbacks to address safety, operation and maintenance of the Lines and Support Structures. This will enable Council to prevent sensitive activities, or the expansion of existing sensitive activities, from locating where they would affect or be affected by the National Grid network.

Policy RURAL.10

Manage subdivision, land use and development in a manner that maintains or enhances the residential amenity values within the Rural Settlement Areas.

Explanation: The amenity and character of the Rural Settlement Areas is distinct from the rest of the Rural Zone in that it provides for more consolidated development while still ensuring amenity values on neighbouring properties are managed through controls such as the height in relation to boundary requirements.

Mountains Overlay

Objective MTO.1

The soil resource and natural character of the area encompassed by the Mountains Overlay shall be maintained.

Policy MTO.1

To avoid, remedy or mitigate the adverse effects on natural character and soil resources within the Mountains Overlay.

Explanation: The siting, design and location of buildings and structures can detract from the natural character of the mountains and can give rise to adverse effects, particularly visual effects and effects on biodiversity. If it is considered that a proposal is likely to generate these effects then there are additional rules, objectives and policies in other parts of the plan that will apply in addition to this policy. These relate to Biodiversity (Section 2.2) and Natural Features and Landscapes (Section 2.3). Earthworks and other land use practices can also give rise to adverse effects on the soil resource. Subdivision, land use and development within areas encompassed by the Mountain Overlay must avoid, remedy or mitigate these effects.

Policy MTO.2

To avoid, remedy or mitigate the adverse effects of Wilding Trees in the Mountains Overlay, while providing for soil conservation and flood protection works.

Explanation: Certain tree species in the Mountains Overlay can adversely affect other properties and have effects on biodiversity. However, some of these same species provide an effective river management tool for Southland Regional Council.

Rural Zone Rules

Note: district-wide rules

The following district-wide sections of the District Plan may apply in addition to any relevant Rural Zone Rules to activities undertaken in the Rural Zone. If one or more of the district-wide rules is breached, the activity will require consent in respect of those rules:

- Biodiversity - Section 2.2
- Historic Heritage - Section 2.5
- Subdivision - Section 2.6
- Waste, Hazardous Substances and Contaminated Land - Section 2.8
- Energy, Minerals and Infrastructure - Section 2.9
- Noise - Section 2.11
- Signage - Section 2.12
- Water and Surface Water Activities - Section 2.13
- Financial Contributions - Section 2.14.

The rules in the Infrastructure Section override zone and district wide provisions of the District Plan in relation to the activities to which that Section applies. Other than in relation to the Definitions in the District Plan, no rule in any other Section shall apply to an activity dealt with by the Infrastructure Section, unless specific cross reference is made.

Rule RURAL.1 - Permitted Activities

The following activities are **Permitted Activities** in the Rural Zone provided they meet the General Rural Standards:

1. **Farming Activity** and any other activity that utilises the productive value of the soil resource (excluding those activities specified below) is a permitted activity.
2. **(1) Dwellings outside of Rural Settlement Areas** are permitted provided that:
 - (a) **Maximum number** is one dwelling per Computer Freehold Register, with **Additional Staff Dwellings** as follows:
 - (i) one dwelling per 50 hectare - 100 hectare property;
 - (ii) two dwellings per 101 hectare - 150 hectare property;
 - (iii) three dwellings per 151 hectare - 300 hectare property;
 - (iv) four dwellings per 301 hectare - 1,000 hectare property;
 - (v) five dwellings per 1,001 hectare property.
 - (b) **Setbacks**

Any dwelling complies with the following setbacks:

 - (i) 150 metres from any existing dwelling, or consented dwelling or building platform, not in the same ownership. For the avoidance of doubt dwellings on the same property can be closer to each other than 150 metres;
 - (ii) 20 metres from the boundary of a State Highway where the speed limit exceeds 80 km/hr;
 - (iii) 4.5 metres from a boundary with any other road;

- (iv) 30 metres from a wetland or bed of a river or lake;
- (v) 300 metres from the property boundary of an intensive farming activity in separate ownership;
- (vi) 300 metres from a consented milking shed or wintering shed in separate ownership;
- (vii) 150 metres from a wastewater treatment facility property boundary (excluding waste disposal areas associated with domestic on-site wastewater disposal system);
- (viii) 200 metres from a gravel or mineral extraction activity where the consented volume to be extracted is more than 50,000 m³;
- (ix) within the Visual Amenity Landscape Overlay 20 metres from the boundary of any formed road; and 4.5 metres from the boundary of an unformed road;
- (x) complies with RURAL.7(7) National Grid Yards.

(c) **Height**

- (i) the maximum height of the dwelling is 9 metres above natural ground level;
 - (ii) the height of the building in relation to the external property boundaries complies with Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6);
 - (iii) within the Visual Amenity Landscape Overlay the maximum height of the dwelling is 6.5 metres above natural ground level.
- (d) The building site and access to that site are not identified as being seaward of the Coastal Hazard Line as shown on the District Plan Maps.
- (e) The site is not identified as being within an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.
- (f) **Materials** - Within the Visual Amenity Landscape Overlay external building materials and colours are to be recessive with a maximum reflectance value of 40%. (Note: this does not apply to glazing, natural or stained timber, solar panels or building trims such as fascia boards, soffits and window frames.)
- (g) Any new or relocated dwelling, located within:
- (i) 40 metres of the closest railway track;
 - (ii) where there is no track in place, 35 metres from the nearest boundary of the railway designation;
 - (iii) 80 metres of the seal edge of a State Highway that has a speed limit of 70 km/hr and greater or 40 metres of the seal edge of a State Highway that has a speed limit of less than 70 km/hr;

shall be designed, sited and constructed to ensure that the internal noise levels for dwellings do not exceed 35 dB $L_{Aeq}(1 \text{ hr})$ inside bedrooms or 40 dB $L_{Aeq}(1 \text{ hr})$ inside other habitable spaces.

(2) Dwellings within a Rural Settlement Area are permitted provided that:

- (a) Any dwelling is setback 4.5 metres from a boundary with any road.
- (b) Any new or relocated dwelling, located within:
 - (i) 40 metres of the closest railway track;
 - (ii) where there is no track in place, 35 metres from the nearest boundary of the railway designation;
 - (iii) 80 metres of the seal edge of a State Highway that has a speed limit of 70 km/hr and greater or 40 metres of the seal edge of a State Highway that has a speed limit of less than 70 km/hr;

shall be designed, sited and constructed to ensure that the internal noise levels for dwellings do not exceed 35 dB $L_{Aeq}(1 \text{ hr})$ inside bedrooms or 40 dB $L_{Aeq}(1 \text{ hr})$ inside other habitable spaces.

- (c) **Height**
 - (i) the maximum height of the dwelling is 9 metres above natural ground level;
 - (ii) within the Visual Amenity Landscape Overlay the maximum height of the dwelling is 6.5 metres above natural ground level;
 - (iii) the height of the building in relation to the external property boundaries complies with Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6).
 - (d) **Materials** - Within the Visual Amenity Landscape Overlay external building materials and colours are to be recessive with a maximum reflectance value of 40%. (**Note:** this does not apply to glazing, natural or stained timber, solar panels, or building trims such as the fascia boards, soffits and window frames.)
 - (e) The building site and access to that site are not identified as being seaward of the Coastal Hazard Line as shown on the District Plan Maps.
Note: Where a reticulated system is not provided, dwellings will need to ensure they can adequately dispose of wastewater in accordance with the relevant Regional Council rules and AS/NZS 1547:2012 On-Site Domestic Wastewater Management. It should not be assumed that an area of land held in an individual Computer Freehold Register/Certificate of Title is suitable for on-site wastewater disposal. Site restrictions including the lack of suitable land may preclude the site from being used for on-site wastewater disposal. Further guidance on on-site wastewater requirements in the Rural Settlement Areas is available from Council.
3. **Accessory Buildings** are permitted provided that:
- (a) The accessory building complies with the following setbacks:
 - (i) 1 metre from the side property boundaries;
 - (ii) the height of the building in relation to the external property boundaries complies with Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6);
 - (iii) 4.5 metres from the boundary of a road or State Highway;
 - (iv) within the Visual Amenity Landscape Overlay (except within the Rural Settlement Overlay) is set back at least 20 metres from the boundary of a formed road or State Highway, and 4.5 metres from the boundary of an unformed road;
 - (v) within the Visual Amenity Landscape Overlay the maximum height of the Accessory Building is 6.5 metres above natural ground level;
 - (vi) within the Visual Amenity Landscape Overlay external building materials and colours are to be recessive with a maximum reflectance value of 40%. (**Note:** this does not apply to glazing, natural or stained timber, solar panels or building trims such as fascia boards, soffits and window frames);
 - (vii) compliance with RURAL.7(7) National Grid Yards.
 - (b) The maximum height of the accessory building is 9 metres above natural ground level.
 - (c) The site is not identified as being within an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.
4. **Other Buildings** are permitted provided that:
- (a) The maximum height of the building is 12 metres above the natural ground level.
 - (b) The height of the building in relation to the external property boundaries complies with Height in Relation to Boundaries and the Height Recession Diagram in Rural Zone General Standards Rule RURAL.7(6).
 - (c) Above ground agricultural effluent ponds shall be setback:

- (i) at least 200 metres from a dwelling, a consented dwelling or an approved building platform in separate ownership;
 - (ii) at least 50 metres from the boundary of any other property;
 - (iii) at least 50 metres from any water body, artificial watercourse or coastal marine area;
 - (iv) at least 100 metres from a water abstraction point.
- (d) Milking sheds, and wintering sheds shall be set back at least:
- (i) at least 300 metres from a dwelling; a consented dwelling or an approved building platform in separate ownership;
 - (ii) at least 300 metres from the Urban Zone;
 - (iii) at least 100 metres from a State Highway or Regional Arterial Road, 50 metres from any other formed road and 4.5 metres from the boundary of an unformed road;
 - (iv) at least 100 metres from the boundary of any land managed under the Conservation Act 1987, Reserves Act 1977, and National Parks Act 1980;
 - (v) at least 100 metres from the marine and coastal area, or wetland lake or river;
 - (vi) within the Visual Amenity Landscape Overlay external building materials and colours are to be recessive with a maximum reflectance value of 40% (Note: this does not apply to glazing, natural or stained timber, solar panels or building trims such as fascia boards, soffits and window frames).
- (e) The building shall not exceed 1,500 m² in gross floor area.
- (f) Within the Visual Amenity Landscape Overlay the maximum height of the building is 7.5 metres above the natural ground level.
- (g) Within the Visual Amenity Landscape Overlay it is setback at least 100 metres from a State Highway or Regional Arterial Road and 50 metres from any other road.
- (h) Within the Visual Amenity Landscape Overlay the Maximum footprint of the building does not exceed 1,000 m².
- (i) Compliance with RURAL.7(7) National Grid Yards.
 - (j) The site is not identified as being within an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.
 - (k) The building shall be setback 4.5 metres from the boundary of any road.
 - (l) The building shall not shade a road between 10.00 am and 2.00 pm on the shortest day of the year.
5. **Cleanfills** are a permitted activity provided that:
- (a) They involve less than 500 m³ (volume) of cleanfill material per property.
 - (b) They do not alter the existing ground level by more than 2 metres in height and more than 5 metres in depth.
 - (c) Prior to any deposition of cleanfill material notice in writing of the location where the cleanfill material will be deposited is given to Council.
 - (d) No cleanfill is deposited within 20 metres of any water body, including wetlands and coastal water.
 - (e) The cleanfill operation complies with the permitted activity standards for noise.
 - (f) No cleanfill is deposited within 50 metres of any site listed as Historic Heritage in Schedule 5.2.
 - (g) No cleanfill is deposited within 50 metres of any property boundary if above ground, and 20 metres if below ground.
 - (h) The activity is not undertaken in an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.

- (i) The area of cleanfill activity is reinstated as soon as practicable after the fill has been completed.

Note: Southland Regional Council also has requirements regarding disposal of waste in these sites, please check the Regional Water Plan to ensure compliance with these is achieved.

6. **(1) Extraction of gravel or rock** is permitted provided that:
- (a) The volume extracted shall not exceed 1,500 m³ in any 12 month period per property.
 - (b) The extracted material is used on the same property.
 - (c) The material is not transported on a formed legal road.
 - (d) The extraction site (excluding the working face of the extraction) is progressively rehabilitated and rehabilitation is completed within 12 months upon the completion of the maximum permitted volume or by 31 March each year, whichever occurs the earliest.
 - (e) The extraction site is set back a minimum of 100 metres from a site containing any existing dwelling other than a dwelling on the same property.
 - (f) The extraction site and stock piles are not within 20 metres of a water body greater than 1 metre in width, wetland, coastal water or flood protection works, or a property boundary.
 - (g) Sufficient sediment control is provided to prevent sedimentation entering a water body, or wetland or coastal water.
 - (h) The extraction site does not affect any archaeological site identified on the District Plan Maps, except where an Archaeological Authority has been granted by Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014, or confirmation is provided that no archaeological authority is required.
 - (i) The activity is not undertaken in an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.
- (2) Extraction of Gravel or Rock between 1,500 m³ - 5,000 m³** is permitted provided that:
- (a) The volume extracted shall not exceed 5,000 m³ in any 12 month period per property.
 - (b) The extracted material is used on the same property.
 - (c) The material is not transported on a formed legal road.
 - (d) The extraction site (excluding the working face of the extraction) is progressively rehabilitated and rehabilitation is completed within 12 months upon the completion of the maximum permitted volume or by 31 March each year, whichever occurs the earliest.
 - (e) The extraction site is set back a minimum of 300 metres from a site containing an existing dwelling other than a dwelling on the same property.
 - (f) The extraction site and stock piles are not within 100 metres of a property boundary.
 - (g) The extraction site and stock piles are not within 20 metres of a water body greater than 1 metre in width, wetland, coastal water or flood protection works.
 - (h) Sufficient sediment control is provided to prevent sedimentation entering a watercourse, or wetland or coastal water.
 - (i) The extraction site does not affect the site of any item listed in the District Plan Historic Heritage in Schedule 5.2 except where an Archaeological Authority has been granted by Heritage New Zealand.
 - (j) The activity is not undertaken in an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.
 - (k) The extraction site is not visible from a public place.

Note: Southland Regional Council also has requirements regarding disposal of waste in these sites, please check the Regional Water Plan to ensure compliance with these is achieved.

Note: Gravel extraction associated with any plantation forestry activity is managed under the NES for Plantation Forestry, except where it is within an Outstanding Natural Features and

Landscapes Overlay, in which case the rules in this plan prevail over the NES for Plantation Forestry.

7. **Earthworks within a Riparian Margin** are permitted provided that:
- (a) The volume of earthworks in the riparian margin must not exceed 25 m³ and must not include the cumulative disturbance of more than 20 linear metres in any 200 metre length of riparian margin per property.
 - (b) Earthworks are carried out such that:
 - (i) trenches for the purpose of installing pipes, lines or cables are backfilled and compacted within 48 hours of excavation; and
 - (ii) all areas of bare ground created by the activity are protected from soil erosion as soon as practicable.

Notes:

- (a) For the avoidance of doubt this rule can be used to undertake 20 metres of work on each side of the water body.
 - (b) Southland Regional Council also has requirements regarding activities in close proximity to water bodies, please check the Regional Water Plan to ensure compliance with these is achieved.
8. **(1) Earthworks** that:
- (a) In any 12 month period, do not exceed, the disturbance of more than 1,000 m³ (volume) of land per property and
 - (i) is greater than 20 metres from a waterbody that do not alter the existing ground level by more than 5 metres in depth or 2 metres in height;
 - (ii) is within 20 metres of a waterbody that do not alter the existing ground level by more than 2 metres in depth or height; or
 - (b) Are required for construction and maintenance of tracking under RURAL.1(1) Farming. are permitted provided that the activity:
 - (i) shall not be undertaken at an elevation greater than 700 metres above mean sea level, with the exception of earthworks ancillary to fencing, track construction, maintenance and firebreak activities;
 - (ii) shall not be undertaken on slopes of more than 20° except cultivation, tracking or domestic gardening; and/or cause slope instability;
 - (iii) shall protect any stockpiles of material and all areas of bare ground created by the activity from soil erosion as soon as practicable;
 - (iv) shall not be undertaken within 5 metres of the bed of any surface waterbody, including wetlands and coastal water, or flood protection works, except cultivation of a field or domestic gardening;
 - (v) shall not be undertaken on a contaminated or potentially contaminated piece of land unless it is in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 contained in Schedule 5.8;
 - (vi) does not affect any archaeological site identified on the District Plan Maps, except where an Archaeological Authority has been granted by Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014, or confirmation is provided that no archaeological authority is required;
 - (vii) is not undertaken in an area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps;

- (viii) where earthworks is required for, or in conjunction with, Rule RURAL.1(8)(1)(b) “Construction and maintenance of tracking under RURAL.1(1) Farming”:
- all formation surfaces with an inwards crossfall shall be drained by watertable;
 - cut-offs or culverts shall be constructed or installed so as to prevent scour, gullyng, or other erosion of the formed or constructed surface;
 - fill shall not be placed over woody vegetation;
 - all areas of fill including any formation surface overlying fill but excluding side casting shall be compacted;
 - fill batters shall be constructed and vegetated where appropriate, to a standard that is adequate to avoid batter erosion or failure;
 - spoil shall be disposed of by end-hauling where the formation by side casting of any road or track crosses any unstable site or crush zone.

(2) Earthworks within National Grid Yards are permitted provided that:

- (a) Earthworks within 2.2 metres of a pole support structure or stay wire shall not be greater than 300 mm in depth.
- (b) Earthworks between 2.2 metres and 5 metres of a pole support structure or stay wire shall not be greater than 750 mm in depth.
- (c) Earthworks within 12 metres of the outer edge of the visible foundation of a tower support structure shall not be greater than 300 mm in depth.
- (d) Earthworks shall not compromise transmission support structure stability.
- (e) Earthworks shall not result in a reduction of the existing conductor clearance distance above the ground as required in NZECP 34:2001.

Provided that the following activities are exempt from (a) and (b) above:

- (i) earthworks undertaken by a Network Utility Operator; or
- (ii) earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway.

Note: Southland Regional Council also has requirements regarding activities in close proximity to water bodies, please check the Regional Water Plan to ensure compliance with these is achieved

Note: These standards do not apply to the removal and replacement of underground petroleum storage tanks undertaken in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011.

Note: District wide rules relating to the clearance of indigenous vegetation are contained in Section 2.2 – Biodiversity of the District Plan.

9. **Prospecting for Minerals** is permitted provided that:

- (a) The volume extracted shall not exceed 200 m³ per 5 hectares for pits and 1,000 m³ per 5 hectares for trenches.
- (b) Within 12 months of the completion of the extraction activity areas disturbed by such activities shall be restored and rehabilitated to a standard not less than that previously existing.
- (c) The extraction site and stock piles are not within 20 metres of a water body greater than 1 metre in width, wetland, coastal water or flood protection works.
- (d) Sufficient sediment control is provided to prevent sedimentation entering a water body, or wetland or coastal water.
- (e) The extraction site does not affect any archaeological site identified on the District Plan Maps, except where an Archaeological Authority has been granted by Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014, or confirmation is provided that no archaeological authority is required.

- (f) The activity is not undertaken in an area identified as being an area of Outstanding Natural Features and Landscapes.
 - (g) It shall not be undertaken on a contaminated or potentially contaminated piece of land unless it is in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 contained in Schedule 5.8.
10. **Visitor Accommodation** (involving five or less paying guests) is permitted.
11. **Home Occupations** are permitted provided that:
- (a) A maximum of 30 m² of the gross floor area of the residential or accessory buildings on the property is used for the operation of the home occupation.
 - (b) No more than 10 m² of the property shall be used as an outdoor display area for the operation of the home occupation and associated storage of goods, materials or equipment at any one time.
 - (c) The home occupation is not operated outside of the hours of:
 - 7.30 am - 9.00 pm, Monday to Saturday; and
 - 7.30 am - 6.00 pm, Sundays and public holidays.
12. **Produce Stalls** are permitted provided that:
- (a) There is only one produce stall per property.
 - (b) The stall is no greater than 10 m² in area.
 - (c) The produce displayed for sale has been produced on the property on which it is offered for sale.
13. **Markets and car boot sales not exceeding 20 stall holders/sellers** are permitted provided that:
- (a) The farmers' market or car boot sale shall not operate outside the hours of:
 - 7.30 am - 6.00 pm, Monday to Sunday and public holidays.
 - (b) The farmers' market or car boot sale shall not occur more than 12 times per calendar year.
 - (c) The site on which the farmers' market or car boot sale occurs shall be returned to its original condition the day of the event.
 - (d) There shall be no direct access to sites of farmers' markets or car boot sales from a State Highway or Regional Arterial Road.
 - (e) Adequate provision is made for carparking, waste collection and disposal including provision of toilet facilities.
 - (f) A Traffic Management Plan prepared in accordance with the Code of Practice for Temporary Traffic Management has been submitted to Council.
14. **Temporary Events** are permitted provided that:
- (a) The temporary event does not exceed six days in any calendar year.
 - (b) The temporary event shall not operate outside of the hours of:
 - 7.30 am - 10.00 pm, Monday to Saturday; and
 - 7.30 am - 6.00 pm, Sundays and public holidays.
 - (c) Any structures associated with that event shall be erected:
 - (i) no more than seven days before the event occurs; and
 - (ii) removed no more than seven days after the end of the event.
 - (d) The site on which the temporary event occurs shall be returned to its original condition no more than three days after the end of the event.
 - (e) Adequate provision is made for waste collection and disposal including provision of toilet facilities.

Note: Any access for temporary event shall require approval from the relevant road controlling authority (Southland District Council or New Zealand Transport Authority), this will require submission and approval of a Traffic Management Plan.

15. **Forestry Activities** are permitted provided that:
- (a) No forestry activity shall affect any archaeological site identified on the District Plan Maps, except where an Archaeological Authority has been granted by Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014, or confirmation is provided that no archaeological authority is required.
 - (b) The activity is not undertaken in an area identified as being an area of Outstanding Natural Features and Landscapes.

Note: Useful resources for anyone undertaking Forestry Activities are the Environmental Code of Practice for Plantation Forestry (ECOP) 2007 and the New Zealand Forest Road Engineering Manual (2012).

Note: The National Environmental Standard for Plantation Forestry Regulations 2017 provides for Forestry Activities including earthworks. However, the District Plan may be more stringent than the NES with regard to Outstanding Natural Features and Landscapes and Archaeological Sites. This rule therefore prevails over the National Environmental Standard.

Note: District Wide rules relating to clearance of indigenous vegetation are contained in Section 2.2 – Biodiversity of the District Plan and apply to clearance of vegetation prior to afforestation.

16. **Activities on Council Reserves and Taramea (Howells Point)** that comply with an approved management plan.

Note: Any activity on a reserve will still require authority from the administering body responsible for managing the reserve. This rule overrides specific Zone and Overlay requirements and all general standards.

17. **Existing Electricity Generation Facilities**

The operation, maintenance, refurbishment, enhancement and minor upgrading and any associated earthworks for any existing electricity generation facilities.

18. **Soil Conservation and River Protection Works**

The planting of Crack Willow (*Salix fragilis*) for the purpose of the repair and/or maintenance of existing soil conservation and river protection works undertaken by Southland Regional Council within the reaches shown in Schedule 5.13 is permitted provided that the planting is sourced from that reach.

Note: In relation to Rule RURAL.1(18) repair and/or maintenance includes lopping, layering (process of felling the existing tree on the ground while maintaining adequate connection with the stump such that vigorous regrowth is encouraged), retrieval and replanting or removing whole trees to fill gaps in river edge protection as a result of flood events.

19. **Intermittent Aircraft Activity**

Intermittent aircraft departures and landings that do not meet the definition of an airport under the RMA.

20. **Feedpads** are permitted provided that:

- (a) They shall be set back at least 200 metres from an existing dwelling, consented dwelling or building platform in separate ownership.

21. Woodlands Agricultural Research Farm as shown on Planning Map 38 and in Schedule 5.15:

- (a) Farming for the purposes of Agricultural Research Activities.
- (b) Buildings associated with Agricultural Research Activities within the Research Building Area shown on the plan in Schedule 5.15 provided that:
 - (i) the maximum height of the building does not exceed 12 metres above the natural ground level;

- (ii) the building does not exceed 1,500 m² in gross floor area.

Note: Farm landfills and dead holes (offal pits) in the Rural Zone are activities managed through the Southland Regional Council's Regional Water Plan. Anyone undertaking these activities should consider the applicable rules.

Rule RURAL.2 - Controlled Activities

The following activities are **Controlled Activities** in the Rural Zone provided they comply with the General Rural Standards:

1. **Forestry** that does not meet Rule RURAL.1.15 - Forestry Activities and is not undertaken in an area identified as being an area of Outstanding Natural Features and Landscapes;
The matter over which Council reserves its control are:

1. Effects on items listed in the District Plan Historic Heritage in Schedule 5.2.

Note: This rule prevails over the National Environmental Standard for Plantation Forestry 2017 regulations.

2. **Papakainga Housing** provided that:

(a) The maximum building coverage of the property shall be 35%.

(b) The General Rural Standards are complied with.

The matters over which Council reserves its control are:

1. Visual effects.
2. The standard of the vehicular access to the site of the activity and the standard of the approach road(s).
3. The provision of adequate on site wastewater disposal, power and telecommunication services.
4. Building height and location including setbacks from boundaries.
5. The need for financial contributions and bonds.

3. **Animal Boarding Activity not exceeding 10 dogs and catteries not exceeding 20 cats provided that:**

Buildings or any part of a building used for Animal Boarding Activity shall be set back a minimum of 50 metres from:

(a) A dwelling in separate ownership.

(b) A consented dwelling in separate ownership.

(c) An approved building platform in separate ownership.

(d) The Urban Zone.

The matters over which Council reserves its control are:

1. Noise.
2. The standard of vehicular access to the site of the activity, on-site parking and the standard of the approach road(s).
3. The provision of adequate on site disposal of waste.
4. Hours of operation.
5. Lighting.
6. Signage.
7. The need for financial contributions and bonds.

4. **Plant nurseries/garden centres not exceeding 1,000 m² of retail floor area**

The matters over which Council reserves its control are:

- (a) Noise.

- (b) The standard of vehicular access to the site of the activity, on-site parking and the standard of the approach road(s).
- (c) The provision of adequate on site disposal of waste.
- (d) Hours of operation.
- (e) Lighting.
- (f) Signage.
- (g) The need for financial contributions and bonds.

Rule RURAL.3 - Restricted Discretionary Activities

1. Any permitted activity that fails to comply with only ONE performance standard:
 - (a) Within that permitted activity rule; OR
 - (b) Rule RURAL.7 - General Rural Standards; and
 - (c) Is not located within a National Grid Yard or area of Outstanding Natural Features and Landscapes as shown on the District Plan Maps.

is a **Restricted Discretionary Activity**.

The matters over which Council has restricted its discretion are:

1. The degree and effects of non-compliance with the condition or the performance standard.
2. The need for financial contributions.
3. The risk of natural hazards.

Rule RURAL.4 - Discretionary Activities

The following activities are **Discretionary Activities** in the Rural Zone:

1. Any activity that cannot be undertaken as a Permitted, Controlled or Restricted Discretionary Activity and is not listed as a Non-Complying or Prohibited Activity is a Discretionary Activity.

Rule RURAL.5 - Non-Complying Activities

1. Buildings to be erected in an area of Outstanding Natural Features and Landscapes are **Non-Complying Activities**.
2. Any activity that fails to comply with any of the performance conditions in relation to:
 - (a) Rule RURAL.1(8)(2) - Earthworks in relation to Earthworks adjacent to the National Grid Yards;
 - (b) Rule RURAL.7(7) - National Grid Yards
 shall be a Non-Complying Activity and Transpower New Zealand will be considered an affected party.

Rule RURAL.6 - Prohibited Activities

The following activities are **Prohibited Activities** in the Rural Zone:

1. **Noise Sensitive Activities - Manapouri Airport**
Noise Sensitive Activities within a Noise Sensitive Activity Exclusion Zone as shown on the District Plan Maps, excluding activities ancillary to the principal use of the land as an airport.
2. **Buildings in the Lakeside Protection Area** over 12 metres in height are Prohibited Activities.

Rule RURAL.7 - General Rural Standards

All activities shall comply with the following General Rural Standards:

1. **Lighting and Glare**

- (a) All on site lighting shall be designed and maintained so there is no spill of light above the horizontal plane and it is directed away from adjacent properties and roads.
- (b) The spill of light from artificial lighting (excluding street lights and traffic signals) on to any other site shall not exceed 8 lux (horizontal and vertical) when measured at the boundary of any other site.
- (c) Artificial lighting shall not dazzle or distract road users or interfere with any traffic aids or signals.

2. Transportation Standards including Access

All activities shall comply in all aspects with the provisions set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012 - relating to carparking numbers, dimensions, access, loading and manoeuvring.

3. Vegetation

- (a) Vegetation shall not be planted or allowed to grow in a position which will prevent a driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, rapid numbers, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.
- (b) Vegetation shall not be planted or allowed to grow in a position that will reduce the effectiveness of road lighting.
- (c)
 - (i) vegetation shall not be planted, or allowed to grow, in a position that will continuously shade a road between the hours of 10.00 am and 2.00 pm on the shortest day of the year;
 - (ii) vegetation shall not be allowed to grow in a position that will continuously shade an existing dwelling, consented dwelling, building platform or building between the hours of 10.00 am and 2.00 pm on the shortest day of the year;
 - (iii) the exception to this standard is where topography is already preventing the direct access of sunlight on to the road or where the vegetation existed at the time of notification of the District Plan.
- (d) Vegetation shall be maintained in a condition which prevents damage to the road surface, road structures or drainage devices.

4. Noise

Except as provided in Rule NSE.3 and Rule NSE.4 to Rule NSE.11, noise from all activities shall not exceed the following limits:

Table 5 Noise from all activities shall not exceed the following limits

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	LAeq (15 min)	LAF,max	LAeq (15 min)	LAF,max
When measured at the boundary of any property zoned:				
Rural Zone (including Mountains Overlay)	65 dB	85 dB	45 dB	70 dB
When measured at any point within the notional boundary of any dwelling on an adjoining property zoned:				
Rural Zone	50 dB	75 dB	40 dB	70 dB

Note: The day time noise limits are intended to provide amenity for outdoor activities. Night time noise limits are intended to allow for sleep amenity.

Where an activity shares a boundary with another Zone the activity must comply with the more restrictive noise limit.

Note: Noise and Vibration associated with plantation forestry activities is managed under regulation 98 of the National Environmental Standard for Plantation Forestry Regulations 2017 and prevail over the District Plan rules.

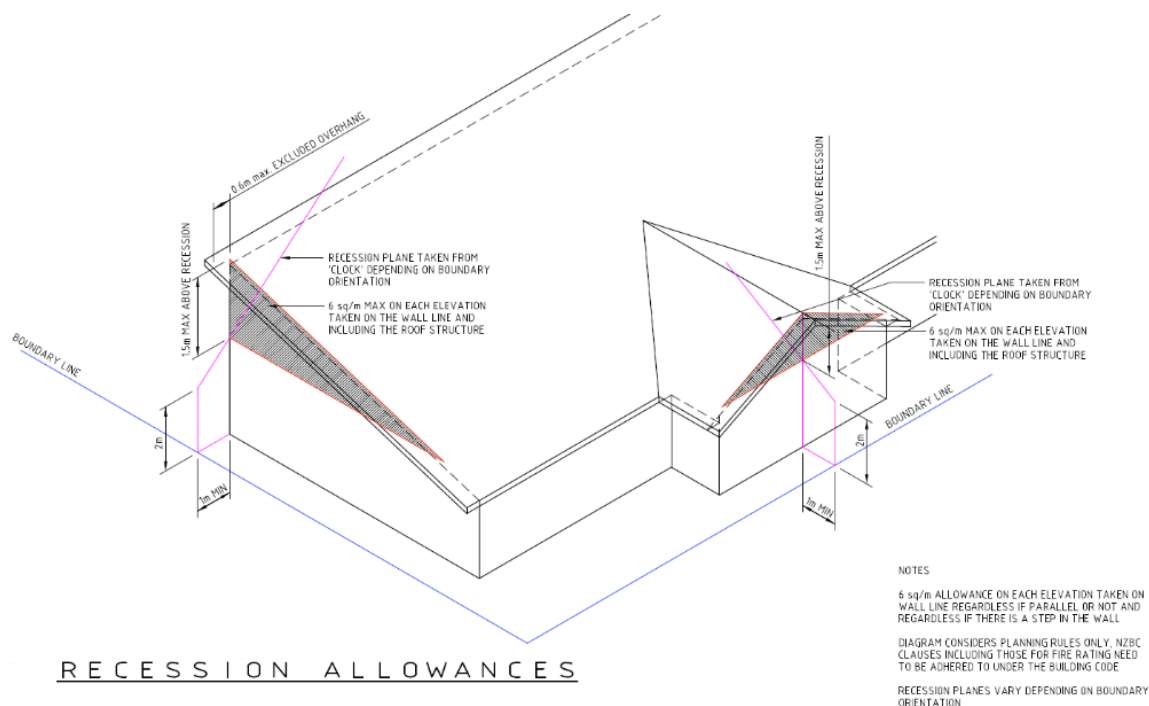
5. **Signage**

Compliance with the relevant signage standards as set out in Section 2.12 - Signage.

6. **Height of Buildings in Relation to Boundaries**

- (a) The maximum height of any structure shall be determined by a recession plane which commences at 2 metres above the line of each boundary and then slopes at an upward angle as determined by the Height Recession Diagram below, up to the maximum height specified, except that:
 - (i) a minor breach of the recession plane is permitted provided the parts of the structure that protrude through the recession plane do not exceed 1.5 metres in height and a total area of 6 m² on each elevation. The area and height of the breach shall be measured as outlined in the diagram below and include solar heating devices that breach the recession plane;
 - (ii) no account shall be taken of those items outlined in Clause 2 of the height definition.
- (b) In determining height, the rolling height method shall be used (see definition of Height).

Figure 3 Recession Allowances



Height Recession Diagram

With both the site plan and the clock diagram below pointing north, place the edge of the clock on the inside of the site boundary. Where the 'clock' touches the boundary indicates the recession angle for that boundary. An example has been provided to assist with the interpretation of the rule.

Figure 4 Height Recession Diagram

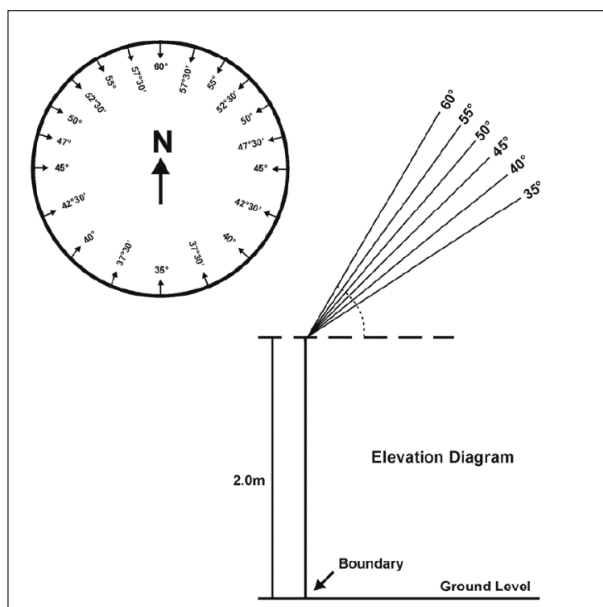
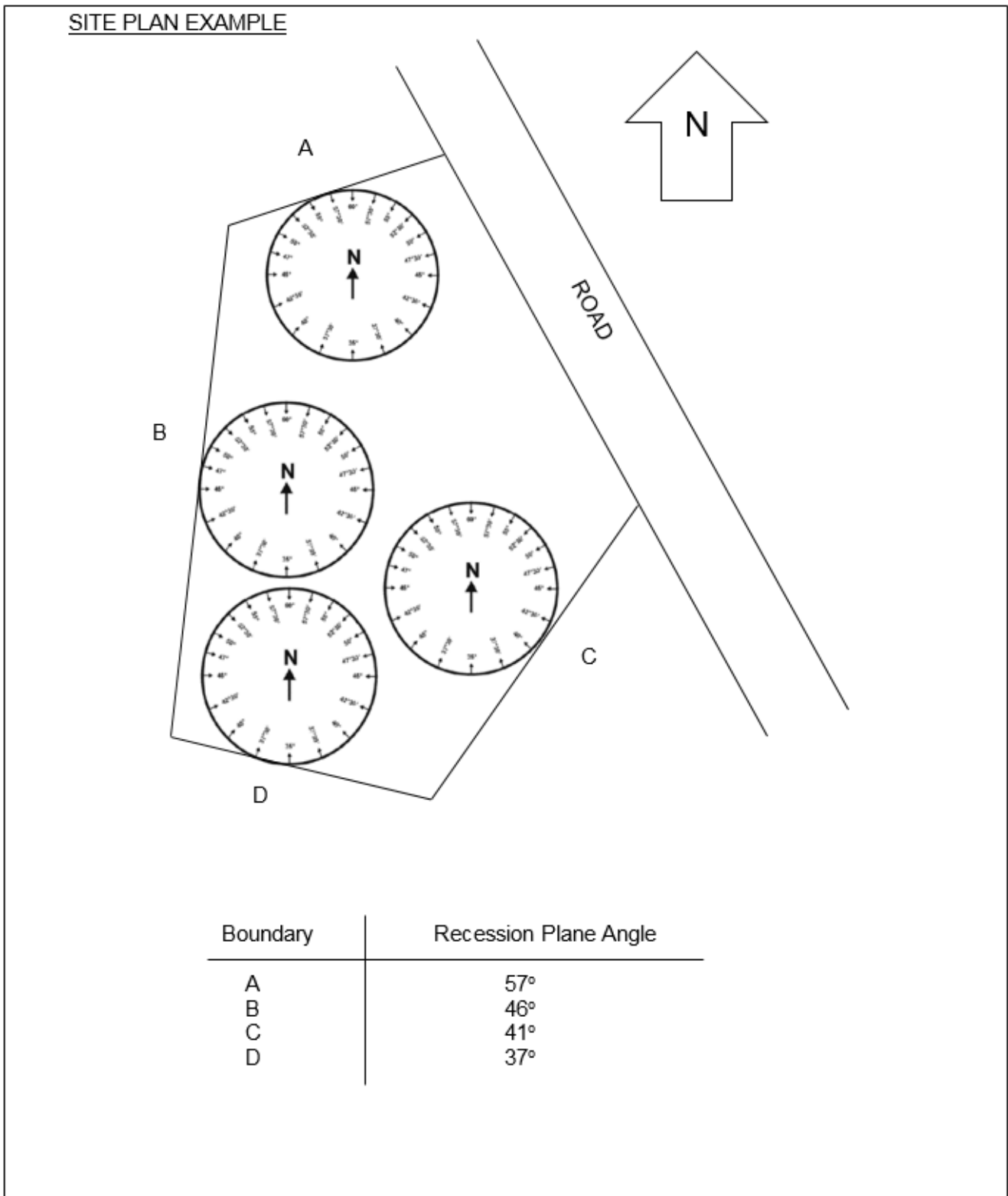


Figure 5 Site Plan Example



7. National Grid Yards

(a) Setback from National Grid Support Structures

No building or structure shall be located within 12 metres (in any direction) of the visible outer edge of a National Grid support structure, with the following exceptions:

- i) fencing up to 2.5 metres in height that is at least 5 metres from the outer edge of any support structure;
 - ii) network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.
- b) Setbacks from the centreline of National Grid Lines
- No building or structure shall be erected within 12 metres from the centreline of a National Grid Line that is designed to operate at or over 110 kV provided that this rule does not apply to:
- i) accessory buildings (excluding swimming pools) and structures associated with residential activities that are:
 - a. less than 10 m² in area
 - b. under 2.5 metres in height
 - c. at least 12 metres from the visible outer edge of any support structures and
 - d. not used for habitation.
 - ii) fencing of up to 2.5 metres in height that is at least 5 metres from the visible outer edge of any support structure;
 - iii) alterations to existing buildings that do not increase the building envelope or footprint provided that they are at least 12 metres from the visible outer edge of any support structure;
 - iv) network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid;
 - v) buildings and structures associated with permitted farming or horticultural activities provided that they are:
 - a. sited at least 12 metres from the visible outer edge of any support structure;
 - b. not a milking shed (excluding the stockyards and ancillary platforms), a wintering shed or other intensive farming building, a commercial glass house/ hothouse, or packing shed;
 - c. no closer than 10 metres vertically from the lowest point of a conductor associated with a National Grid line, or otherwise maintain a safe separation distance as set out in the New Zealand Code of Practice for Electrical Safe Distances (NZECP34);
 - d. not a dwelling.
- c) Sensitive Activities shall be at least 12 metres from a National Grid support structure and centreline of a National Grid line shown on the planning maps as High Voltage Line.

Note: NZECP 34:2001 was prepared under the Electricity Act 1992 and sets minimum safe electrical distance requirements primarily to protect persons and property, vehicles and mobile plant. Compliance with this code is mandatory. Compliance with these provisions will not necessarily ensure compliance with this code.

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Section 3.2 Urban Zone

Urban areas function as the Southland District's main centres of population, culture and socio-economic activity. Integrated, sustainable and well planned urban areas enhance people and communities' quality of life by creating and maintaining safe, healthy and pleasant environments with appropriate access to services, infrastructure, transport and facilities. Sporadic and uncoordinated subdivision, land use and development can result in ad-hoc urban growth and the inefficient use of natural and physical resources and can give rise to adverse environmental effects.

The District's urban areas, defined as the Urban Zone, encompass the principal towns of Winton, Te Anau and Riverton/Aparima and the smaller townships of Balfour, Browns, Colac Bay/Oraka, Edendale, Lumsden, Manapouri, Mossburn, Nightcaps, Ohai, Otautau, Riversdale, Oban, Tokanui, Tuatapere, Waikaia, Wallacetown and Wyndham. The District's Urban Zones are recognised as predominantly residential areas, but provide for a range of activities. The form, function, character and amenity of the District's Urban Zones varies. Urban development pressures within the Urban Zone also vary with some townships experiencing steady growth, while others are static or in decline.

Commercial Precincts are identified as an overlay of the Urban Zone in the District Plan. Commercial Precincts are defined within the Urban Zone in Te Anau, Winton, Riverton/Aparima, Otautau, Edendale, Lumsden, Tuatapere, Riversdale and Wyndham as key locations within which Council seeks to encourage commercial activity. Commercial Precincts enable the co-location of commercial activities, which can enhance the function, integrity, convenience and viability of the commercial centres of these townships. Commercial Precincts can also reduce the likelihood of land use conflict with non-commercial land uses. Industrial Zones are also defined throughout the District and are covered in a separate chapter of the District Plan.

The Te Anau Residential B Zone was created through a private plan change and has specific zone provisions that provide for urban development on properties to which it relates.

Objective URB.1

Subdivision, land use and development in the Urban Zone shall maintain or enhance residential amenity.

Objective URB.2

Where they are defined, Commercial Precincts shall accommodate the principal retail and service functions of the Urban Zone.

Policy URB.1

Subdivision, land use and development in the Urban Zone shall:

1. Reflect the needs of the community.
2. Integrate with existing land use activities and infrastructure.
3. Create desirable places to live and vibrant and functional Commercial Precincts.
4. Achieve compact urban form; whilst avoiding, remedying or mitigating adverse effects on the environment.

Explanation: Well planned urban areas can provide for sustainable growth and development which reflect the needs of local communities. Council has identified areas suitable for subdivision, land use and development to provide for urban growth by defining an Urban Zone. Urban growth, including

intensification and redevelopment, within the Urban Zone can promote coordinated, integrated and compact urban form. This can optimise the efficient use of and accessibility to, infrastructure whilst discouraging urban sprawl and ribbon development outside of the Urban Zone.

Policy URB.2

Encourage the implementation of best practice urban design principles.

Explanation: Urban design is a key tool in achieving good quality outcomes in the built environment. Appropriate implementation of urban design principles will enhance identity and amenity values, promote diversity, choice, innovation and sustainability and ensure vibrant and cohesive urban areas. It can also support public health and wellbeing, including through the implementation of Crime Prevention through Environmental Design measures.

Policy URB.3

Manage subdivision, land use and development in a manner that maintains or enhances the amenity values of residential areas within the Urban Zone.

Explanation: Subdivision, land use and development within the Urban Zone should be sympathetic to amenity values and the character of residential areas and enhance this where possible. Outside of the Commercial Precincts the amenity and character of the Urban Zone is influenced predominantly by residential activity reflected in greater yard setbacks, landscaped residential sections, off street carparking, low ambient noise levels, lower levels of signage and lower building heights. Limited levels of commercial activity including home occupations and local service activities such as hairdressers and dairies are located throughout the Urban Zone. These types of commercial activities are generally consistent with the amenity of residential areas.

Policy URB.4

Give priority to Commercial Precincts as the principal areas for commercial activities.

Explanation: The commercial centres of the principal urban areas, Te Anau, Winton, Riverton/Aparima and townships of Otautau, Edendale, Lumsden, Tuatapere, Riversdale and Wyndham are a focus for commercial activities and also support community, educational and entertainment activities. The co-location of commercial activities within Commercial Precincts can reduce the likelihood of land use conflicts and can maintain and enhance the function, integrity, convenience and viability of the commercial centres of these urban areas.

Policy URB.5

Avoid, remedy or mitigate reverse sensitivity effects.

Explanation: The Urban Zone provides for a range of land use activities, however, there is potential for conflict where neighbouring or nearby land uses are not compatible. Subdivision, land use and development should integrate with existing land use activities that adjoin or are in close proximity to the site. Adverse effects on residential amenity should be appropriately managed. Particular consideration should be given to those residential activities to be located on the perimeter of the Commercial Precinct, the interface between the Urban Zone and Rural or Industrial Zones or adjacent to the roading and rail networks, transmission or other forms of infrastructure.

Policy URB.6

Avoid, remedy or mitigate the adverse effects of earthworks.

Explanation: Earthworks can give rise to a range of adverse effects on the environment, including effects on slope and soil stability, biological diversity, visual amenity, historic heritage (including archaeological sites), changes to stormwater flows and water quality. Earthworks should be managed through the implementation of a robust methodology and works supervision procedures to avoid adverse effects. Particular attention should be given to appropriate site remediation.

Policy URB.7

Avoid, remedy or mitigate reverse sensitivity effects on transmission lines.

Explanation: Transmission corridors have been established to provide for minimum corridors able to address safety, operation and maintenance of the transmission lines within them. This will enable Council to prevent sensitive activities, or the expansion of existing sensitive activities, from locating within a transmission corridor where they would affect or be affected by the transmission line.

Urban Zone Rules

Note: District-wide rules.

The following district-wide sections of the District Plan may apply in addition to any relevant Urban Zone Rules to activities undertaken in the Urban Zone. If one or more of the district-wide rules is breached, the activity will require consent in respect of those rules:

- Biodiversity - Section 2.2
- Historic Heritage - Section 2.5
- Subdivision - Section 2.6
- Waste, Hazardous Substances and Contaminated Land - Section 2.8
- Energy, Minerals and Infrastructure - Section 2.9
- Noise - Section 2.11
- Signage - Section 2.12
- Water and Surface Water Activities - Section 2.13
- Financial Contributions - Section 2.14.

Rule URB.1 - Permitted Activities

The following activities are **Permitted Activities** within the Urban Zone:

1. **Residential Activities** (not located within the Commercial Precinct) that comply in all aspects with the General Urban Standards for the Urban Zone.
2. **Visitor Accommodation** (involving five or less paying guests).
3. **Commercial, Community, Educational, Rural Service, Entertainment Activities, Service Stations and Visitor Accommodation** (involving six or more paying guests), located within the Commercial Precinct that comply in all aspects with the General Urban Standards.
4. **Temporary Events** provided that:
 - (a) The temporary event does not exceed six days in any calendar year.
 - (b) The temporary event shall not operate outside of the hours of:
 - 7.30 am - 10.00 pm, Monday to Saturday;

- 7.30 am - 6.00 pm, Sundays and public holidays.
- (c) Any structures associated with an event shall be erected:
- (i) no more than two days before the event occurs;
 - (ii) removed no more than three days after the end of the event.
- (d) The site on which the temporary event occurs shall be returned to its original condition no more than three days after the end of the event.
- (e) There shall be no direct access to sites of temporary events from a State Highway or Regional Arterial Road.
- (f) Noise generated by the temporary event does not exceed the maximum noise standards for the Urban Zone (refer to Section - 2.11 Noise).
- (g) Adequate provision is made for waste collection and disposal including the provision of toilet facilities.
5. **Home Occupations** provided that:
- (a) A maximum of 30 m² of the gross floor area of the residential or accessory buildings on the property is used for the operation of the home occupation.
 - (b) No more than 10 m² of the property shall be used as an outdoor display area for the operation of the home occupation and associated storage of goods, materials or equipment at any one time.
 - (c) The home occupation is not operated outside of the hours of:
 - 7.30 am - 9.00 pm, Monday to Saturday; and
 - 7.30 am - 6.00 pm, Sundays and public holidays.
6. **Activities on Council Reserves** provided that:
Any activity specifically complies with an approved management plan.
Note: Any activity on a reserve will still require authority from the administering body responsible for managing the reserve. This rule overrides specific Zone and Overlay requirements and all general standards.
7. Intermittent aircraft departures and landings that do not meet the definition of an airport under the Resource Management Act.
8. **Earthworks within a National Grid Yard:**
- (a) Earthworks within 2.2 metres of a National Grid pole support structure or stay wire shall not be greater than 300 mm in depth.
 - (b) Earthworks between 2.2 metres and 5 metres of a National Grid pole support structure or stay wire shall not be greater than 750 mm in depth.
 - (c) Earthworks within 12 metres of the outer edge of the visible foundation of a National Grid tower support structure shall not be greater than 300 mm in depth.
 - (d) Earthworks shall not compromise National Grid support structure stability.
 - (e) Earthworks shall not result in a reduction of the existing conductor clearance distance above the ground as required in NZECP34.
- Provided that the following activities are exempt from (a) and (b) above:
- (i) earthworks undertaken by a Network Utility Operator; or
 - (ii) earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway.
9. **Activities within a National Grid Yard**
- Within any part of a Transmission Yard the following are permitted:
- (a) Buildings less than 2.5 metres high and 10 m² in area.
 - (b) Alterations and additions to existing buildings that do not involve an increase in floor space.
 - (c) Mobile machinery and equipment.

- (d) Network utilities and energy facilities.
- (e) Any fence up to 2.5 metres high.
- (f) Recreational activities.

Rule URB.2 - Restricted Discretionary Activities

The following activities are **Restricted Discretionary Activities**:

1. Any Permitted Activity which fails to comply with no more than one General Urban Standard, or no more than one condition of the permitted activity rule and is not within the National Grid Yard.

The matters to which Council has restricted its discretion are:

1. The effects of non-compliance with that General Urban Standard.
2. **Residential Activities** within the Commercial Precinct that comply in all aspects with the General Urban Standards.

The matters to which Council has restricted its discretion are:

1. Whether appropriate residential amenity standards will be provided.
2. Matters contained in any relevant design guidelines.
3. The ability of vehicles to safely access and exit the site.
4. Whether there is adequate infrastructure capacity to meet the needs of the proposed activity.
5. Potential for reverse sensitivity issues and the extent to which the residential activity has provided for appropriate noise mitigation.

Rule URB.3 - Discretionary Activities

The following activities are **Discretionary Activities**:

1. Any activity that cannot be undertaken as a Permitted, Restricted Discretionary or Non-Complying Activity and is not listed as a Prohibited Activity is a Discretionary Activity.

Rule URB.4 - Non-Complying Activities

The following activities are **Non-Complying Activities**:

1. Industrial Activities.
2. Offensive Trades.
3. Any activity that fails to comply with any of the performance conditions in relation to:
 - (a) Rule URB.1(8) - Earthworks within a National Grid Yard.
 - (b) Rule URB.1(9) - Activities within a National Grid Yard.
4. Within a National Grid Yard:
 - (a) Any building or addition to a building for a sensitive activity.
 - (b) A change of use to a sensitive activity or the establishment of a new sensitive activity.
 - (c) Any building or structure (except fences) located less than 12 metres from the outer edge of a transmission line support structure.
 - (d) Any building or structure over 1.5 metres high unless it is demonstrated that safe separation distances under NZECP34 are maintained under all transmission line operating conditions.
 - (e) Any earthworks that cannot comply with Rule URB.1.8.
 - (f) Any building or structure that is not a permitted activity in Rule URB.1, or discretionary in Rule URB.3.

Rule URB.5 - General Urban Standards

All activities within the Urban Zone shall comply with the following General Urban Standards:

1. Earthworks

These standards do not apply to activities permitted under Rule INF.1 - Permitted Activities or to the removal and replacement of underground petroleum storage tanks.

- (a) Earthworks shall not be undertaken:
 - (i) on slopes of more than 12o;
 - (ii) within 20 metres of a water body, including wetlands and coastal water, except domestic gardening;
 - (iii) within 20 metres of any natural hazard protection work;
 - (iv) in a manner that exacerbates any natural hazards.
- (b) No earthworks shall involve the disturbance of more than 200 m³ (volume) of land and/or alter the existing ground level by more than 1 metre, measured vertically.
- (c) Earthworks shall not affect any archaeological site identified on the District Plan maps, except where an Archaeological Authority has been granted by Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 or confirmation is provided that no archaeological authority is required.

2. Minimum Yard Requirements

Side, front and rear yards shall be provided in accordance with Table URB.5.2.

Table 6 URB.5.2 - Yards

Area	Minimum Front Yard (metres)	Minimum Side and Rear Yard (metres)
Urban Zone (excluding Stewart Island/Rakiura and the Commercial Precinct)	4.5	1
Stewart Island/Rakiura Urban Zone	4.5	3
Commercial Precinct where the relevant boundary adjoins that part of the Urban Zone outside of the Commercial Precinct without the intervention of a road	4.5	4.5
Commercial Precinct where the relevant boundary either: <ul style="list-style-type: none"> • does not adjoin that part of the Urban Zone outside of the Commercial Precinct; or • adjoins a road 	0	0

3. Fencing

Any boundary fence shall not exceed a height of 2 meters.

4. Maximum Height

- (a) Building and structures shall not exceed the maximum heights specified in Table IRB.5.4.

Table 7 URB.5.4 - Height

Area	Maximum Height - All buildings (excluding Accessory Buildings) (metres)	Maximum Height - Accessory Buildings (metres)
Urban Zone (excluding Stewart Island/Rakiura and the Commercial Precinct)	9	4.5
Stewart Island/Rakiura Urban Zone	7.5	4.5

Area	Maximum Height - All buildings (excluding Accessory Buildings) (metres)	Maximum Height - Accessory Buildings (metres)
Commercial Precinct where the site adjoins or faces the Urban Zone	9	9
Commercial Precinct where the site does not adjoin or face the Urban Zone	12	12

- (b) All structures shall comply with Rule URB.5.5 - Height in Relation to Boundaries, except in the Commercial Precinct where the height in relation to boundaries does not apply to the common boundary between to commercial sites or the front boundary.
 - (c) In determining height, the rolling height method shall be used (see definition of Height and the Rolling Height Method).
5. **Height in Relation to Boundaries**
- (a) The following standard does not apply to the common boundary between two commercial sites or the front boundary within the Commercial Precinct.
 - (b) The maximum height of any structure shall be determined by a recession plane which commences at 2 metres above the line of each boundary and then slopes at an upward angle as determined by the Height Recession Diagram below, up to the maximum height specified in Table URB.5.4, except that:
 - (i) a minor breach of the recession plane is permitted provided the parts of the structure that protrude through the recession plane do not exceed 1.5 metres in height and a total area of 6 m² on each elevation. The area and height of the breach shall be measured as outlined in the diagram below and include solar heating devices that breach the recession plane;
 - (ii) no account shall be taken of those items outlined in Clause 2 of the height definition.
 - (c) In determining height, the rolling height method shall be used (see definition of Height).

Figure 6 Recession Allowances

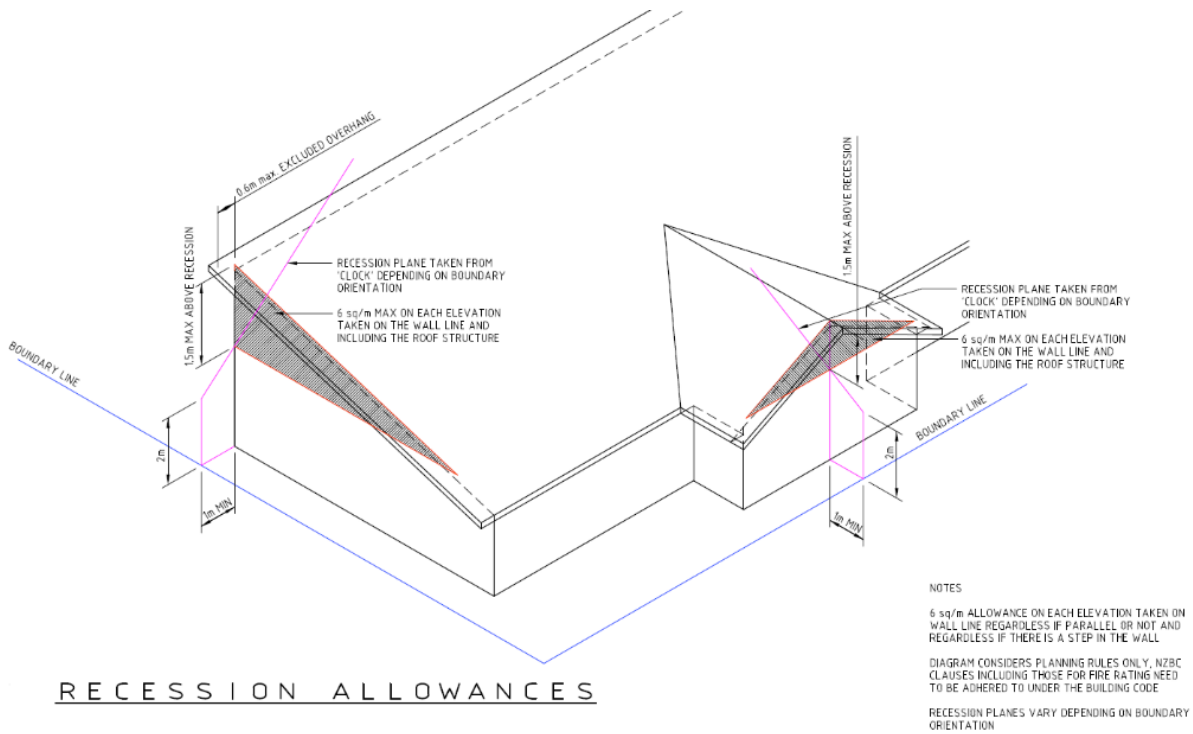


Figure 7 Height Recession Diagram

With both the site plan and the clock diagram below pointing north, place the edge of the clock on the inside of the site boundary. Where the 'clock' touches the boundary indicates the recession angle for that boundary. An example has been provided to assist with the interpretation of the rule.

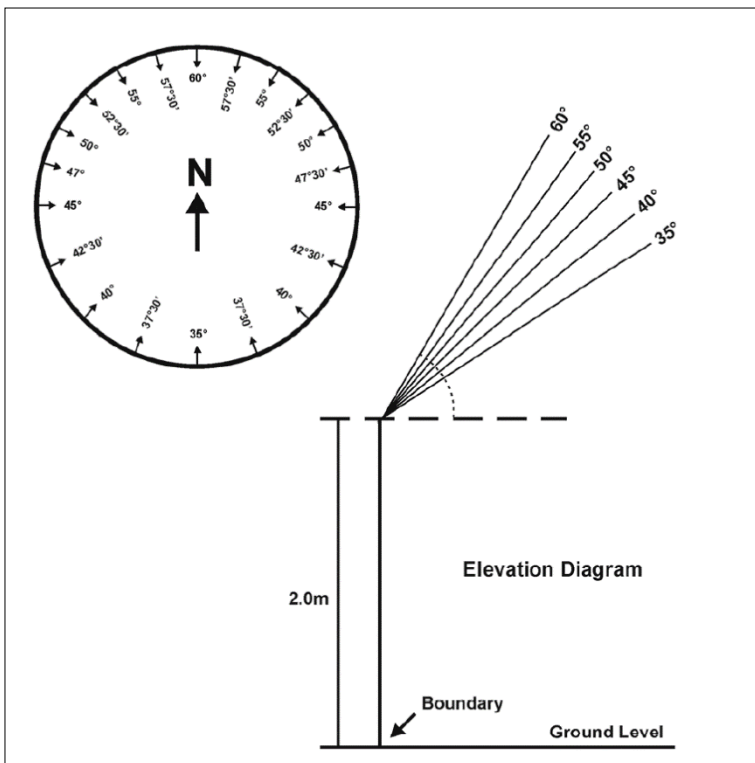
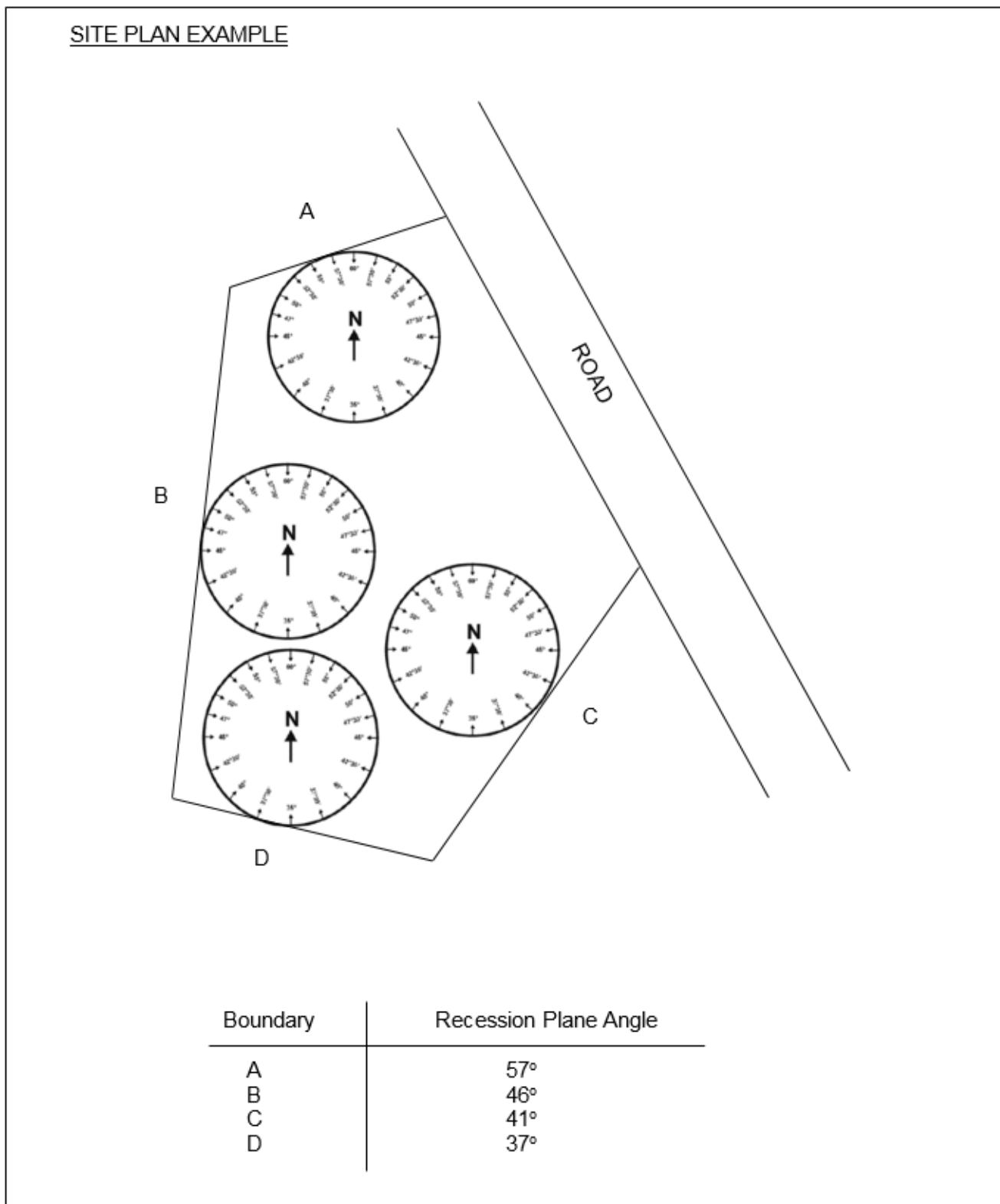


Figure 8 Site Plan Example



6. Outdoor Living Spaces

- (a) Outdoor Living Spaces in the Urban Zone shall be provided in accordance with Table URB.5.6 - Outdoor Living Space:

Table 8 URB.5.6 - Outdoor Living Space

Type of residential activity	Minimum area	Minimum dimension	Accessory Buildings allowed in outdoor living space	Maximum area of Accessory Buildings in outdoor living space	Area of permeable surface required
Detached Dwellings (not part of multi-unit development or in Commercial Precinct)	100 m ²	5 metres x 10 metres or a circle 8m in diameter	One	10 m ²	Not less than 60%
Residential Activities within the Commercial Precinct - ground floor, and Multi-unit developments	50 m ² Must be for the exclusive use of each unit	5 metres x 5 metres Measured at right angles to the exterior wall of the living room	One	10 m ²	Not less than 60%
Elderly person and Kaumatua housing units	33 m ²	Minimum width of 5.5 metres and must adjoin living room and must be located to the north, east or west of the dwelling unit it serves, must be for the exclusive use of each unit	None	0	None

- (b) Outdoor living spaces shall be free of driveways, parking spaces and garages.
- (c) For multi-unit developments and residential activities within the commercial precinct with units above-ground level, the outdoor living space provided at ground level may be reduced to 30 m² provided it is supplemented by a balcony which adjoins and is accessible to the living room of each unit above-ground floor level. This balcony shall have a minimum area of 8 m² and a minimum width of 2 metres.
- (d) For multi-unit developments and elderly and Kaumatua housing units no dwelling unit shall be sited or designed so that the main glazing of the living areas of one dwelling unit face the main glazing of the living area of another dwelling unit unless appropriate screening is provided at not less than 3 metres from each opposing unit.

7. Outdoor Storage

Any area used for storage purposes in connection with Commercial, Community, Educational and Entertainment Activities that is not totally enclosed by a covered building shall be screened from

public spaces and from residential activities and shall not exceed 50 m² in area, on any one property.

8. Lighting and Glare

- (a) The spill of light from artificial lighting (excluding street lights and traffic signals) on to any other site (except as provided for by (b) below) shall not exceed 8 lux (horizontal and vertical) when measured at or within the boundary of any other site.
- (b) The spill of light from artificial lighting (excluding street lights and traffic signals) on to any other site within the commercial precinct shall not exceed 12 lux (horizontal and vertical) when measured at or within the boundary of that site.
- (c) All outdoor lighting shall be directed away from adjoining properties.

9. Hours of Operation

Hours of operation shall be limited as follows:

Table 9 URB.5.9 - Hours of Operation

Activity	Hours of Operation
Commercial, Community, Educational, Rural Service and Entertainment Activities within the Commercial Precinct	Every day: 7.00 am - 1.00 am

10. Verandah Requirement Area - Commercial Precincts

- (a) All new buildings that adjoin one or more buildings with a verandah, within the Verandah Requirement Area shown on the District Plan Maps shall have verandahs designed and constructed to:
 - (i) cover the width of the footpath in front of the site and extending along the full frontage width of the site;
 - (ii) achieve continuity with adjoining verandahs;
 - (iii) be a minimum of 2.4 metres clear of the footpath;
 - (iv) be self-supporting.
- (b) All existing buildings with verandahs, that adjoin one or more buildings with a verandah, within the Verandah Requirement Area shown on the District Plan Maps shall have verandahs designed and constructed to either replace like with like, or meet the criteria outlined in (i) to (iv) above.

11. Noise

Except as provided in Rule NSE.3 and Rule NSE.4 to Rule NSE.11, noise from all activities shall not exceed the following limits:

Table 10 Noise from all activities shall not exceed the following limits

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	LAeq (15 min)	LAF,max	LAeq (15 min)	LAF,max
When measured at the boundary of any property zoned:				
Urban Zone	50 dB	75 dB	40 dB	70 dB
Urban Zone - Commercial Precinct	55 dB	80 dB	45 dB	70 dB

Note: The day time noise limits are intended to provide amenity for outdoor activities. Night time noise limits are intended to allow for sleep amenity.

Where an activity shares a boundary with another Zone the activity must comply with the more restrictive noise limit.

12. Signage

Compliance with the relevant signage standards as set out in Section 2.12 Signage.

13. Transportation Standards including Access

All activities shall comply in all aspects with the provisions set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012 - relating to carparking numbers, dimensions, access, loading and manoeuvring.

14. National Grid Lines and Support Structures

(a) Setback from National Grid Support Structures

No building or structure shall be located within 12 metres (in any direction) of the visible outer edge of a National Grid support structure, with the following exceptions:

- (i) fencing up to 2.5 metres in height that is at least 5 metres from the outer edge of any support structure;
- (ii) network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.

(b) Setbacks from National Grid Lines

No building or structure shall be erected within 12 metres from the centre line and 12 metres from the outer edge of the support structure of a high voltage transmission line that is part of the transmission network and is designed to operate at or over 110 kV provided that this rule does not apply to:

- (i) ancillary buildings and structures associated with residential activities that are less than 10 m² in area and under 2.5 metres in height can be located within the above setback distances, provided they are at least 12 metres from the visible outer edge of any support structure and are not used for habitation;
- (ii) fencing of up to 2.5 metres in height that is at least 5 metres from the visible outer edge of any support structure;
- (iii) alterations to existing buildings that do not increase the building envelope or footprint provided that they are at least 12 metres from the visible outer edge of any support structure;
- (iv) network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.

(c) Sensitive activities shall be at least 12 metres from a National Grid tower, pole or centreline of a National Grid line shown on the Planning Maps as a High Voltage Line.

15. Activities near transport corridors

Any new or relocated dwelling, located within:

- (a) 40 metres of the closest railway track;
- (b) Where there is no track in place, 35 metres from the nearest boundary of the railway designation;
- (c) 80 metres of the seal edge of a State Highway that has a speed limit of 70 km/hr and greater or 40 metres of the seal edge of a State Highway that has a speed limit of less than 70 km/hr;

shall be designed, sited and constructed to ensure that the internal noise levels for dwellings do not exceed 35 dB LAeq(1 hr) inside bedrooms or 40 dB LAeq(1 hr) inside other habitable spaces.

Rule URB.6 - Prohibited Activities

Buildings in the Lakeside Protection Area over 12 metres in height are Prohibited Activities.

Urban Zone Non-Regulatory Methods

Method URB.1

Education through the distribution of information regarding urban design and integrated urban growth and development.

Section 3.3 Te Anau Residential Zone B

The Te Anau Residential B Zone was created through a private plan change and has specific zone provisions that provide for urban development on the property to which it relates. The District Plan's district-wide provisions are applicable for subdivision, land use and development activities unless specifically addressed in the Te Anau Residential B Zone provisions.

Note: District-wide rules

The following district-wide sections of the District Plan may apply in addition to any relevant Te Anau Residential B Zone Rules to activities undertaken in the Te Anau Residential B Zone. If one or more of the district-wide rules is breached, the activity will require consent in respect of those rules:

- Biodiversity - Section 2.2
- Historic Heritage - Section 2.5
- Subdivision - Section 2.6
- Waste, Hazardous Substances and Contaminated Land - Section 2.8
- Energy, Minerals and Infrastructure - Section 2.9
- Noise - Section 2.11
- Signage - Section 2.12
- Water and Surface Water Activities - Section 2.13
- Financial Contributions - Section 2.14

Objective TRB.1

To enable development incorporating residential activities, visitor accommodation, small-scale commercial activities and outdoor recreation - with appropriate regard for landscape and visual amenity values, servicing and public access issues.

Policy TRB.1

To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not have more than minor impact on water or other environmental values on or off the site.

Policy TRB.2

To require development to be located to ensure the compatibility of activities and to mitigate adverse effects on neighbouring activities, the road network and landscape values.

Policy TRB.3

To ensure that subdivision, development and ancillary activities have regard to landscape values.

Policy TRB.4

To require the external appearance, bulk and location of buildings to have regard to the landscape values of the site.

Policy TRB.5

To ensure that areas identified on the Zone map as visually sensitive are kept free of residential and/or commercial development.

Te Anau Residential B Zone Rules

Rule TRB.1 - Permitted

1. Agricultural Activity that uses land and buildings for the primary purpose of the production of vegetative materials and/or livestock.
2. Residential Activity which complies with the relevant performance standards in Rule PS.1.
3. Any activity which complies with Rule PS.1 and is not managed by another rule in this District Plan.

Rule TRB.2 - Restricted Discretionary

1. Subdivision of land in the Te Anau Residential Zone B.
The matter to which the Council has restricted its discretion is in compliance with the provisions of the Master Development Plan that was prepared in accordance with the Te Anau Residential Zone B Master Development Plan.
2. The following shall be restricted discretionary activities provided they comply with Rule PS.1:
 - (a) Recreational facilities.
 - (b) Visitor accommodation.
 - (c) Commercial activity.
 - (d) Health care activity.
 - (e) Residential care activity.
 - (f) Buildings.
 - (g) Landscaping - Scenic Protection Area.

The matters to which Council restricts its discretion are:

1. The external appearance of buildings with respect to the effect of visual values on the area and coherence with surrounding buildings.
2. Infrastructure and servicing.
3. Associated earthworks and landscaping.
4. Access and parking.
5. Bulk and location.
6. Exterior lighting.

Rule TRB.3 - Discretionary Activities

1. The erection of any building resulting in site coverage over the Te Anau Residential Zone B being greater than 15%.
2. The erection of any building exceeding 6 metres in height measured from ground level, measured at any point and the highest part of the building immediately above that point.
3. Buildings directly associated with services which do not comply with the Te Anau Residential Zone B Master Development Plan.
4. Educational Activity.
5. Any earthworks that exceed 1,000 m³ in volume or 2,500 m² of exposed topsoil at any time.
6. Any activity that does not comply with one or more of the zone standards and is not listed as a prohibited activity.

Rule TRB.4 - Prohibited Activities

1. Any subdivision activity that is not provided for by Rule TRB.2.1.
2. Industrial activities - as defined in the District Plan.
3. Commercial retail activities with a floor area exceeding 400 m².
4. Any structure/building within the Scenic Protection Zone fronting the State Highway.
5. Any activity, other than subdivision, which will result in a change in land use within the 50 metre buffer zone and/or lead contamination area where there has not been a full risk assessment undertaken and remedial works completed.

Rule TRB.5 - Master Development Plan Te Anau Residential Zone B

1. A Master Development Plan for the Te Anau Residential Zone B must be approved by Council prior to any subdivision activity occurring.
2. The Master Development Plan must be prepared in consultation with the affected infrastructure providers including the New Zealand Transport Agency.
3. The Master Development Plan must allow for:
 - (a) A maximum site coverage of 15% over the entire zone.
 - (b) A maximum of 350 lots.

Matters that Council shall have regard to when considering a Master Development Plan:

1. The exercise of Council's control in respect to subdivision shall be limited to the following:
 - (a) Roading pattern.
 - (b) Indicative subdivision design and lot configuration and allotment sizes.
 - (c) Mitigation measures for buildings visible from State Highway.
 - (d) Proposed setbacks from roads and internal boundaries.
 - (e) Provision of pedestrian linkages.
 - (f) Provision of reserve/recreation land.
 - (g) Proposed landscaping to be situated on any road reserve or other land intended to be accessible to the public.
 - (h) The maintenance of view shafts.
 - (i) The Design Guidelines which will apply to all buildings erected within the area subject to the Master Development Plan.
2. The extent to which the proposal provides for, or will promote, mechanisms to manage demand to travel, or will utilise and/or capitalise on existing mechanisms to manage demand to travel. In considering whether the potential effects of proposals for urban growth are minor Council should be satisfied that the proposal will:
 - (a) Improve the ability to undertake multi-purpose trips to destination nodes.
 - (b) Reduces the distances that need to be travelled in order to reach destination nodes.
 - (c) Supports the choice of travel modes that prioritise walking, cycling and public transport.
 - (d) Capitalises on and/or establishes opportunities for destination nodes to provide access to a comprehensive mix of goods, services and activities.
3. The exercise of Council's control in respect to landscaping scenic protection area shall be limited to:
 - (a) All landscaping.
 - (b) Species proposed.
 - (c) Long term management considerations.
 - (d) Maintenance of view shafts.

Rule PS.1 - Performance Standards Te Anau Residential Zone B

1. Setbacks from Roads and Internal Boundaries

- (a) No building or structure shall be located closer than 6 metres to a legal road reserve boundary.
- (b) No building or structure shall be located within Scenic Protection Zones A or B.
- (c) No building shall be located within 40 metres of Scenic Protection Zone A.
- (d) No building or structure shall be erected closer than 2 metres to a side boundary.

2. Permeable Areas and Accessory Buildings - Residential Allotments

- (a) Site coverage for any building or structure constructed shall be no more than 15% of the available lot area.
- (b) Accessory buildings with a floor area greater than 80 m² shall be assessed as a discretionary activity.
- (c) A minimum of 60% of the front yard area must be permeable surface.

3. Height Controls

- (a) Maximum height of any building or structure shall be 6 metres.
- (b) No part of any building shall project above a 45° recession plane measured from any point 2 metres above existing ground level along any boundary of the site.

4. Lighting

- (a) All fixed lighting shall be directed away from adjacent roads and properties.
- (b) Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with non-reflective finish.
- (c) No activity shall result in a greater than 3 lux spill, horizontal and vertical, of light onto any adjacent property, measured at any point inside the boundary of the adjoining property.

5. Servicing

- (a) Any allotment under 2 hectares in area must be connected to Council's reticulated services.
- (b) All new connections to services including power and telecommunications are to be reticulated underground.

6. Other

- (a) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity.

7. Noise

- (a) Non residential activities shall be conducted so the following noise limits are not exceeded at any point within the boundary of the residential activities:
Day time
 - 8.00 am - 8.00 pm 50 dB LA10Night time
 - 8.00 pm - 8.00 am 40 dB LA10
- (b) All operation of construction equipment, during both subdivision and building construction processes is to be restricted to the hours of 7.00 am - 7.00 pm Mondays to Saturdays.

Non-Regulatory Methods

Method TRB.1

The objectives and associated policies will be implemented through a number of methods including:

1. District Plan: Rules designed to avoid, remedy or mitigate the effects of use and development of land.
2. Other methods:
 - (a) Development controls and design guidelines in respect of buildings and landscaping.
 - (b) Covenant document.

Anticipated Environmental Results:

1. Preservation of open space and rural amenity.
2. Exclusion or mitigation of activities which cause adverse environmental effects through the use of performance standards.
3. Ensuring traffic safety on local roads and State Highway 94.
4. A development which complements the rural lakes environment of the Te Anau Basin.

Section 3.4 Industrial Zone

The Industrial Zone provides an appropriate location for industrial activity to develop and operate, as it has a higher tolerance for the adverse environmental effects typically generated by industrial activity. The co-location or cluster of industrial activity, within the Industrial Zone, can ensure that adverse effects of like activities are contained within a defined area and that appropriate separation from more sensitive activities is achieved. The Zone provides operating certainty for new and existing industrial activities and can reduce the likelihood of land use conflict, where industrial activities may not be compatible with neighbouring land uses. It can also provide for the efficient use and development of transportation and infrastructure networks. Non-industrial activities within the Industrial Zone should be avoided and are provided for in other Zones elsewhere in the District.

Objective IND.1

Subdivision, land use and development within the Industrial Zone occurs in an integrated and sustainable manner.

Policy IND.1

Recognise the benefits of locating industrial activity within the Industrial Zone.

Explanation: The Industrial Zone provides specifically for industrial activity.

The co-location or cluster of industrial activities can mitigate adverse environmental effects by confining the activities within a defined area. It can also enable effective provision of transport and infrastructural networks, designed to accommodate the impacts of industrial activities. These factors can enable industrial activities to develop and operate in an efficient and effective manner without being unduly restricted and in turn support the socio-economic wellbeing of the District.

Policy IND.2

Recognise and provide for growth and development of industrial activities within the Industrial Zone, whilst avoiding, remedying or mitigating adverse effects on the environment.

Explanation: While subdivision, land use and development in the Industrial Zone can generate positive socio-economic effects, industrial activities can also give rise to adverse environmental effects. Processes and operations associated with industrial activities can generate noise, dust, traffic, waste and adversely affect the amenity of surrounding areas. While the Industrial Zone has a higher tolerance for adverse environmental effects, activities must still be carried out in a manner that avoids, remedies or mitigates these effects. In some cases, the implementation of robust management and monitoring plans may be appropriate. The Zone must also achieve integration with the wider environment and activities located on the interface with other Zones and should take account of any adverse effects on adjoining areas, including the provision of appropriate buffers or separation to reduce environmental effects. The implementation of urban design principles should also be considered.

Policy IND.3

Avoid the establishment and operation of noise sensitive activities in the Industrial Zone.

Explanation: Industrial activities can generate a range of adverse environmental effects including higher levels of noise, dust and traffic movements than is experienced elsewhere in the District. The

establishment and operation of activities unduly sensitive to the effects of industrial activity, or noise sensitive activities, within the Industrial Zone, should be avoided to avoid conflict between these land uses.

Industrial Zone Rules

Note: District-wide rules

The following district-wide sections of the District Plan may apply in addition to any relevant Industrial Zone Rules to activities undertaken in the Industrial Zone. If one or more of the district-wide rules is breached, the activity will require consent in respect of those rules:

- Biodiversity - Section 2.2
- Historic Heritage - Section 2.5
- Subdivision - Section 2.6
- Waste, Hazardous Substances and Contaminated Land - Section 2.8
- Energy, Minerals and Infrastructure - Section 2.9
- Noise - Section 2.11
- Signage - Section 2.12
- Water and Surface Water Activities - Section 2.13
- Financial Contributions - Section 2.14.

Rule IND.1 - Permitted Activities

The following activities are permitted in the Industrial Zone:

1. Industrial Activities (excluding offensive trades), Rural Service Activities and Service Stations that comply in all aspects with the General Industrial Standards.
2. Activities on Council Reserves provided that any activity specifically complies with an approved management plan.

Note: Any activity on a reserve will still require authority from the administering body responsible for managing the reserve. This rule overrides specific Zone and Overlay requirements and all general standards.

Rule IND.2 - Discretionary Activities

Activities not provided for by Rule IND.1, Rule IND.3 or Rule IND.4 are **Discretionary Activities**.

Rule IND.3 - Non-Complying Activities

The following activities are **Non-Complying Activities**:

1. Noise Sensitive Activities.
2. Commercial Activities.

Rule IND.4 - General Industrial Standards

All activities within the Industrial Zone shall comply with the following general standards:

1. Earthworks

The following standards apply when carrying out earthworks for any activity such as constructing new buildings and relocating buildings, construction of roads and accessways to building sites, subdivision lots, parks and parking areas. These standards do not apply, however, to road

maintenance activities within the legal road and activities associated with maintenance of a water body or stormwater control and to the removal of and replacement of underground petroleum storage tanks.

- (a) Earthworks shall not:
- (b) Be undertaken on slopes of more than 12°.
- (c) Be undertaken within 20 metres of a water body, including wetlands and coastal water.
- (d) Disturb more than 1,000 m³ of land.
- (e) Alter the existing ground level by more than 1 metre.

2. Maximum Height

Buildings and structures shall not exceed 12 metres.

3. Height in Relation to Boundaries

For sites adjoining the Urban Zone, the building shall meet the height recession requirement for the Urban Zone in relation to the relevant boundary. This shall not apply to road boundaries.

4. Yards

Table 11 Yards

Location	Minimum Yard
Where a site adjoins a State Highway or a Regional Arterial Road as listed in Schedule 5.11	12 metres on the boundary with the State Highway or a Regional Arterial Road
Where a site adjoins any other road	7.5 metres on the boundary with the road
Where a site adjoins any other zone without the intervention of a road	7.5 metres on the boundary with the other Zone

5. Screening

An industrial activity shall provide effective screening from any site zoned Urban, Rural or within a Commercial Precinct that is adjoining or opposite (across a road). The screening shall comprise of either a densely planted buffer of vegetation capable of growing to at least 3 metres in height or a solid fence or wall between 1.8 metres and 2 metres in height.

6. Lighting and Glare

All exterior lighting shall be designed, located and at all times directed, screened, adjusted and maintained to ensure that:

- (a) The spill of light from artificial lighting (excluding street lights and traffic signals) on to any other site shall not exceed 10 lux (horizontal and vertical) when measured at or within the boundary of any other site.
- (b) All outdoor lighting is directed away from adjoining properties.

7. Concept Plans

Activities undertaken in those areas identified as being subject to the Edendale Dairy Plant Development Concept Plan, Stewart Island/Rakiura Industrial Zone Concept Plan or Winton Industrial Development Concept Plan shall be undertaken in accordance with the District Plan unless they have specific provisions within of the relevant concept plan contained in Schedules 5.6 and 5.7 and 5.7A.

For the avoidance of doubt, if the activity does not comply with the provisions of the relevant concept plan, a resource consent application in accordance with the concept plan provisions shall be applied for.

8. Noise

Except as provided in Rule NSE.3 and Rule NSE.4 to Rule NSE.11, noise from all activities shall not exceed the following limits:

Table 12 Noise from all activities shall not exceed the following limits

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	LAeq (15 min)	LAF,max	LAeq (15 min)	LAF,max
When measured at the boundary of any property zoned:				
Industrial Zone	65 dB	90 dB	55 dB	80 dB

Note: The day time noise limits are intended to provide amenity for outdoor activities.

Night time noise limits are intended to allow for sleep amenity.

Where an activity shares a boundary with another Zone the activity must comply with the more restrictive noise limit.

9. **Signage**

Compliance with the relevant signage standards as set out in Section 2.12 - Signage.

10. **Transportation Standards including Access**

All activities shall comply in all aspects with the provisions set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012 - relating to carparking numbers, dimensions, access, loading and manoeuvring.

Section 3.5 Fiordland/Rakiura Zone

The Fiordland/Rakiura Zone encompasses the Fiordland and Rakiura National Parks and part of Mt Aspiring National Park. It also includes areas of privately owned land which adjoin the National Parks, the District's off shore islands and conservation land that adjoins the National Parks. The Zone is recognised for its outstanding natural and wilderness qualities, of particular note are those parts of the Zone within the Fiordland, Rakiura and Mt Aspiring National Parks. The Fiordland/Rakiura Zone affords aesthetic, ecological, landscape, open space, recreational and amenity values and many areas of the Zone also have cultural and historic associations. The Zone forms part of the District's coastal environment with all off shore islands including Stewart Island/Rakiura and those parts of Fiordland subject to coastal processes identified as being within the Coastal Environment. The Fiordland/Rakiura Zone supports largely unmodified areas of significant indigenous vegetation and significant habitats of indigenous fauna and is identified in the District Plan as being an area of Outstanding Natural Features and Landscapes. Fiordland is recognised as internationally significant by UNESCO as Te Wahipounamu South West New Zealand World Heritage Area.

In contrast to Rakiura National Park, Fiordland National Park supports nationally and regionally significant infrastructure. This includes the Manapouri Power Station and

State Highway 94 - the 'Milford Road'. It also contains the only established settlement in the Fiordland/Rakiura Zone, Milford, which is located at Milford Sound/Piopiotahi which acts as a key tourist hub servicing large numbers of visitors to Fiordland National Park.

Inappropriate subdivision, land use and development activities can compromise the natural and wilderness qualities of the Zone and the outstanding qualities of the National Parks. Subdivision, land use and development activities should give particular consideration to the protection of significant indigenous vegetation and habitats of indigenous fauna, the preservation of natural character, the protection of outstanding natural features and landscapes and the relationship of tangata whenua with the area. Areas in the Fiordland/Rakiura Zone on Stewart Island/Rakiura contain land held by Māori under the Te Ture Whenua Māori Act 1993 including South Island Landless Natives Act 1906 (SILNA) land. Council recognises the purpose of granting the land held by Māori under the Te Ture Whenua Māori Act 1993 including SILNA land so that the grantees might provide for their own support and maintenance.

Through the Zone provisions, Council recognises different thresholds for activities within and activities outside of, the National Parks. While activities within the National Parks are managed by Council under the District Plan, they are also administered by the Department of Conservation under the National Parks Act 1980 and Conservation Act 1987 and more specifically, the Mainland Southland/West Otago Conservation Management Strategy, the Fiordland National Park Management Plan, the Stewart Island/Rakiura Conservation Management Strategy and the Rakiura National Park Management Plan.

Council recognises the Department of Conservation's role within this resource management framework. Council acknowledges that activities and works of the Crown can be undertaken within the boundaries of any area of land held or managed under the Conservation Act 1987, so long as it is consistent with the relevant Conservation Management Strategy or National Park Management Plan and will not give rise to significant adverse effects beyond the boundary of the area of land.

Objective FRZ.1

The natural and wilderness qualities of the Fiordland/Rakiura Zone are maintained.

Objective FRZ.2

The outstanding natural and wilderness qualities of the Fiordland, Rakiura and Mt Aspiring National Parks and Te Wahipounamu Southwest New Zealand World Heritage Area are protected.

Policy FRZ.1

Avoid subdivision in the Fiordland, Rakiura and Mt Aspiring National Parks.

Explanation: Subdivision, including the creation of new Computer Freehold Registers and boundary adjustments, can provide a framework for future development. Further development within the Fiordland, Rakiura and Mt Aspiring National Parks could have significant adverse effects on the outstanding natural and wilderness qualities. In particular on significant indigenous vegetation and habitats of indigenous fauna, natural character and outstanding natural features and landscapes. Therefore Council considers the prohibition of subdivision an appropriate mechanism to restrict further development.

Policy FRZ.2

Avoid, remedy or mitigate the adverse effects of land use and development on the outstanding natural and wilderness qualities of the Fiordland, Rakiura and Mt Aspiring National Parks and Te Wahipounamu Southwest New Zealand World Heritage Area.

Explanation: The Fiordland, Rakiura and Mt Aspiring National Parks and Te Wahipounamu Southwest New Zealand World Heritage Area are recognised and renowned for their outstanding natural and wilderness qualities, in particular their significant indigenous vegetation and habitats of indigenous fauna, their natural character and their outstanding natural features and landscapes. In order to protect these qualities, the adverse effects of land use and development should be avoided where possible or mitigated. Careful consideration should be given to the design, nature and location of activities and the way in which they integrate and respect the outstanding natural and wilderness qualities. This Policy relates to activities within National Parks and the World Heritage Area.

Policy FRZ.3

Avoid, remedy or mitigate the adverse effects of subdivision, land use and development in the Fiordland/Rakiura Zone in areas outside of the Fiordland, Rakiura and Mt Aspiring National Parks.

Explanation: Council recognises that the characteristics of the areas within the Fiordland/Rakiura Zone, outside of the Fiordland, Rakiura and Mt Aspiring National Parks, are locally distinctive and differ from those of the National Parks. Some subdivision, land use and development activities in these areas may be appropriate, however, they should be in keeping with the natural and wilderness qualities of the Zone.

Policy FRZ.4

Avoid, remedy or mitigate the adverse effects of buildings and structures in the Fiordland/Rakiura Zone.

Explanation: Buildings and structures within the Fiordland/Rakiura Zone can give rise to adverse effects on the environment, including effects on natural character, landscape and ecological values. They can also compromise the outstanding natural and wilderness qualities of the Fiordland, Rakiura and Mt Aspiring National Parks.

All buildings and structures should demonstrate their need to be located within the Zone and the examination of alternative locations undertaken. The design and location of buildings and structures,

including construction methods, should be responsive to their context and integrate and reflect the characteristics of the site and wider environment. This includes the siting and scale of buildings and structures and their associated curtilage, utilities, access, signage, earthworks and landscape plantings.

Policy FRZ.5

Avoid, remedy or mitigate the adverse effects of earthworks within the Fiordland/Rakiura Zone.

Explanation: Earthworks within the Fiordland/Rakiura Zone can give rise to a range of adverse effects, including effects on slope and soil stability, biological diversity, visual amenity and water quality and historic heritage. Potentially, these effects could have a significant impact on the outstanding natural and wilderness qualities of the Fiordland, Rakiura and Mt Aspiring National Parks. Earthworks should be managed through the implementation of a robust methodology and works supervision procedures. Particular attention should be given to appropriate site remediation, including revegetation and landscaping.

Policy FRZ.6

Have particular regard to any relevant Conservation Management Strategy and National Park Management Plan for activities within land managed by the Department of Conservation.

Explanation: It is important for decisions made under the District Plan to be made in the context of other management plans applicable to the land the activity is on and therefore consideration should be given to any relevant Conservation Management Strategy or National Park Management Plan.

Policy FRZ.7

Recognise the recreational opportunities and recreational values associated with the Fiordland/Rakiura Zone.

Explanation: The Fiordland/Rakiura Zone and in particular the Fiordland, Rakiura and Mt Aspiring National Parks, are renowned for their range of recreational opportunities and associated recreational values. Recreational and open space opportunities promote a sense of place and identity and support public health and wellbeing.

They can also increase awareness of the outstanding natural and wilderness qualities of the National Parks, the natural character, ecological and landscape values of the area and promote the 'visitor experience'. However, increased tourism and recreational use may also compromise these qualities and values and it may be appropriate to restrict activities and access to some areas, particularly vehicle access, to preserve or protect these qualities and values.

Policy FRZ.8

Recognise the importance of the development, operation, maintenance and upgrading of infrastructure, particularly nationally and regionally significant infrastructure and renewable electricity generation facilities whilst avoiding, remedying or mitigating the adverse effects of infrastructure on the environment.

Explanation: Infrastructure, particularly regionally significant infrastructure and renewable electricity generation facilities fulfil a key role in the functioning of the District and may have a functional, technical or operational requirement to be sited within the Fiordland/Rakiura Zone. These types of development and land use activities can give rise to adverse effects on the environment, including effects on natural character, landscape and ecological values. They can also potentially compromise the outstanding natural

and wilderness qualities of the Fiordland, Rakiura and Mt Aspiring National Parks. These development and land use proposals should demonstrate need to be located within the Fiordland/Rakiura Zone and an examination of alternative locations should be undertaken.

Policy FRZ.9

Recognise the purpose of land held by Māori under the Te Ture Whenua Māori Act 1993 including the South Island Landless Natives Act 1906 (SILNA) when considering subdivision, land use and development proposals within the Fiordland/Rakiura Zone that relate to Māori land.

Explanation: Areas of the Fiordland/Rakiura Zone on Stewart Island/Rakiura contain land held by Māori under the Te Ture Whenua Māori Act 1993 including SILNA land, most of which is under indigenous forest cover. Maori and SILNA land was transferred to South Island Māori as economic redress after land purchase agreements left some sections of the South Island Māori population with insufficient land to support themselves.

Fiordland/Rakiura Zone Rules

The following district-wide Sections of the District Plan may apply in addition to any relevant Fiordland/Rakiura Zone Rules to activities undertaken in the Zone. If one or more of the district-wide rules is breached, the activity will require consent in respect of those rules:

- Biodiversity - Section 2.2
- Historic Heritage - Section 2.5
- Subdivision - Section 2.6
- Waste, Hazardous Substances and Contaminated Land - Section 2.8
- Energy, Minerals and Infrastructure - Section 2.9
- Noise - Section 2.11
- Signage - Section 2.12
- Water and Surface Water Activities - Section 2.13
- Financial Contributions - Section 2.14.

Rule FRZ.1 - Permitted Activities

The following activities are **Permitted Activities** within the Fiordland/Rakiura Zone provided that they meet the General Fiordland/Rakiura Zone Standards:

1. The operation, maintenance, refurbishment, enhancement and minor upgrading of any existing renewable electricity facilities including the clearance, modification or removal of indigenous vegetation required to ensure the safety and integrity of the facility.
2. (1) Earthworks that:
 - (a) In any 12 month period, do not exceed, the disturbance of more than 200 m³ (volume) of land per property; and
 - (b) (i) greater than 20 metres from a waterbody that do not alter the existing ground level by more than 5 metres in depth or 2 metres in height;
 - (ii) within 20 metres of a waterbody that do not alter the existing ground level by more than 2 metres in depth or height;are permitted provided that the activity:
 - (i) shall not be undertaken at an elevation greater than 700 metres above mean sea level, with the exception of earthworks ancillary to fencing activities;

- (ii) shall not be undertaken on slopes of more than 20o except cultivation, or domestic gardening; and/or cause slope instability;
 - (iii) shall protect any stockpiles of material and all areas of bare ground created by the activity from soil erosion as soon as practicable;
 - (iv) shall not be undertaken within 5 metres of any water body, including wetlands and coastal water, or flood protection works, except cultivation of a field or domestic gardening;
 - (v) shall not be undertaken on a contaminated or potentially contaminated piece of land unless it is in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 contained in Schedule 5.8;
 - (vi) does not affect any archaeological site identified on the District Plan maps, except where an Archaeological Authority has been granted by Heritage New Zealand pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 or confirmation is provided that no archaeological authority is required.
- (2) Earthworks within a riparian margin that:
- (a) The volume of earthworks in the riparian margin must not exceed 25 m³ and must not include the cumulative disturbance of more than 20 linear metres in any 200 metre length of riparian margin, per property.
 - (b) Earthworks are carried out such that:
 - (i) trenches for the purpose of installing pipes, lines or cables are backfilled and compacted within 48 hours of excavation; and
 - (ii) all areas of bare ground created by the activity are protected from soil erosion as soon as practicable.

Note: Southland Regional Council also has requirements regarding activities in close proximity to water bodies. Please check the Regional Water Plan to ensure compliance with these is achieved.

3. Any activity or work of the Crown within the National Park or Public Conservation Land that is consistent with the relevant Conservation Management Strategy or National Park Management Plan and will not have a significant adverse effect beyond the boundary.
4. Any recreational activity that is permitted in the National Park by the relevant Conservation Management Strategy or National Park Management Plan.
5. Intermittent aircraft departures and landings that do not meet the definition of an airport under the Resource Management Act.
6. Visitor Accommodation (involving five or less paying guests) outside of a National Park.

Rule FRZ.2 - Controlled Activities

One dwelling or building on an area of land which existed in one or more Computer Freehold Registers as at 28 November 2012, are Controlled Activities, provided that:

1. The clearance, modification or removal of indigenous vegetation does not exceed a maximum of 500 m² or 40% of the land area, whichever is the lesser.
2. The height does not exceed either:
 - (a) 7.5 metres above ground level within the 'Stewart Island/Rakiura Transitional Overlay'; or
 - (b) 6 metres above ground level elsewhere
3. The floor area does not exceed 200 m², except within the Stewart Island/Rakiura Transitional Overlay.

- External building materials and colours are to be recessive with a maximum reflectance value of 40%. (Note: this does not apply to glazing, natural or stained timber, solar panels or building trims such as the fascia boards, soffits, and window frames).

The matters over which Council reserves its control are:

- The location and visual impact of any building, structure or dwelling on Outstanding Natural Features and Landscapes.
- The material and external finishing to be used in the construction of the dwelling or building.
- The setbacks of any building, structure or dwelling from surrounding water bodies.
- The impacts of any building, structure or dwelling on significant indigenous biodiversity.
- Effects of associated earthworks.
- The risk of natural hazards.

Rule FRZ.3 - Discretionary Activities

The following activities are **Discretionary Activities** within the Fiordland/Rakiura Zone:

- Any dwelling or accessory building, and associated earthworks, within the Stewart Island/Rakiura Transitional Overlay that does not meet the criteria outlined in Rule FRZ.2.
- Any activity or work of the Crown within the boundaries of a National Park and public conservation land that is not consistent with the relevant Conservation Management Strategy or National Park Management Plan.
- Within areas identified in Schedule 5.5 as the Stewart Island/Rakiura Airport Approach Vectors:
 - Any activity that would prejudice the safety and satisfactory conduct of the operations of Stewart Island/Rakiura Airport by virtue of the emission of smoke, dust, glare or electrical interference or by attracting birds.
 - Any structures exceeding the heights specified by the approach vectors.
- Temporary Events.
- Coastal Protection Works.
- Any activity that does not meet the permitted activity criteria of Rule FRZ.1.

Rule FRZ.4 - Non-Complying Activities

Any activity that is not listed as a Permitted, Controlled or Discretionary Activity is a **Non-Complying Activity**.

Rule FRZ.5 - General Standards

All activities within the Fiordland/Rakiura Zone shall comply with the following general standards:

1. Noise

Except as provided in Rule NSE.3 and Rule NSE.4 to Rule NSE.11, noise from all activities shall not exceed the following limits:

Table 13 Noise from all activities shall not exceed the following limits

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	LAeq (15 min)	LAF,max	LAeq (15 min)	LAF,max
When measured at the boundary of any property zoned:				

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	Fiordland/Rakiura Zone	40 dB	65 dB	30 dB

Note: The day time noise limits are intended to provide amenity for outdoor activities.

Night time noise limits are intended to allow for sleep amenity.

The National Park Management Plans also contain noise limits which should be referred to, to ensure compliance with these is achieved. Where an activity shares a boundary with another Zone the activity must comply with the more restrictive noise limit.

2. **Transportation Standards including Access**

All activities shall comply in all aspects with the provisions set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012 - relating to carparking numbers, dimensions, access, loading and manoeuvring.

3. **Signage**

The relevant signage standards as set out in Section 2.12 - Signage.

Section 3.6 Eweburn Zone

Objective EWB.1

To maintain, and where appropriate, enhance rural amenity and ecological values, while providing for well-designed visitor, residential and recreational facilities.

Explanation: The Eweburn Zone Outline Development Plan (Schedule 5.16) has been approved to outline how development occurs within the Eweburn Zone. The site is identified as having high rural character and ecological aspects during the Plan Change process which is worthy of being retained and enhanced. Ecological values within the Eweburn Zone such as the soil and water resource should be maintained or enhanced.

Policy EWB.1

Give effect to the Outline Development Plan and ensure that land development avoids or mitigates adverse effects on open space, landscape, ecological, rural character and amenity values of the locality.

Policy EWB.2

Enhance waterways and that part of the Zone fronting State Highway 94 through indigenous plantings.

Policy EWB.3

Ensure that buildings and structures do not dominate or detract from the landscape by restricting residential, visitor and/or commercial activities to defined Activity Areas and Activity Clusters as well as controlling the density, bulk and location of built form in accordance with the Outline Development Plan.

Policy EWB.4

Ensure infrastructural requirements such as roads, water, stormwater wastewater disposal, electricity and telecommunications etc are appropriately provided for within the Zone.

Policy EWB.5

Avoid adverse economic impact on the Te Anau community.

Eweburn Zone Rules

Rule EWB.1

All methods, rules and performance standards within Section 2 of the Plan (the General Rules) apply to all activities within the Eweburn Zone. Where there is a conflict between the General Rules and any provision in this Section the provisions of this Section shall prevail.

The Outline Development Plan for the Eweburn Zone is provided in Schedule 5.16 of the Plan.

Rule EWB.2

Except for earthworks associated with a golf course under Rule EWB.4(1) all earthworks shall be assessed under Section 3.1 of the Plan.

Rule EWB.3 - Permitted Activities

1. Except as provided for in Rule EWB.7(4), agriculture and horticulture activities within the Eweburn Zone.
2. Planting of indigenous species in the Eweburn Zone and the planting of Buffer Landscape Strips and ecological enhancement areas in accordance with Rule EWB.8 - “Performance Standards” (11) and (12).
3. Fencing for agricultural and horticultural purposes.
4. The repair or replacement of existing farm buildings provided that any repair or replacement to farm buildings in the Eweburn View Corridor does not exceed the building footprint or height of the original.

Rule EWB.4 - Controlled Activities

1. The construction and operation of a golf course in Activity Area 1 and Eweburn View Corridor (excluding buildings). The matters over which control is reserved are:
 - (a) The effects of associated earthworks.
 - (b) Landscaping.
2. In Activity Areas 1, 2 and 3, buildings for the primary purpose of agriculture and horticulture, dwellings and visitor accommodation which comply with Rule EWB.8 “Performance Standards” and are not discretionary or non-complying activities.

The matters over which control is reserved are:

 - (a) Design, appearance and location.
 - (b) Landscaping.
 - (c) Curtilage areas.
 - (d) Fencing.
 - (e) Signage.
 - (f) Lighting.
 - (g) The provision and adequacy of services for access, sewage, water, stormwater, electricity and telecommunications (landline or otherwise).
3. In Activity Clusters A and B, buildings and structures for commercial activities which comply with Rule EWB.8 “Performance Standards” and are not discretionary or non-complying activities.

Commercial Activities are limited to the following:

 - Catering, restaurants,
 - Café/bar facilities,
 - Conference facilities,
 - Visitor accommodation,
 - Recreational facilities,
 - Visitor amenities - toilets and associated services, inclusive of showers,
 - Car parking,
 - Utility buildings and storage,
 - Convenience stores,
 - Administration activities.

The matters over which control is reserved are:

 - (a) Design, appearance and location.
 - (b) Landscaping.
 - (c) Curtilage areas.

- (d) Materials and colours used on the exterior of the building or structure.
 - (e) Fencing.
 - (f) Signage.
 - (g) Lighting.
 - (h) The provision and adequacy of services for access, sewage, water, stormwater, electricity and telecommunications (landline or otherwise).
 - (i) Design and location of parking and loading areas.
4. The installation of an entranceway at Crossing Point 39 or 41.
Matters over which control is reserved are:
- (a) Size and character.
 - (b) Design, appearance (including colours, materials and lighting).

Note:

- Any resource consent applications under Rule EWB.4 will be processed non-notified with no affected party approvals from adjoining landowners.
- The Eweburn Guidance Information outlines matters which should be considered for all future resource consent applications to Council.

Rule EWB.5 - Discretionary Activities

1. Any activity that is not otherwise provided for in Rules EWB.1 - 4, and 6 - 8 is a discretionary activity.
2. The establishment of any building or structure in Activity Cluster A before the remediation of the old sheep dip within Cluster A has been completed.
3. Any plantings within the Buffer Landscape Strips which do not comply with Rule EWB.8 “Performance Standards”.
4. Any retail activities within Activity Clusters “A” and “B”.
5. The construction of any residential, visitor accommodation or commercial/retail activities in Activity Area 1 and/or Activity Cluster A prior to the commencement of the planting in the area identified as ‘Activity Area 1 State Highway Buffer Landscape Strip’ on the Outline Development Plan (Schedule 5.16).
6. The construction of any residential, visitor accommodation or commercial/retail activities in Activity Area 2 and/or Activity Cluster B prior to the commencement of planting in the area identified as ‘Activity Area 2 State Highway Buffer Landscape Strip’ as identified on the Outline Development Plan (Schedule 5.16).

Rule EWB.6 - Non-Complying Activities

1. Buildings and Structures within the Activity Areas or Activity Clusters which:
 - (a) Exceed the maximum height controls for that Area or Cluster.
 - (b) Exceed the maximum site coverage for that Area or Cluster.
2. Any structure or activity not otherwise provided for under Rules EWB.3 to 5 or prohibited by Rule EWB.7.
3. Any development within Activity Area 1 or Activity Cluster A prior to the upgrading of Crossing Point 39 and the closure of Crossing Point 40 shall be a non-complying activity.
4. Any development within Activity Area 2 or Activity Cluster B prior to the upgrading of Crossing Point 41 shall be a non-complying activity.

5. The removal of the existing shelterbelts prior to the plantings within the State Highway Planting Strip for Activity Areas 1 or 2 or Activity Clusters A and B attaining 5 metres in height or having been established for five years, whichever is first.
6. The construction of new buildings or structures within Activity Cluster “A” prior to an Ecological Management Plan for the Ecological Enhancement Area in Activity Areas 1 and 3, as identified on the Outline Development Plan (Schedule 5.16), being prepared by a suitably qualified ecologist and provided to the consent authority.
7. The construction of new buildings or structures within Activity Cluster “B” prior to an Ecological Management Plan for the Ecological Enhancement Area in Activity Area 2, as identified on the Outline Development Plan (Schedule 5.16), being prepared by a suitably qualified ecologist and provided to the consent authority.

Rule EWB.7 - Prohibited Activities

1. All buildings, structures and activities within the Eweburn View Corridor unless provided for under Rules EWB.3 and EWB.4(1) and (4).
2. Industrial or trade processes.
3. Planting of any pest plants as set out in the Regional Pest Management Strategy and the National Pest Accord.
4. With the exception of grazing for the purposes of assisting with weed and vegetation control, any grazing, agriculture and horticulture activities within an Ecological Enhancement Area or State Highway Buffer Landscape Strip if planting in that area has commenced.
5. The provision of access to the Activity Areas and Activity Clusters, other than from existing NZTA Crossing Points 39 and 41.

Rule EWB.8 - Performance Standards

The following Performance Standards shall apply in the Eweburn Zone.

1. **Buildings and Structures in Activity Cluster A:**
Shall not exceed a maximum height of 6 metres.
 - (a) Total site coverage over all allotments shall not exceed 10,000 m² (approximately 13%) of the total area of Activity Cluster A.
 - (b) All materials and colours shall have a light reflectivity value not exceeding 30% and shall be of recessive, muted colour tones compatible with the surrounding landscape setting.
 - (c) Shall not exceed a maximum of one residential dwelling.
2. **Buildings and Structures in Activity Area 1:**
 - (a) Shall not exceed a maximum height of 6 metres.
 - (b) Shall not exceed a maximum of 20 dwellings and a cumulative total site coverage of 10,000 m².
 - (c) All materials and colours shall have a light reflectivity value not exceeding 30% and shall be of recessive, muted colour tones compatible with the surrounding landscape setting.
3. **Buildings and Structures in Activity Cluster B:**
 - (a) Shall not exceed a maximum height of 6 metres.
 - (b) Total site coverage over all allotments shall not exceed 5,000 m² (approximately 6%) of the total area of Activity Cluster B.
 - (c) All materials and colours shall have a light reflectivity value not exceeding 30% and shall be of recessive, muted colour tones compatible with the surrounding landscape setting.
 - (d) Shall not exceed a maximum of one residential dwelling.
4. **Buildings and Structures in Activity Area 2:**

- (a) Shall not exceed a maximum height of 6 metres.
 - (b) Shall not exceed a maximum of 20 dwellings and a cumulative total site coverage of 10,000 m².
 - (c) All materials and colours shall have a light reflectivity value not exceeding 30% and shall be of recessive, muted colour tones compatible with the surrounding landscape setting.
5. **Buildings and Structures in Activity Area 3:**
- (a) Shall not exceed a maximum height of 8 metres.
 - (b) Shall not exceed a maximum of 20 dwellings and a cumulative total site coverage of 10,000 m².
 - (c) All materials and colours shall have a light reflectivity value not exceeding 30% and shall be of recessive, muted colour tones compatible with the surrounding landscape setting.
6. **Lighting**
- (a) No access road lighting will be permitted other than at intersection points.
7. **Design**
- (a) All buildings shall have eaves of greater than 750 mm.
8. **Plantings**
- (a) Other than within curtilage areas, native plant species endemic to the Ecological district only, shall be used for planting proposals.
9. **Fencing**
- (a) Except for screen fencing around building curtilage areas or privacy screening associated with residential or commercial buildings, all fencing shall be of open, rural post and wire construction with a natural material and unpainted finish.
 - (b) All materials and colours for screen fencing shall have a light reflectivity value not exceeding 30% and shall be of recessive, muted colour tones compatible with the surrounding landscape setting.
10. **Fire Fighting Water Supply**
- (a) A fire fighting reserve of water shall be maintained. The storage shall meet the NZ Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 or superseding documents.
 - (b) All access widths will comply with the minimum requirements of the NZ Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 or superseding documents.
11. **Planting of native species within the Buffer Landscape Strips shown on the Outline Development Plan (Schedule 5.16).**
- (a) Species to be planted must follow the recommended species lists as set out below:

Manuka	<i>Leptospermum scoparium</i>
Mingimingi	<i>Coprosma propinqua</i>
Leafy coprosma	<i>Coprosma parviflora</i>
Broadleaf	<i>Griselinia littoralis</i>
Cabbage tree	<i>Cordyline australis</i>
Kohuhu	<i>Pittosporum tenuifolium</i>
Lancewood	<i>Pseudopanax crassifolius</i>
Korokio	<i>Corokia cotoneaster</i>
Koromiko	<i>Hebe salicifolia</i>
Kowhai	<i>Sophora microphylla</i>
Weeping matipo	<i>Myrsine divaricata</i>
Haumakaroa	<i>Raukawa simplex</i>
Prickly mingimingi	<i>Cyathodes juniperina</i>
Bog pine	<i>Halocarpus bidwillii</i>

Mountain totara	<i>Podocarpus hallii</i>
Matagouri	<i>Discaria toumatou</i>
Silver beech	<i>Nothofagus menziesii</i>
Mountain beech	<i>Nothofagus solandri var. cliffortioides</i>

Except for along stream banks and on wetter soils, where the following species may be planted:

Toe toe	<i>Austroderia richardii</i>
Harakeke/NZ flax	<i>Phormium tenax</i>
Pukio	<i>Carex secta</i>

- The vegetation within the State Highway planting strip along the State Highway frontage shall be trimmed and maintained so that it does not create shading of State Highway 94 between the hours of 1000 and 1400 on the shortest day of the year.

Eweburn Zone Guidance Information

This guidance note outlines matters which should be considered or addressed in applications for resource consents within the Eweburn Zone.

1. Landscape Treatment

- The extent to which planting and landscape treatments reinforce and enhance the natural character and values of the site and area, and contribute to restoration of natural processes and indigenous biodiversity.
- The extent to which proposed planting will be effective in mitigating adverse effects of buildings and other development on natural character rural amenity values.
- The extent to which built landscape elements are appropriate to the local landscape character in terms of their materials, forms and design.
- The extent to which proposed planting proposals include provisions to ensure successful and timely establishment.
- New planting should integrate with existing vegetation where possible.
- Plantings and grouped plantings should be informally laid out avoiding lines or rows.

2. Curtilage Areas

- The extent to which service/storage curtilage areas are screened from adjacent roadways and surrounding public viewpoints. (Note: curtilage areas refer to areas containing all domestic elements such as storage areas, water tanks, rubbish bins, clotheslines and heating units, as well as vehicle and boat parking).

3. Access and Road Design

Access and Roading design shall be in accordance with Council's Subdivision, Land Use and Development Bylaw 2012. Further, consideration shall be given to:

- The extent to which the location and design of roads and accessways minimises earthworks and disruption to natural landforms and areas of indigenous vegetation, and follows the natural landform.
- The extent to which the presence and impact of roading is minimised, for example through the use of common driveways, minimising width, and/or location associated with changes in landform or areas of visually significant vegetation.
- The extent to which road design minimises adverse effects on rural character.

4. Signage

- The extent to which any signage avoids being visually dominant in the landscape, has a backdrop of vegetation, landform or built form and is derived from locally appropriate materials.

- (b) Lighting of signs.
- 5. **Visitor Accommodation and Commercial Activities**
 - (a) The extent to which the apparent scale of large buildings or structures is minimised eg through modular clustering.
 - (b) The number of guests accommodated with the activity.
- 6. **Buildings and Structures**
 - (a) The extent to which the building or structure integrates with and minimises disruption to the natural landforms.
 - (b) The extent to which the building or structure is sited to appear recessive in the landscape.
 - (c) The extent to which the scale, form, materials and colours of the building or structure integrates and harmonises with the natural landforms and vegetation patterns.
 - (d) The extent to which locally appropriate materials are used for the building or structure.
 - (e) The extent to which the design of the building or structure includes features to minimise glint from windows.
 - (f) The extent to which the landscape impact of buildings and structures is minimised by clustering, associated planting and the use of rooflines, built forms and shapes that relate to the landforms.
 - (g) The extent to which a high standard of environmentally sustainable design is achieved.
- 7. **Lighting**
 - (a) The extent to which outdoor lighting associated with buildings is screened from beyond the site.
- 8. **Infrastructure**
 - (a) The provision and adequacy of services for access, sewage, water, stormwater, electricity and telecommunications (landline or otherwise).
- 9. **Subdivision**
 - (a) Any future subdivision within Activity Areas “A”, “B” and “C” and Activity Clusters “1” and “2” shall be submitted outlining how the remaining site coverage allowance will be apportioned to each new allotment created. Council will then issue a Consent Notice on the Computer Freehold Register for each respective allotment which outlines the site coverage allowance.

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Section 4 Definitions

Accessory Building: means a building associated with a dwelling (whether the dwelling exists or not). This includes but is not limited to: a garage, carport, tool shed, playroom, glasshouse, swimming pool, spa pool and sleepout.

Adjoining: means to share a common boundary with.

Agricultural Research Activities: means agricultural research and development, and ancillary activities including education facilities, laboratories, staff offices and facilities, and field days.

Amenity Planting: means the planting of vegetation for the primary purpose of enhancing the shelter, privacy or visual quality of a site.

Animal Boarding Activity: means the use of any land and/or buildings where animals are temporarily housed as a commercial service for owners, or for animal welfare or quarantine purposes. It does not include pet shops, veterinary clinics, breeding kennels, calf rearing sheds, stables and similar shelter for private and farming uses.

Antenna: means a device that:

1. Receives or transmits radiocommunication or telecommunication signals.
2. Is operated by a network operator, and
 - (a) Includes the mount, if there is one, for the device.
 - (b) Includes the shroud, if there is one, for the device.

Approved Management Plan: means a management plan required to be approved under any act or by the Council (whether alone or jointly with another party).

Archaeological Site: means any place in New Zealand that:

1. Either:
 - (a) Was associated with human activity that occurred before 1900.
 - (b) Is the site of the wreck of any vessel where that wreck occurred before 1900; and
2. Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand. Archaeological sites may be of any cultural origin, including but not limited to Māori, European/Pakeha and Chinese. All archaeological sites are protected by the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological authority from Heritage New Zealand will be required to modify, damage or destroy any archaeological site.

Biodiversity: means the variability among living organisms and the ecological complexes of which they are a part, including diversity within species, between species and of ecosystems. Within the context of the District Plan this refers to ecosystems that support indigenous vegetation and habitats of indigenous fauna.

Boundary Adjustment: means a subdivision to adjust the boundaries between adjoining titles where no additional titles are created.

Building Platform: means a nominated site suitable for the erection and occupation of a building.

Building: shall have the same meaning as in the Building Act 2004, but does not include:

1. Fences or walls of 2.5 metres in height or less above-ground level or retaining walls of 1.5 metres in height or less below-ground level, not used for a sign or for any purpose other than as a fence, retaining wall or wall.

2. Structures that do not exceed 10 m² in floor area and are not more than a single storey (being up to 3.5 metres above floor level) as provided for in Schedule 1, Part 1, Clause 3 of the Building Act, 2004.
3. Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2 metres in diameter), less than 2 metres in height above- ground level.
4. Masts and poles less than 2 metres in height above-ground level.

Cabinet: means a casing around equipment that is necessary to operate a telecommunication network.

Car Boot Sales: means the selling of items from a car boot or trunk in the form of a market in which private individuals come together to sell household and garden goods.

Cleanfill: means any material that when buried will have no or minimal adverse effect on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock and other inert materials from construction or demolition activities such as concrete or brick that are free of:

1. Combustible, putrescibles, degradable, compostable or leachable components (eg animal carcasses, green/garden waste, timber, bark, cork, tree roots, new asphalt.
2. Hazardous substances (eg, coal tar, or asbestos).
3. Products or materials derived from the treatment, stabilisation or disposal of hazardous waste.
4. Materials that may present a risk to human or animal health such as medical and veterinary waste.
5. Liquid waste (including sludges).

Clearance, Modification or Removal of Indigenous Vegetation: means the felling, clearing or modification of any indigenous vegetation by cutting, crushing, cultivation (including direct drilling), spraying, burning, over grazing, mobstocking or the planting of exotics within.

Commercial Activity: means the use of land and/or buildings for the display, offering, provision, sale or hire of goods, equipment or the provision of personal services, or financial and professional services. This includes but is not limited to retail activities and ancillary workrooms, administrative offices, garden centres and restaurants, but excludes any activity otherwise defined as a commercial recreational activity, breeding kennel, animal boarding activity, industrial activity, roadside sales activity, service stations, health care facility, community activity, visitor accommodation or home occupation.

Commercial Recreation Activity: means the use of any land and/or buildings for commercial profit where the public pays to undertake some form of sport or game or other such recreation. This includes, but is not limited to, golf courses, gymnasiums, health clubs and swimming pools, but excludes such activities on reserve land and school sites and any communal activity.

Community Activity: means the use of any land and/or buildings providing a service or source of advice or assistance to the public and includes municipal administrative offices, civic activities, meeting facilities and places of worship. Community facility has the same meaning.

Conductor: means wire or cable used for carrying electric current along a transmission line and includes any hardware and insulation associated with the wire or cable.

Contaminated Land: means any land that has a hazardous substance in or on it that:

1. Has significant adverse effects on the environment or
2. Is reasonably likely to have significant adverse effects on the environment.

Council Reserve: includes both reserves subject to the Reserves Act 1977 and Council owned land being parks, reserves and open spaces.

[Soil] Cultivation: means the agricultural preparation of the soil by mechanical agitation of various types, such as digging, stirring and overturning but does not include earthworks.

Curtilage: means the area occupied by a dwelling, grounds and accessory buildings.

Distribution Line: means a line and/or structures conveying electricity that:

1. Is not part of the national grid.
2. Carries electricity at a voltage less than 110 kV.

Distribution Network: means distribution lines and associated equipment used for the conveyance of electricity on lines other than lines that are part of the national grid.

Domestic Gardening: means the preparation of the soil, maintenance and growing of plants including associated soil disturbance and harvesting of produce, associated with a dwelling and/or is ancillary to residential activity. It does not include soil cultivation for agricultural purposes or earthworks.

Dwelling: Dwelling Unit and Dwellinghouse (as defined by the Act) has the same meaning.

Earthworks: means any movement of earth, including the excavation or deposition of earth or cleanfill that results in changes to the existing ground level. This includes, but is not limited to, excavation, infilling, recontouring and construction of any road, track or drainage channel. This also includes earth movement associated with subdivision and site works as defined by the Building Act 2004. It excludes soil cultivation and earthworks associated with the permitted regional rules for storage of silage, drain clearance, agricultural effluent ponds as outlined under the Regional Water Plan. Further earthworks are permitted for the placement, erection or reconstruction of dams and weirs in, on or over the bed of any lake, river, modified watercourse or stream in accordance with Rule 29(a) of the Regional Water Plan for Southland.

Ecological Management Plan: for the Eweburn Zone, an Ecological Management Plan will set out the species to be planted, how it will be managed, and timed. Plant species identified in Rule EWB.8 Performance Standard (11) shall be utilised.

Staging of planting is acceptable provided that planting shall commence within one year of the development within the Activity Cluster commencing and 80% of the planting shall be completed within five years of the development in the Activity Cluster commencing.

Ecosystem Services: means the benefits people obtain from ecosystems, including:

1. Provisioning services - the products obtained from ecosystems including, for example, genetic resources, food and fibre and freshwater.
2. Regulating services - the benefits obtained from the regulation of ecosystem processes including for example, the regulation of climate, water and some human diseases.
3. Cultural services - the non-material benefits people obtain from ecosystems through spiritual enrichment, cognitive development, reflection, recreation and aesthetic experience including knowledge systems, social relations and aesthetic values.
4. Supporting services - those ecosystem services that are necessary for the production of all other ecosystem services.

Examples include biomass production, production of atmospheric oxygen, crop pollination, soil formation and retention, nutrient cycling, water cycling and provisioning of habitat.

Education Activity: means the use of any land and/or buildings for the provision of regular instructions, teaching, learning or training at state, private or integrated facilities, together with any associated boarding activities and includes ancillary administrative, recreational, religious, cultural, carparking and retail

facilities. This includes, but is not limited to, any preschool, primary school, intermediate school, secondary school, kohanga reo, language school, learning centre and tertiary education facility. Educational facility has the same meaning.

Elderly Persons and Kaumatua Housing Unit: means one of a group of residential units used for the accommodation of elderly persons or Kaumatua.

Emergency Generator: means any internal combustion engine located at a facility that serves solely as a secondary source of mechanical or electrical power when the primary source is disrupted or discontinued during a period of emergency due to a situation beyond the control of the owner/operator of the facility.

Emergency Situation: is defined as loss of primary power due to power outage, on site disaster, or act of God, beyond the control of the owner/operator. Emergency situation shall not include power interruptions pursuant to an interruptible power service agreement, engine testing or scheduled maintenance.

Energy Facility: means a structure, site or plant used exclusively for the generation or processing of energy. It excludes any small and community scale distributed electricity generation. This includes the system of electricity conveyance (including substations) required to convey electricity to the distribution network and/or the national grid but excludes the distribution network and/or the national grid.

Entertainment Activity: means any land and/or buildings providing entertainment, whether a charge is made for admission or not. It includes cinemas, theatres and licensed premises. Entertainment facility has the same meaning.

Existing Footprint (for electricity generation facilities): is the floor area of individual or directly adjacent buildings/structures (which includes substations) but is not the cumulative footprint of all buildings/structures on a site that have been consented or otherwise authorised for the activity.

Farming: means an agricultural activity having as its primary purpose the production of commodities such as food, milk and fibres, using the in situ soil, water and air as the predominant medium for production, but excludes soil cultivation above an elevation of 700 metres and the activity of intensive farming.

Forestry: means the use of land for the planting, tending and harvesting of trees for commercial gain, including the location and operation of mobile sawmill facilities on a site for no longer than three months in any 12 month period, but excludes any other sawmilling or timber processing.

Forestry Road: means the construction and maintenance of an internal road or roading network associated with Permitted Activity Rule RURAL.1(15) Forestry Activities.

Garden Centre: a commercial activity that sells plants and related products for the domestic garden as its primary business.

Generator: means any machine that converts mechanical energy into electricity to serve as a power source for other machines.

Habitable Space: means a space used for activities normally associated with domestic living but excludes any bathroom, laundry, water closet, pantry, walk in wardrobe, corridor, hallway, lobby, clothes drying room or other space of a specialised nature occupied neither frequently nor for extended periods in a dwelling, apartment or in a short term accommodation establishment.

Hazardous Facility: means any land and/or buildings where a hazardous substance is stored or handled and any installations containing a hazardous substance, including, vehicles parked on sites laden with hazardous substances and where necessary their transportation routes. Hazardous facilities do not include:

1. Trade waste sewers, or waste treatment and disposal facilities (this exception does not apply to the storage of hazardous substances or waste associated with these facilities).
2. The storage and use of hazardous consumer products in domestic quantities, including flammable gases.
3. Retail outlets for the sale of hazardous substances for the domestic use (eg supermarkets, hardware shops, pharmacies).
4. Facilities posing a risk of dust explosions.
5. Gas or oil pipelines.
6. Fuel in motor vehicles, boats and other small engines.
7. The occasional loading and unloading of hazardous substances on a site where this forms only a minor part of site operations.
8. Liquid milk or liquid organic food storage provided that any spillage is prevented from entering a waterbody or from seeping into an underground water supply.

Hazardous sub-facility: means a hazardous facility that is more than 30 metres from another hazardous facility on the same site.

Hazardous Substance: (as defined by the Hazardous Substances and New Organisms Act 1996) means, unless expressly provided otherwise by regulations, any substance:

1. With one or more of the following intrinsic properties:
 - (a) Explosiveness.
 - (b) Flammability.
 - (c) A capacity to oxidise.
 - (d) Corrosiveness.
 - (e) Toxicity (including chronic toxicity).
 - (f) Ecotoxicity, with or without bioaccumulation.
2. Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in (1) above.

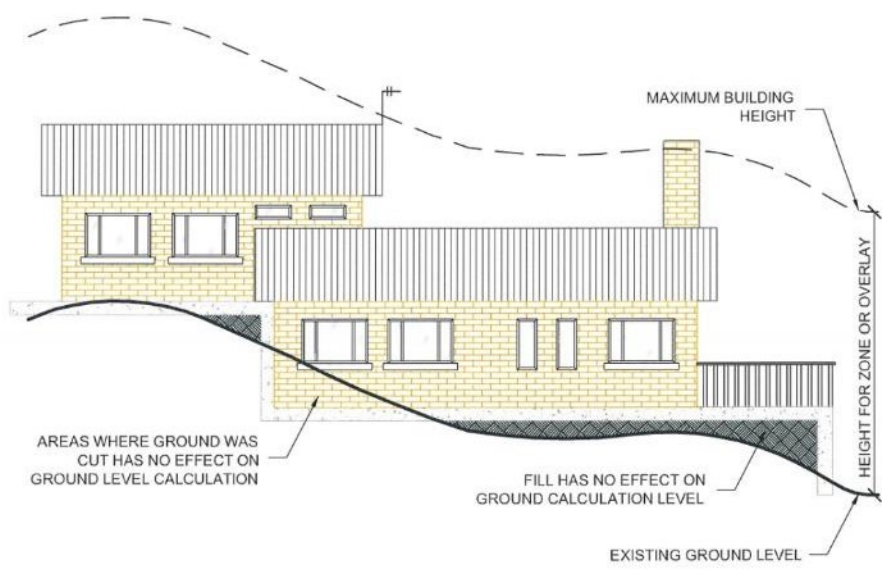
Hazardous Waste: means any waste that:

1. Contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organisms Act 1996.
2. Meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZ Standard 5433:1999 - Transport of Dangerous Goods on Land².
3. Meets the definition for radioactive material included in the Radiation Protection Act 1965.

² Substances that are known, or reasonably expected, to contain pathogens, including bacteria, viruses, rickettsia, parasites, fungi or recombinant micro-organisms (hybrid or mutant) that are known, or reasonably expected, to cause infectious disease in humans or animals that are exposed to them.

Height: means the vertical distance between the highest point of the building and the ground level at the base of the building. In determining height, the rolling height method shall be used:

Figure 9 Rolling Height Method



ROLLING BUILDING HEIGHT IS MEASURED VERTICALLY ACROSS THE WHOLE SITE FROM EXISTING GROUND LEVEL TO THE MAXIMUM BUILDING HEIGHT FOR THAT ZONE.

ROLLING HEIGHT METHOD

For the purpose of this definition:

1. Where a building or structure is supported on poles, pillars, or by any other means, they will be considered to be part of the base of the building or structure.
2. In calculating the height of a building or structure, the following items shall be excluded:
 - (a) In all zones - radio and television aerials, architectural appurtenances, chimneys and solar heating devices provided that:
 - (i) such structures are located at least 1 metres from each boundary;
 - (ii) such structures do not project more than 1.5 metres above the maximum allowable height permitted by the zone rules;
 - (iii) chimneys are no wider than 2 metres.
 - (b) In the Industrial Zone - lift towers and machinery rooms provided that such items:
 - (i) do not exceed a vertical distance of 3 metres above the maximum height permitted for the building or structure; and
 - (ii) do not exceed an area, measured in a horizontal plane, of 5% of the gross floor area of the top storey of the building or structure.

Historic Heritage: (as defined by the Act)

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:
 - (i) Archaeological
 - (ii) Architectural
 - (iii) Cultural

- (iv) Historic
- (v) Scientific
- (vi) Technological and
- (b) includes:
 - (i) Historic sites, structures, places and areas
 - (ii) Archaeological sites
 - (iii) Sites of significance to Māori, including wāhi tapu
 - (iv) Surroundings associated with the natural and physical resources

Home Occupation: means an occupation, craft, profession, business, trade or service which is secondary and incidental to the household and which is undertaken by person(s) living permanently on the property and is predominantly contained within the dwelling or any accessory building on the property. Home occupation does not include (amongst other things) the servicing, panel beating or wrecking of vehicles, the storage of any hazardous substance or any activity which requires the holding of a liquor licence under the Sale of Liquor Act 1989 or visitor accommodation.

High Value Soils: soils which are known to be highly productive, suitable for multiple uses such as growing a wide range of crops, pasture and forest, and of high versatility for pastoral farming. Classification of a soil as 'high value' also relates to current and likely future use, and ability to support production in a practical sense. High value soils include soils classified as Classes 1, 2 or 3 in the New Zealand Land Resource Inventory (NZLRI).

Indigenous: in relation to a species of flora or fauna means a species that occurs naturally in New Zealand, resident or migratory, or arrived in New Zealand without human assistance.

Indigenous Vegetation: means plant communities dominated by species that are indigenous to New Zealand and includes forest, scrub, shrubland, grassland and wetland vegetation.

Industrial Activity: means the use of any land and/or buildings for the manufacturing, repairing, engineering, fabricating, processing, packing or warehouse storing of products or materials. This includes any ancillary retail sales, any associated maintenance, any public display or tour operations within the land or premises, associated offices and staff facilities. Industrial activity includes, but is not limited to, contractor's yard or depot and the transfer, storage, treatment or disposal of waste not otherwise defined.

Infrastructure: means:

1. Pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy.
2. A network for the purpose of telecommunication as defined in Section 5 of the Telecommunications Act 2001.
3. A network for the purpose of radiocommunication as defined in Section 2(1) of the Radiocommunications Act 1989.
4. Facilities for the generation of electricity, lines used or intended to be used to convey electricity and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines and support structures if a person:
 - (a) Uses them in connection with the generation of electricity for the person's use.
 - (b) Does not use them to generate any electricity for the supply to any other person.
5. A water supply distribution system, including a system for irrigation.
6. A drainage or sewerage system.
7. Structures for transport on land by cycleways, rail, roads, walkways, or any other means.
8. Facilities for the loading or unloading of cargo or passengers transported on land by any means.
9. An airport as defined in Section 2 of the Airport Authorities Act 1966.

10. A navigation installation as defined in Section 2 of the Civil Aviation Act 1990.
11. Facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in Section 2(1) of the Port Companies Act 1988.
12. Anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in Section 166 of the Resource Management Act 1991.

Intensive Farming: means

1. The keeping of pigs indoors (or outdoors at a rate exceeding 15 pigs per hectare); or
2. The use of a building for the purpose of confining livestock where stock are generally confined for any period greater than three months; or
3. The farming of poultry, rabbits, mushrooms or fish farming; or
4. The commercial raising and keeping of animals where the usual feed source (over a 12 month period) is substantially provided from off the site concerned.

It does not include animal boarding activity, breeding kennels, catteries or dog training grounds, calf rearing sheds or the keeping of animals that assist in the management of a farm, eg working dogs.

Lake: means a body of fresh water which is entirely or nearly surrounded by land.

Landfill: means a site used for the permanent deposition of solid waste onto or into land.

Livestock: means one or more animals raised as part of a farming or intensive farming activity to produce commodities such as food, milk and fibre. It excludes poultry or farmed fish.

Living Room: means the main living area within the dwelling and would include a lounge, family room and dining room.

Market: means any land and/or buildings used by vendors representing producers who have set up individual booths or stalls, to sell produce, meat products, fruits, prepared foods, beverages and crafts direct to consumers.

Milking Shed: means any building or part of any building used for the extraction of milk from livestock by automated means.

Mineral Extraction: means the excavation, blasting, processing (crushing, screening, washing and blending), storage, distribution and sale of mineral products and includes ancillary activities such as earthworks, landscaping and rehabilitation works (including deposition of cleanfill) and treatment of stormwater and wastewater together with ancillary buildings and structures (including caretakers' accommodation).

Minor Upgrading (in relation to electricity generation facilities): means an upgrade to an electricity generation facility lawfully established which does not increase the existing footprint by more than 500 m² or 10% whichever is the lesser, within a five year period.

Minor Upgrading (in relation to transmission and distribution lines): means an increase in the carrying capacity, efficiency or security of transmission and distribution lines utilising the existing support structures or structures of a similar scale, intensity and character and includes:

1. The addition of circuits and conductors.
2. The re-conducting of the line with higher capacity conductors.
3. The re-sagging of conductors.
4. The bonding of conductors.
5. The addition of longer or more efficient insulators.

6. The addition of earth wires which may contain telecommunication lines, earth peaks and lightning rods.
7. The addition of electrical fittings.
8. Support structure replacement within the same or immediately adjacent location within the existing alignment of the distribution corridor.
9. The replacement of existing cross-arms with cross-arms of an alternative design.
10. An increase in support structure height required to comply with the New Zealand Electrical Code of Practice 34:2001 by not more than 15% of the base height of the support structure and where the base height is defined as the height of the structure at date of public notification of the District Plan.
11. Minor upgrading shall not include an increase in the voltage of a high voltage transmission line unless the line was originally constructed at the high voltage but has been operating at a reduced voltage.

Mooring: means any weight, post or other structure placed in, or on, the bed of a river or lake for the prime purpose of securing a vessel, raft, aircraft or floating structure. It does not include the anchors of a powered vessel.

Multi-Unit Development: means a group of two or more residential units located on one site.

National Grid: means the National Grid in its entirety. The National Grid consists of transmission lines and cables (aerial, underground and undersea, including the high voltage direct current line), stations and substations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

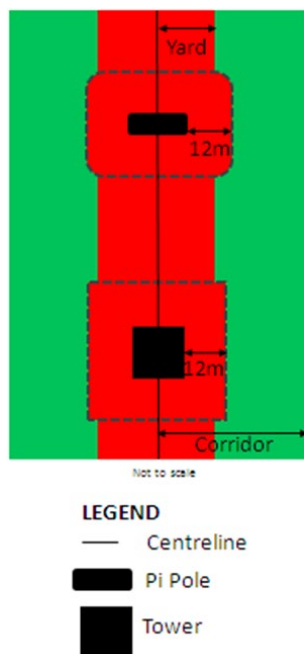
National Grid Corridor: means the area measured either side of the centreline of above ground National Grid lines as follows:

- 16 metres for the 110 kV National Grid lines on pi poles.
- 37 metres for the 220 kV National Grid lines.

National Grid Yard: means the area located 12 metres in any direction from the outer edge of a National Grid support structure; and the area located 12 metres either side of the centreline of an overhead National Grid line.

Note: the National Grid Corridor and National Grid Yard do not apply to underground cables or any National Grid lines.

Figure 10 National Grid Yard



Nationally Significant Infrastructure: means existing major infrastructure that has benefits for both this region and beyond.

Natural Hazard: (as defined by the Act) means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property or other aspects of the environment.

Natural Hazard Overlay: means a mechanism used in the Planning Maps to identify areas of the District at risk from flooding or coastal hazards.

Network Utility (Network Utilities): means any activity relating to:

1. Distribution or transmission by pipe line of natural or manufactured gas, petroleum or geothermal energy.
2. Operation of a network for the purpose of Telecommunication (as defined in Section 5 of the Telecommunications Act, 2001) or a network for the purpose of radio communication, as defined in Section 2(1) of the Radio Communications Act 1989 which is operated by a network utility operator.
3. The network operated by an electricity operator or electricity distributor as defined in Section 2 of the Electricity Act 1992.
4. The holding, transmission and distribution of water (whether treated or untreated) for supply, including irrigation.
5. Stormwater treatment (including stormwater reserve) drainage or sewerage reticulation systems.
6. Construction, operation and maintenance of railway lines, tramways and roads.
7. Construction, operation and maintenance of an airport as defined by the Airport Authorities Act 1966, including the provision of any approach control service within the meaning of the Civil Aviation Act 1990.
8. Any other project or work described as a ‘network utility operation’ by regulations made under the Resource Management Act 1991.

And the words “network utility operation” have a corresponding meaning.

Noise Sensitive Activity: means any one of the following activities undertaken in a building or part of a building:

1. Residential Activity.
2. Visitor Accommodation.
3. Residential Care Activity.
4. Education Activity.
5. Hospital Activity.
6. Health Care Activity.
7. Day Care Activity.
8. Marae Activity.

Notional boundary: means a line 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.

Off Site Signage: means any signage for a commercial activity in the Rural Zone which is not located on the site to which it relates.

Offensive Trades: includes the following:

1. Blood or offal treating.
2. Bone boiling or crushing.
3. Dag crushing.
4. Fellmongering.
5. Fish cleaning and curing.
6. Flax pulping.
7. Flock manufacturing or teasing of textile materials for any purpose.
8. Gut scraping and treating.
9. Solid waste disposal.
10. Storage, drying or preserving of bones, hides, hoofs or skins.
11. Tallow melting.
12. Tanning.
13. Wood pulping.
14. Wool scouring.

On-Site Wastewater Disposal System: means a wastewater treatment and disposal system designed to treat and dispose of wastewater from the dwelling or dwellings located on that site.

Other Building: means any building, the use of which is ancillary to any farming or lawfully existing commercial/industrial activity on the site to which it is located, but excludes any dwelling or accessory building.

Papakainga Housing: means a form of housing development which occurs on multiple-owned Māori land. Māori land is defined by the Te Ture Whenua Māori Act 1993.

Plant Nursery: means a place where plants are propagated and grown to usable size. They include garden centres which sell to the general public, wholesale nurseries which sell only to businesses such as other nurseries and to commercial gardeners and private nurseries which supply the needs of institutions or private estates.

Potentially Contaminated Land: means a piece of land on which an activity or industry described in the Ministry for the Environment's Hazardous Activities and Industries List (HAAIL) is, has, or is more than likely than not, to have been or is being undertaken.

Primary Production Activity: includes any agricultural, horticultural, floricultural, arboricultural, plantation forestry, or intensive farming activity but does not include mineral extraction or mineral processing.

Produce Stall: means any structure used for the sale of eggs, honey, flowers, fruit or vegetables grown or produced on the property and includes the extracted juices of fruit and vegetables but does not include any other processing beyond cleaning, trimming, extracting juices, freezing or drying.

Property: means one or more adjoining computer freehold registers held in common ownership, including where it is traversed by a road, whether formed or unformed.

Property Boundary: means the area legally defined as the extent of the property.

Prospecting for Minerals: (as defined by the Crown Minerals Act 1991) means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences, and includes: geological, geochemical and geophysical surveys, and the taking of samples by hand or hand held methods and aerial surveys.

Regionally significant infrastructure:

Infrastructure of regional significance and includes:

1. The regional strategic roads as defined in the Southland Regional Land Transport Strategy.
2. The Southland rail network.
3. The national electricity grid, as defined by the Electricity Governance Rules 2003.
4. Facilities for the generation and transmission of electricity where it is supplied to the national electricity grid and local distribution network.
5. Broadband and strategic telecommunications facilities, as defined in Section 5 of the Telecommunications Act 2001.
6. A network for the purpose of Radio Communication, as defined in Section 2(1) of the Radio Communications Act 1989 which is operated by a network utility operator
7. Local authority water supply network and water treatment plants.
8. Local authority wastewater and storm water networks, systems and wastewater treatment plants.
9. Life line utilities as defined in the Civil Defence and Emergency Management Act.
10. Flood and drainage infrastructure managed by the Southland Regional Council.

Renewable Electricity Generation: means the generation of electricity from solar, wind, hydro-electricity, geothermal, biomass, tidal, wave or ocean current energy sources.

Residential Activity: means any use of land and/or buildings by people for the purpose of living accommodation. It includes accessory buildings and leisure activities associated with needs generated principally from living on the site.

Retail Activities: in the Eweburn Zone means the selling of goods directly to customers excluding convenience, food and beverage activities.

Reverse Sensitivity: means the vulnerability of an existing lawfully established activity from new activities which are sensitive to the environmental effects already being generated. The sensitivity can result in complaints and also create the potential for the operation and/or expansion of the existing activity to be constrained.

Riparian Margin: means a strip of land within 5 metres of the bed of any surface waterbody. This excludes any waterbody where the bed of that waterbody is less than 3 metres in width.

River: means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

Road: has the same meaning as Section 315 of the Local Government Act 1974.

Rural-Residential: means a property primarily used for residential purposes and may be associated with small-scale farming and/or 'lifestyle' activity.

Rural Service Activity: means any activity that provides a commercial service to any farming or intensive farming activity. It includes seed cleaning, rural contracting and grain drying.

Sensitive Activities: (in relation to the National Grid transmission lines) means any one of the following activities:

1. Residential Activity.
2. Residential Care Activity.
3. Education Facility (excluding language schools and tertiary education facilities and other adult education facilities).
4. Hospital Activity.
5. Day Care Activity.

Signage: means any name, figure, image, character, outline, spectacle, emblem, monument, statue, display, delineation, announcement, poster, handbill, advertising device or appliance, or any other things of a similar advertising nature, visible from a public place, intended principally to attract attention, whether it is pasted on or fixed to any land or structure, attached to a stationary vehicle, or incorporated within the design of any structure, whether by painting or otherwise which is visible from a public space whether illuminated or not. This does not include any display within any window, or inside a moving vehicle.

Site Coverage: In the Eweburn Zone means that portion of the net area of a site which is covered by buildings or parts of buildings, including overhanging or cantilevered parts of buildings, expressed as a percentage or area. Site coverage shall only apply to buildings at ground, or above ground level. The following shall not be included in site coverage:

- pergolas,
- that part of eaves and/or spouting, fire aprons or bay or box windows projecting 750 mm or less horizontally from any exterior wall,
- uncovered terraces or decks which are not more than 1 metre above ground level,
- uncovered swimming pools no higher than 1 metre above ground level,
- fences, walls and retaining walls,
- driveways and outdoor paved surfaces,
- roads and hard stand areas.

Site of Cultural Significance: means any site or area indicated on the District Plan Maps, identified in Te Tangi a Tauira Iwi Environmental Management Plan or other relevant registered iwi planning document, or a registered site of archaeological importance as holding Māori cultural or spiritual values specific to that site, including wāhi tapu, wāhi taoka, mahika kai and kōiwi takata.

Site: means the area of land that a specific activity occupies.

Small and Community Scale Distributed Electricity Generation: means renewable electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network.

Solid Waste: means any solid materials, regardless of form, including containers and their contents which are considered to be of no further economic use, and require permanent disposal, or storage until such times that they can be reused or recycled and includes residues from incineration.

Solid Waste Disposal Facility: means any land and/or buildings used for the storage, transfer, treatment or disposal of solid waste materials or for other waste management purposes, or used for composting organic materials. Solid Waste Disposal Activity has the same meaning.

Staff Dwelling: means a dwelling for the residential use of farm owners, farm workers or family members, provided it is located on the property to which it relates.

Sustainable Forest Management: (as defined by the Forests Act 1949) means the management of an area of indigenous forest land in a way that maintains the ability of the forest growing on that land to continue to provide a full range of products and amenities in perpetuity while retaining the forest's natural values

Sustainable Forest Management Permit: (as defined by the Forests Act 1949) means a Sustainable Forest Management Permit executed under Section 67M of the Forests Act 1949.

Sustainable Forest Management Plan: means a Sustainable Forest Management Plan executed under Section 67F of the Forests Act 1949.

Taramea (Howells Point): means the land described by that name in Part A Schedule 7 to the Ngai Tahu Claims Settlement Act 1998.

Telecommunication: as defined by Section 5 of the Telecommunications Act 2001 and includes 'Radiocommunications' as defined by the Radiocommunications Act 1989.

Telecommunication Cable: means a wire or cable used for telecommunication and includes any hardware associated with the wire or cable.

Telecommunication Facility: means:

1. An antenna.
2. A cabinet and, if there is one, the concrete foundation plinth for the cabinet.

Telecommunication Line: has the same meaning as line (as defined by Section 5 of the Telecommunications Act 2001):

1. Means a wire or a conductor of any kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and
2. Includes:
 - (a) Any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors.
 - (b) Any part of a line.

Temporary Event: means a social, cultural or recreational event that has a duration of less than 72 hours, including entertainment events, carnivals, festivals, fairs, markets and exhibitions and associated temporary buildings, structures and carparks.

Temporary Military Training Activities: means a short term military activity undertaken for defence purposes (defined in the Defence Act 1990).

Temporary Sign: means any sign not intended for permanent display, on a site or on a road, or which is erected and removed in relation to:

1. A community event.
2. Electioneering.
3. Construction sites.
4. Hazard identification and warning.
5. Selling of land or buildings.
6. A statutory process as required by legislation.

Tracking: means the construction and maintenance of a pathway or trail associated with Permitted Activity RURAL.1(1) Farming and creates a track that is no wider than 5 metres.

Trade Waste: means any liquid, with or without matter in suspension or solution, that is or may be discharged from any trade premises, to the Council's sewerage system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature, and may include condensing or cooling waters, stormwater which cannot practically be separated, or domestic sewage. It includes any such waste from any industrial, rural service or offensive trade activity.

Transmission Line: means:

1. The facilities and structures for, or associated with, the overhead or underground transmission of electricity in the national grid.
2. Includes transmission line support structures, telecommunication cables and telecommunication devices to which (1) above applies.
3. Does not include an electricity substation.

Visitor Accommodation: means the use of land and/or buildings for the provision of accommodation by fee paying customers for a daily tariff. This includes hotels, motels, hostels, backpackers, camping grounds, homestays and bed and breakfasts.

Waste Transfer Facility: means any land and/or buildings which receive solid waste for the purpose of sorting and/or aggregating prior to being transported to a Solid Waste Disposal Facility. Waste Transfer Activity has the same meaning.

Wastewater Treatment Facility: means any land and/or buildings used for the purpose of storage and/or treatment and/or disposal of wastewater. It excludes any on site wastewater disposal system.

Water:

1. Means water in all its physical forms whether flowing or not and whether over or under the ground.
2. Includes fresh water, coastal water, and geothermal water.
3. Does not include water in any form while in any pipe, tank, or cistern.

Waterbody: means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

Wetland: (as defined by the Act) includes permanently or intermittently wet areas, shallow water and land/water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

Wilding trees: the natural regeneration (seedling spread) of introduced trees.

Wintering Shed: means a building located on farm land for the purpose of confining livestock to avoid damage to pasture and/or for the feeding of supplements, and the stock are generally confined for less than three months.

Yard: means that part of a site that adjoins a property boundary and is unoccupied and unobstructed by buildings.

Section 5.1 Statutory Acknowledgements, Nohoanga and Tōpuni

Instruments from the Ngāi Tahu Claims Settlement Act 1998

1.0 Introduction

1.1 Information for Plan Users And Resource Consent Applicants

The Ngāi Tahu Claims Settlement Act 1998 implements a number of settlement provisions recognising the particular cultural, spiritual, historical and traditional associations of Ngāi Tahu with particular sites, areas and species. These provisions include the identification of taonga species and the establishment of tōpuni, statutory acknowledgements and nohoanga sites, with the purpose of improving the effectiveness of Ngāi Tahu participation in resource management. It is important to recognise that there are other sites of significance to Ngāi Tahu, particularly at a local level, including sites of cultural significance. The purpose of this schedule and associated map is to fulfil the requirements of Section 220 of the Ngāi Tahu Claims Settlement Act 1998 and also to draw attention to areas of the Southland District which are subject to statutory acknowledgements under that Act. The Council recognises that it is bound by provisions of Part 12 of the Ngāi Tahu Claims Settlement Act in relation to its functions under the Resource Management Act 1991 with respect to these areas.

2.0 Statutory Acknowledgement Areas

2.1 What Is A Statutory Acknowledgement?

A Statutory Acknowledgement is an instrument created as part of the Treaty of Waitangi settlement between Ngāi Tahu and the Government (Ngāi Tahu Claims Settlement Act 1998). A Statutory Acknowledgement is a means by which the Crown has formally acknowledged the statements made by Te Rūnanga O Ngāi Tahu of the particular cultural, spiritual, historic and traditional association of Ngāi Tahu with the statutory areas. Statutory Acknowledgments recognise Ngāi Tahu's mana in relation to a range of sites and areas in the South Island and provide for this to be reflected in the management of those areas. Statutory Acknowledgments impact upon Resource Management Act 1991 processes concerning these areas.

2.2 What Are The Purposes Of Statutory Acknowledgements?

The purposes of Statutory Acknowledgements are:

1. To ensure that the particular association of Ngāi Tahu with certain significant areas in the South Island are identified and that Te Rūnanga o Ngāi Tahu is informed when a proposal may affect one of these areas.
2. To improve the implementation of Resource Management Act 1991 processes, in particular by requiring consent authorities to have regard to statutory acknowledgements when making decisions on the identification of affected parties.

2.3 Who May Be Affected By Statutory Acknowledgements?

You may be affected by a statutory acknowledgment if you are applying for resource consent for an activity that is within, adjacent to, or directly impacting on a statutory area.

2.4 What Happens When You Apply?

If you are applying for resource consent for an activity within, adjacent to, or directly impacting on a statutory area:

1. The local authority must send a summary of your resource consent application to Te Rūnanga o Ngāi Tahu.
2. The local authority must have regard to the statutory acknowledgment in going through the decision-making process on whether Te Rūnanga o Ngāi Tahu is an affected party in relation to the resource consent application.

2.5 Forwarding Resource Consent Applications To Ngāi Tahu

Section 215 of the Ngāi Tahu Claims Settlement Act 1998 “Purpose of Statutory Acknowledgements” is as follows:

1. To require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu, as required by regulations made pursuant to Section 207.
2. To require that consent authorities, the Historic Places Trust, or the Environment Court, as the case may be, have regard to the Statutory Acknowledgements in relation to the statutory area, as provided in Sections 208 to 210.
3. To empower the Minister of the Crown responsible for management of the statutory areas, or the Commissioner of Crown Lands, as the case may be, to enter into deeds of recognition as provided in Section 212.
4. To enable Te Rūnanga o Ngāi Tahu and any member of Ngāi ai Tahu Whānui to cite statutory acknowledgements as evidence of the association of Ngāi Tahu to the statutory area.

2.6 Recording Statutory Acknowledgements In The Southland District Plan

Section 220 of the Ngāi Tahu Claims Settlement Act 1998 requires that:

1. Local authorities within the Ngāi Tahu claim area must attach to all regional policy statements, district plans and regional plans (including proposed plans and proposed policy statements) from time to time prepared pursuant to the Act, information recording all statutory acknowledgements affecting statutory areas covered wholly or partly by such policy statements or plans, either by way of reference to this part or by setting out the statutory acknowledgements in full.
2. The attachment of information to any policy statement or plan pursuant to subsection (1) is for the purpose of public information only and the information is neither part of the plan (unless adopted by the relevant regional council or district council) nor subject to the provisions of the First Schedule of the Act.

2.7 Statutory Acknowledgement Areas Within Southland District Council Jurisdiction

There are 14 Statutory Acknowledgements identified in the Southland District Plan, these are:

SA1 Aparima River - being the land identified on Allocation Plan MD 126 (SO 12265).

SA2 Hananui (Mt Anglem) - being the land identified on Allocation Plan MS264 (SO 12235).

SA3 Lake Hauroko - being the land identified on Allocation Plan MD41 (SO 12258).

- SA4 Manawapopore/Hikuraki (Mavora Lakes)** - being the land identified on Allocation Plan MD44 (SO 12235).
- SA5 Mataura River** - being the land identified on Allocation Plan MD125 (SO 12264).
- SA6 Motorau/Lake Manapouri** - being the land identified on Allocation Plan MD40 (SO 12257).
- SA7 Ōreti River** - being the land identified on Allocation Plan MD42 (SO 12262).
- SA8 Te Ana-au (Lake Te Anau)** - being the land identified on Allocation Plan MD42 (SO 12259).
- SA9 Toi Toi Wetland (Rakiura)** - being the land identified on Allocation Plan MD135 (SO 12266).
- SA10 Tutoko** - being the land identified in Allocation Plan MS3 (SO 12231).
- SA11 Uruwera (Lake George)** - being the land identified on Allocation Plan MD59 (SO 12261).
- SA12 Waiau River** - being the land identified on Allocation Plan MD124 (SO 12263).
- SA13 Waituna Wetland** - being the land identified on Allocation Plan MD58 (SO 12260).
- SA14 Whenua Hou/Codfish Island** - being the land identified on Allocation Plan SS431 (SO 12251).

A full description of these areas is given below. A map identifying the general location of these areas is appended to this Schedule and can also be found in the District Plan Maps.

SA1 Statutory Acknowledgement for Aparima River

(From Schedule 15 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the River known as Aparima, the location of which is shown on Allocation Plan MD126 (SO 12265).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to the Aparima River, as set out below.

Ngāi Tahu Association With The Aparima River

The mouth of the Aparima was the site of a permanent settlement, with associated urupā nearby. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna and are frequently protected by secret locations. The river was an important source of mahinga kai, with shellfish, mussels, paua, tuna (eels) and inaka (whitebait) all being taken from the river and its estuary. An eel weir was constructed at the narrows where the Pourakino River enters the Aparima and was an important source of tuna. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka (landing places), places for gathering kai and other taonga, ways in which to use the resources of the Aparima, the relationship of people with the river and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. The mouth of the Aparima was a tauranga waka, from which sea voyages were launched to and from a variety of locations in and around Te Ara a Kiwa (Foveaux Strait), Rakiura and the Tītī Islands. A carved tauihu (canoe prow) found in the estuary of the river attests to this. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places and the locations of food and other resources on the Aparima.

The river was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight

and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The mauri of the Aparima represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

SA2 Statutory Acknowledgement For Hananui (Mt Anglem)

(From Schedule 18 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the area known as Hananui (Mt Anglem), as shown on Allocation Plan MS264 (SO 12249).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Hananui as set out below.

Ngāi Tahu Association With Hananui

As with all principal maunga (mountains), Hananui is imbued with the spiritual elements of Raki and Papa, in tradition and practice regarded as an important link to the primeval parents. The name Hananui is derived from an event involving the tūpuna (ancestor) Rakitamau, a chief of Te Taumutu and son of Tū Te Kawa. Rakitamau became a widower through the unfortunate death of his wife. Rakitamau journeyed to Motunui (as Rakiura was called then) seeking the hand of a tribally renowned wahine (woman) to take her place, as in his view she would increase his standing due to her mana, reflected in her connections to the land and important people of Rakiura. On his arrival at her village, Rakitamau asked for the woman by name, only to be told by a laughing group of women she was tāpuī (betrothed or set apart). At this, Rakitamau blushed deeply. When he then asked for her sister the people laughed loudly, as they told him she was tāpuī also. This news made him blush further so that his cheeks flamed.

He left the island never to return and the women were so amused that they named the highest point on the island Hananui, referring to the great glow of Rakitamau, in memory of the event. Rakiura itself takes its name from the glowing skies of this region, the aurora lights.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. Pūtātāra was an old settlement under the lee of Hananui, a place to which an Otago rangatira (chief), Tukiauau, retired to seek refuge. The mauri of Hananui represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life.

All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with Hananui.

SA3 Statutory Acknowledgement For Lake Hauroko

(From Schedule 5.29 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the Lake known as Hauroko, the location of which is shown on Allocation Plan MD41 (SO 12258).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Lake Hauroko, as set out below.

Ngāi Tahu Association With Lake Hauroko

Hauroko is strongly associated with urupā in the immediate vicinity, including one on an island in the lake, known to Pākehā as Mary Island. In particular, Ngāti Rakiamoa and Ngāti Ruahikihiki have several traditions about their dead laying in this region. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions.

These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna and are frequently protected by secret locations. It is because of its proximity to these urupā that Hauroko is considered tapu by Ngāi Tahu. The mauri of Hauroko represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

SA4 Statutory Acknowledgement For Manawapopore/Hikuraki (Mavora Lakes)

(From Schedule 39 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the Wetland known as Manawapopore/Hikuraki (Mavora Lakes), the location of which is shown on Allocation Plan MD44 (SO 12235).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Manawapopore/Hikuraki, as set out below.

Ngāi Tahu Association With Manawapopore/Hikuraki

Manawapopore and Hikuraki are part of one of the most significant catchments in Murihiku (Southland). The wetland also lies in the path of the important trail from the mouth of the Ōreti River onward, via the Greenstone Valley, to the head of Wakatipu-wai-māori (Lake Wakatipu), or alternatively continuing along the Greenstone Valley and out via the Hollyford to the West Coast. These were important trading routes, to gather pounamu for exchange with northern iwi for materials and foods unavailable in the south.

The wetland area was, therefore, an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapu and is regarded as taonga.

The traditional mobile lifestyle of the people led to their dependence on the resources of the area. In addition, the trails were part of summer time pursuits such as kaihaukai, whānaungatanga (the renewal and strengthening of family links) and arranging marriages with hapu from the neighbouring region of Otago and further afield. Such strategic marriages between hapu strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the area. Manawapopore (Lower Mavora) is noted for eel weirs, which were constructed on the lake edges for catching eels, utilising flat stones, built in a loop out from

the lake edge, with gaps at either end and one in the middle. Construction of the eel weir recreates the type of environment that eels like to congregate in, hence reliable catches are made.

The tupuna had considerable knowledge of such techniques, places for catching and gathering kai and other taonga, ways in which to use the resources of the area, the relationship of people with the area and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. The mauri of Manawapopore/Hikuraki represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.

SA5 Statutory Acknowledgement For Mataura River

(From Schedule 42 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the river known as Mataura, the location of which is shown on Allocation Plan MD125 (SO 12264).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to the Mataura River, as set out below.

Ngāi Tahu Association With The Mataura River

The area of the Mataura River above the Mataura Falls was traditionally used by the descendants of the Ngāti Mamoe chief, Parapara Te Whenua. The descendants of Parapara Te Whenua incorporate the lines of Ngāti Kuri from which the Mamaru family of Moeraki descend. Another famous tūpuna associated with the river was Kiritekateka, the daughter of Parapara Te Whenua. Kiritekateka was captured by Ngāi Tahu at Te Anau and her descendants make up the lines of many of the Ngāi Tahu families at Ōtākou. For Ngāi Tahu, histories such as these reinforce tribal identity and solidarity and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The Mataura was an important mahinga kai, noted for its indigenous fishery. The Mataura Falls were particularly associated with the taking of kanakana (lamprey).

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Mataura, the relationship of people with the river and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. The mauri of the Mataura represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

SA6 Statutory Acknowledgement For Moturau (Lake Manapouri)

(From Schedule 45 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the Lake known as Moturau (Lake Manapouri), the location of which is shown on Allocation Plan MD40 (SO 12257).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Moturau, as set out below.

Ngāi Tahu Association With Moturau

Moturau (or Motu-ua) is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu' which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Moturau. Rakaihautu named the lake Motu-ua, a reference to the persistent rain which troubled his party here. Tamatea and his party passed this way in their journey back to their homeland after their waka, Takitimu, broke its back at the mouth of the Waiiau River. It was Tamatea who named the lake Moturau (possibly a woman's name but more likely to relate to the many islands found in the lake).

Tamatea's party established a camp on the edge of the lake, which is probably under water now and called it Whitiaka-te-rā (the shining of the sun), indicating that they enjoyed a very different experience of the lake from Rakaihautu. Other traditional names associated with the lake include Te Māui (North Arm), Te Tukeroa (Beehive), Manapouri (north-eastern reach), Wairoa River (upper Waiiau River), Te Rakatū (Garnock Burn), Te Konuotu-te-Makohu (Monument) and Huatea (South Arm).

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

A number of wāhi taonga and nohoanga associated with the lake are now under its waters. Eel weirs have been found at the Monument and Hope Arm of the lake and there was a canoe manufacturing site at Pigeon Island. Such wāhi taonga are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna. As a mahinga kai, the lake was important for the fowling it offered Murihiku coastal settlements in summer. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka (landing places), places for gathering kai and other taonga, ways in which to use the resources of Moturau, the relationship of people with the lake and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The mauri of Moturau represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

SA7 Statutory Acknowledgement For Ōreti River

(From Schedule 50 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the River known as Ōreti, the location of which is shown on Allocation Plan MD123 (SO 12262).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to the Ōreti River, as set out below.

Ngāi Tahu Association With The Ōreti River

The Ōreti River traverses a significant area of Murihiku, stretching from its mouth at Invercargill almost to the edge of Whakatipu-wai-māori (Lake Wakatipu). As such, it formed one of the main trails inland from the coast, with an important pounamu trade route continuing northward from the headwaters of the Ōreti and travelling, via the Mavora or Von River Valley, to the edge of Wakatipu and onto the Dart and Routeburn pounamu sources. Indeed, pounamu can be found in the upper reaches of the Ōreti itself. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Ōreti, the relationship of people with the river and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. The kai resources of the Ōreti would have supported numerous parties venturing into the interior and returning by mōkihi (vessels made of raupō), laden with pounamu and mahinga kai. Nohoanga (temporary camp sites) supported such travel by providing bases from which the travellers could go water fowling, eeling and catching inaka (whitebait) and were located along the course of Ōreti River.

There were a number of important settlement sites at the mouth of the Ōreti, in the New River Estuary, including Ōmāui, which was located at the mouth of the Ōreti, where it passes the New River Heads. Ōue, at the mouth of the Ōreti River (New River Estuary), opposite Ōmāui, was one of the principal settlements in Murihiku. Honekai who was a principal chief of Murihiku in his time was resident at this settlement in the early 1820s, at the time of the sealers. In 1850 there were said to still be 40 people living at the kaik at Ōmāui under the chief Mauhe. As a result of this pattern of occupation, there are a number of urupā located at the lower end of the Ōreti, in the estuarine area.

Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna and are frequently protected by secret locations. The mauri of the Ōreti represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

SA8 Statutory Acknowledgement For Te Ana-Au (Lake Te Anau)

(From Schedule 58 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the Lake known as Te Ana-au (Lake Te Anau), the location of which is shown on Allocation Plan MD42 (SO 12259).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Te Ana-au, as set out below.

Ngāi Tahu Association With Te Ana-au

Te Ana-au is one of the lakes referred to in the tradition of 'Ngā Puna Wai Karikari o Rakaihautu', which tells how the principal lakes of Te Wai Pounamu were dug by the rangatira (chief) Rakaihautu. Rakaihautu

was the captain of the canoe, Uruao, which brought the tribe, Waitaha, to New Zealand. Rakaihautu beached his canoe at Whakatū (Nelson). From Whakatū, Rakaihautu divided the new arrivals in two, with his son taking one party to explore the coastline southwards and Rakaihautu taking another southwards by an inland route. On his inland journey southward, Rakaihautu used his famous kō (a tool similar to a spade) to dig the principal lakes of Te Wai Pounamu, including Te Ana-au. For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. Te Ana-au figures in Ngāi Tahu histories as one of the last places where Ngāi Tahu and Ngāti Mamoe came into conflict after the peace established between Rakiihia and Te Hautapunui o Tū. After Rakiihia had died, his bones were stripped of flesh and were buried in a cave on a cliff facing the seaside near Dunedin. However, a landslip led to the bones being uncovered. The bones were found by Ngāi Tahu fishermen and made into fish hooks, an act designed to insult. Among Māori it was a practice to take the bones of enemy leaders who had recently died, fashion them into fish hooks and present fish caught with them to the enemy as a gift. Once the fish had been eaten, the enemy would be told they had feasted on fish that had in turn feasted on their dead. While Ngāi Tahu were fishing with their Ngāti Mamoe relations, one of the Ngāi Tahu fisherman referred to the fish biting the bones of Rakiihia.

The Ngāti Mamoe fishermen recognised the insult and checked the cave in which their leader had been interred. Finding that the grave had been desecrated, the Ngāti Mamoe found and killed the son of a senior Ngāi Tahu rangatira (chief).

Before Ngāi Tahu could retaliate, the Ngāti Mamoe were warned that they should leave the coast for the inland lakes where they would not be found. Ngāti Mamoe headed to Te Ana-au. Among this Ngāti Mamoe party was Rakiihia's brother, Pukutahi. Pukutahi fell sick along Te Ana-au's shoreline and rested while his followers explored the lake to find a safer place. Approaching the lakes, Te Hau, the leader of the Ngāi Tahu party, observed that the fugitives had divided in two and unfortunately for Pukutahi decided to follow the trail up to Te Ana-au. The Ngāti Mamoe camp was found and in the morning the chiefs of Ngāti Mamoe, including Pukutahi, were killed. This was to be one of the last battles between the tribes. The lake was an important mahinga kai in the interior.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Te Ana-au, the relationship of people with the lake and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. The mauri of Te Ana-au represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

SA9 Statutory Acknowledgement For Toi Toi Wetland, Rakiura

(From Schedule 63 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the Wetland known as Toi Toi, the location of which is shown on Allocation Plan MD135 (SO 12266).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Toi Toi, as set out below.

Ngāi Tahu Association With Toi Toi

Toi Toi wetland is particularly significant to Ngāi Tahu as a kākāpō habitat. The kākāpō, once a prized mahinga kai for Ngāi Tahu, used the wetland as a feeding ground. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Toi Toi, the relationship of people with the wetland and their dependence on it and tikanga for the proper and sustainable utilisation of resources.

All of these values remain important to Ngāi Tahu today. Much of Toi Toi's value lies in its pristine and unmodified character. The mauri of Toi Toi represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the wetland.

SA10 Statutory Acknowledgement For Tūtoko

(From Schedule 66 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the mountain known as Tūtoko, as shown on Allocation Plan MS3 (SO 24747 (Otago Land District) and SO 12231 (Southland Land District)).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Tūtoko as set out below.

Ngāi Tahu Association With Tūtoko

The Fiordland area, within which Tūtoko stands, represents, in tradition, the raised up sides of Te Waka o Aoraki, after it foundered on a submerged reef and its occupants, Aoraki and his brothers, were turned to stone. These people are now manifested in the highest peaks in Kā Tiritiri o Te Moana (the Southern Alps). The fiords at the southern end of the Alps were carved out of the raised side of the wrecked Waka o Aoraki by Tū Te Rakiwhānoa, so as to make the waka (canoe) habitable by humans. The deep gorges and long waterways that are the fiords were provided as safe havens on this rugged coast and stocked with fish, forest and birds to sustain humans. For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity and continuity between generations and document the events that have shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. Tūtoko is not, in fact, the original name of the maunga (mountain), but was applied by

Dr J Hector in 1863 after he met the old rangatira (chief) Tūtoko and his two daughters, Sara and May. The hills to the north of the Kōtuku River are named the Sara Hills and those to the south May Hills, after these daughters. The use of this name is seen as appropriate to Ngāi Tahu, as Tūtoko was an important rangatira of this region at that time and is represented by the mountain.

Tūtoko is the kaitiaki (guardian) of Whakatipuwaitai, the westernmost creation of Rakaihautu and the southernmost kāinga (settlement) of Te Tai Poutini (West Coast) pounamu trails, which provides access to koko-takiwai (a type of pounamu) at Piopiotahi (Milford Sound) and Poison Bay further to the south.

The kāinga was also an important staging post for travel into the Lake Wakatipu area via the Hollyford Valley. All of these trails, whether by land or by sea, lie under the shadow of Tūtoko. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and

other taonga, ways in which to use the resources of the land, the relationship of people with the land and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. Mountains such as Tūtoko are linked in whakapapa to the gods and, being the closest earthly elements to Raki the sky father, they are likened to the children of Raki and Papa, reaching skyward. The mauri of Tūtoko represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the land.

SA11 Statutory Acknowledgement For Uruwera (Lake George)

(From Schedule 68 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the Wetland known as Uruwera (Lake George), the location of which is shown on Allocation Plan MD59 (SO 12261).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Uruwera, as set out below.

Ngāi Tahu Association With Uruwera

Lake George is known to Ngāi Tahu as Uruwera, named after a descendant of the Waitaha rangatira (chief), Rakaihautu. Uruwera's descent lines lead to Te Ropuake, the wife of Mako, a leading chief of Ngāti Irakehu of Banks Peninsula. Te Ropuake's mother was Hine Te Awheka, wife of Te Rakiwhakaputa, another leading Ngāi Tahu chief who eventually occupied Rapaki on Banks Peninsula. Both Mako and Te Rakiwhakaputa migrated to Canterbury with the Ngāi Tahu hapū, Ngāi Tuhaitara. Examples such as this demonstrate the interconnected nature of Ngāi Tahu whakapapa. For Ngāi Tahu, histories such as this reinforce tribal identity and solidarity and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. Foods taken from this mahinga kai included tuna (eels), inaka (whitebait) and water fowl. Uruwera has been in continual use by Ngāi Tahu as a mahinga kai for many generations. The lake is a particularly important resource for Ngāi Tahu from Ōraka, Awarua and Ruapuke. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Uruwera, the relationship of people with the lake and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. As a result of this history of use, there a number of urupā associated with Uruwera. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna and are frequently protected by secret locations. The mauri of Uruwera represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

SA12 Statutory Acknowledgement For Waiau River

(From Schedule 69 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the river known as Waiau, the location of which is shown on Allocation Plan MD124 (SO 12263).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to the Waiau, as set out below.

Ngāi Tahu Association With The Waiau

The Waiau River features in the earliest of traditional accounts and was a place and resource well known to the earliest tūpuna (ancestors) to visit the area. Rakaihautu and his followers traced the Waiau from its source in Te Ana-au (Lake Te Anau) and Motu-ua or Moturau (Lake Manapouri), to its meeting with the sea at Te Waewae Bay.

The waka Takitimu, under the command of the rangatira (chief) Tamatea, was wrecked near the mouth of the Waiau River and the survivors who landed at the mouth named the river 'Waiau' due to the swirling nature of its waters. Tamatea and his party made their way up the river to Lake Manapouri where they established a camp site. The journey of Tamatea was bedevilled by the disappearance of Kaheraki who was betrothed to Kāhungunu, a son of Tamatea. Kaheraki strayed away from the party and was captured by the Maeroero (spirits of the mountain). For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity and continuity between generations and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. The Waiau has strong links with Waitaha who, following their arrival in the waka, Uruao, populated and spread their influence over vast tracts of the South Island. They were the moa hunters, the original artisans of the land. There are remnants of Waitaha rock art associated with the river. Surviving rock art remnants are a particular taonga of the area, providing a unique record of the lives and beliefs of the people who travelled the river.

There is also a strong Ngāti Mamoe influence in this area of the country. Ngāti Mamoe absorbed and intermarried with the Waitaha and settled along the eastern coast of Te Wai Pounamu. The arrival of Ngāi Tahu in Te Wai Pounamu caused Ngāti Mamoe to become concentrated in the southern part of the island, with intermarriage between the two iwi occurring later than was the case further north. The result is that there is a greater degree of Ngāti Mamoe influence retained in this area than in other parts of the island. These are the three iwi who, through conflict and alliance, have merged in the whakapapa (genealogy) of Ngāi Tahu Whānui. Numerous archaeological sites and wāhi taonga attest to the history of occupation and use of the river. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna. The main nohoanga (occupation site) on the Waiau was at the mouth and was called Te Tua a Hatu. The rangatira (chief) Te Wae Wae had his kāinga nohoanga on the left bank of the Waiau River mouth. The Waiau, which once had the second largest flow of any river in New Zealand, had a huge influence on the lives and seasonal patterns of the people of Murihiku, over many generations.

The river was a major mahinga kai: aruhe (fernroot), tī root, fish, tuna (eels), shellfish and tutu were gathered in the summer, a range of fish were caught in the autumn, kanakana (lamprey) were caught in the spring, while the people were largely reliant during winter on foods gathered and preserved earlier in the year. Rauri (reserves) were applied to the mahinga kai resources, so that people from one hapū or whānau never gathered kai from areas of another hapū or whānau. Some 200 species of plants and animals were utilised by Ngāi Tahu as a food resource in and near the Waiau. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Waiau, the relationship of people with the river and their dependence on it and tikanga for the proper and sustainable utilisation of resources.

All of these values remain important to Ngāi Tahu today. Place names provide many indicators of the values associated with different areas, including Waiharakeke (flax), Papatōtara (tōtara logs or bark), Kirirua (a type of eel found in the lagoon), Te Rua o te Kaiamio (a rock shelter that was a 'designated meeting place' for the local Māori, similar to a marae) and Kā Kerehu o Tamatea - ('charcoal from the fire of Tamatea' - black rocks near old Tuatapere ferry site). The Waiau River was a major travelling route connecting Murihiku and Te Ara a Kiwa (Foveaux Strait) to Te Tai Poutini (the West Coast) and, as such, was an important link between hapū and iwi.

Pounamu on the West Coast and summer expeditions to Manapouri (Motu-ua or Moturau) for mahinga kai were the main motivations for movement up and down the Waiau. Mōkihi (vessels made from raupō) were utilised for travel down the river and were a very effective and common mode of travel, making transportation of substantial loads of resources possible. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places and the locations of food and other resources on the Waiau. The river was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river. The Waiau was once a large and powerful river, up to 500 metres across at the mouth, narrowing to 200 metres further upstream. The water flow from the Waiau River was an important factor in the ecological health and biodiversity of the coastal resources. The mauri of the Waiau represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

SA13 Statutory Acknowledgement For Waituna Wetland

(From Schedule 73 - refer to Sections 205 and 206 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The statutory area to which this statutory acknowledgement applies is the wetland known as Waituna, the location of which is shown on Allocation Plan MD58 (SO 12260).

Preamble

Under Section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Waituna, as set out below.

Ngāi Tahu Association With Waituna

Intermittently open to the sea, Waituna wetland (with the western end, where the lagoon breaks out to sea known as Kā-puna-wai) was a major food basket utilised by nohoanga and permanent settlements located in the immediate vicinity of the wetlands and further away, for its wide variety of reliable mahinga kai. The great diversity of wildlife associated with the complex includes several breeds of ducks, white heron, gulls, spoonbill, kōtuku, oyster-catchers, dotterels, terns and fernbirds. The wetlands are important kōhanga (spawning) grounds for a number of indigenous fish species. Kaimoana available includes giant and banded kōkopu, varieties of flatfish, tuna (eels), kanakana (lamprey), inaka (whitebait), waikākahi (freshwater mussel) and waikōura (freshwater crayfish). Harakeke, raupō, mānuka, tōtara and tōtara bark and pingao were also regularly harvested cultural materials. Paru or black mud was available, particularly sought after as a product for making dyes. The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Waituna, the relationship

of people with the lake and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. As a result of this history of use and occupation of the area, there are wāhi tapu and wāhi taonga all along its shores. It is also possible that particular sections of the wetland were used for waiwhakaheketūpāpāku (water burial). U rupā and wāhi tapu are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna and are frequently protected by secret locations.

The mauri of Waituna represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the area.

SA14 Statutory Acknowledgement For Whenua Hou

(From Schedule 108 - refer to Sections 205, 206 and 332 Ngāi Tahu Claims Settlement Act 1998)

Statutory Area

The area to which this statutory acknowledgement applies is the area known as Whenua Hou, as shown on Allocation Plan SS431 (SO 12251).

Preamble

Under [Section 332](#) (Clause 12.2.2 of the deed of settlement), the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional association to Whenua Hou as set out below.

Ngāi Tahu Association With Whenua Hou

Ko Whenua Hou te motu

Ko Waikoropupu te whaka

Ko Waituna te awa

Ko Te Ara a Kewa te moana

Ko Kāi Tahu, Kāti Mamoe, Waitaha kā iwi

Kei Kāi tahu Whānui

Te ihi, te wehi, te mana, te tapu

Tihei mauri ora!

Whenua Hou is an extremely important tūrangawaewae (literally “a place to stand”) to Ngāi Tahu Whānui. Ngāi Tahu connect with Whenua Hou spiritually, culturally and physically.

Whenua Hou was also an important stopping-off point for birders converging on the Tītī Islands in their waka (canoes) and waka hunua (double-hulled canoes). The right to use this island in this way flowed from whakapapa (genealogy), just like the right to use the Tītī Islands themselves. Birders would use various kaika (settlements) and resting places on the island as a respite from their difficult travels.

One tragic account attests to the loss of life that occurred in the rough waters of Foveaux Strait. A waka hunua with about 40 people aboard, commanded by the rangatira (chief) Te Pahi, foundered in heavy seas with the loss of all hands while on its journey from Whenua Hou to Ruapuke Island at the close of the

mutton birding season. This was witnessed by Taiaroa and his people who were aboard an accompanying waka hunua, but were unable to offer assistance as their waka was also in dire circumstances.

The harvesting of tītī from these rugged islands, despite such treacherous conditions, attests to the importance of this resource to the economy and customs of the iwi over many generations.

Despite Ngāi Tahu's long association with Whenua Hou, that name is not, in fact, the original name of this island, but commemorates an important time in more recent Ngāi Tahu history. It relates to the occasion when the rangatira Honekai declared the island as the place sealers and their Māori wives could stay under his protection. The reason for this was to remove the sealers from the Rakiura and mainland villages where they were annoying the Kāi Tahu women. Hence the new land (Whenua Hou) became the first European settlement in the south.

Many Ngāi Tahu are able to trace their whakapapa (genealogy) to these early unions between Ngāi Tahu women and European sealers. It is for this reason that Whenua Hou plays an extremely significant role in Ngāi Tahu's contemporary whakapapa. For Ngāi Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity and solidarity and document the events which shaped Ngāi Tahu as an iwi.

There are a number of urupā on Whenua Hou which are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of our tūpuna and are frequently protected by secret locations.

Ngāi Tahu whānau from Murihiku have erected a pouwhenua (carved post denoting a tribe's relationship with an area of land) on Whenua Hou in memory of the Murihiku women who resided on the island. The establishment of such markers is significant in that they serve to reaffirm the tribe's association with the island and to act as a tangible reminder of that association. The following waiata (song) was composed to commemorate the dedication of this pouwhenua:

Ka pouwhenuatia te motu o Whenua Hou hei tohu maumahara mō kā uri whakatupu i raro ake kā iwi whānui o Kāitahu me kā hapū karakamaha.

Ka titiro, kei te ora me te kaha tonu te mauri o te iwi whānui i Kāitahu i roto kā tikaka i rātou kua karo kanohi atu.

Ka herea a Kāitahu Whānui hei kaipupuri, i te ihi, te wehi, te mana, te tapu o kā tikaka mō te motu o Whenua Hou.

Ka ū, ka ū, kia kikiī, kia kikiī,

Ka tū te pō, ka tū te ao

mō ake ake tonu atu.

A symbol of ownership and remembrance was placed on the island Whenua Hou as a guardian for future generations of the families of Kāi Tahu Whānui. Looking on, seeing that the principal life source of Kāi Tahu's extended family is and will always be as it was in the days of those who have passed on. To this we tie ourselves as Kāitahu, being the traditional keepers of the gifts, the strength, humility, prestige, the sacredness and all that Whenua Hou holds.

Hold fast, bold fast, tighter, tighter

let night come, let daylight come

for ever, ever, everlasting.

The mauri of Whenua Hou represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the island.

3.0 Tōpuni

Tōpuni are landscape features of special importance or value to Ngāi Tahu. They place an ‘overlay’ of Ngāi Tahu values on specific pieces of land managed by the Department of Conservation and ensure that Ngāi Tahu values are recognised, acknowledged and provided for. A list of Tōpuni sites in the Southland region and a description of the values associated with them are in Schedules 80 to 93 of the Settlement Act.

3.1 Tōpuni For Tūtoko (T1)

(From Schedule 93 - refer to Sections 238 and 239 Ngāi Tahu Claims Settlement Act 1998)

Description Of Area

The area over which the Tōpuni is created is the area known as Tūtoko located in Fiordland National Park, as shown on Allocation Plan MS3 (SO 24747 (Otago Land District) and SO 12231 (Southland Land District)).

Preamble

Under Section 239 (Clause 12.5.3 of the deed of settlement), the Crown acknowledges Te Rūnanga o Ngāi Tahu’s statement of Ngāi Tahu’s cultural, spiritual, historic and traditional values relating to Tūtoko, as set out below.

Ngāi Tahu Values Relating To Tūtoko

The Fiordland area, within which Tūtoko stands, represents, in tradition, the raised up sides of Te Waka o Aoraki, after it foundered on a submerged reef and its occupants, Aoraki and his brothers, were turned to stone. These people are now manifested in the highest peaks in Kā Tiritiri o Te Moana (the Southern Alps). The fiords at the southern end of the Alps were carved out of the raised side of the wrecked Waka o Aoraki by Tū Te Rakiwhānoa, so as to make the waka (canoe) habitable by humans. The deep gorges and long waterways that are the fiords were provided as safe havens on this rugged coast and stocked with fish, forest and birds to sustain humans. For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity and continuity between generations and document the events that have shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. Tūtoko is not, in fact, the original name of the maunga (mountain), but was applied by Dr J Hector in 1863 after he met the old rangatira (chief) Tūtoko and his two daughters, Sara and May.

The hills to the north of the Kōtuku River are named the Sara Hills and those to the south, May Hills, after these daughters. The use of this name is seen as appropriate to Ngāi Tahu, as Tūtoko was an important rangatira of this region at that time and is represented by the mountain. Tūtoko is the kaitiaki (guardian) of Whakatipuwaitai, the westernmost creation of Rakaihautu and the southernmost kāinga (settlement) of Te Tai Poutini (West Coast) pounamu trails, which provides access to koko-takiwai (a type of pounamu) at Piopiotahi (Milford Sound) and Poison Bay further to the south.

The kāinga was also an important staging post for travel into the Lake Wakatipu area via the Hollyford Valley. All of these trails, whether by land or by sea, lie under the shadow of Mt Tūtoko.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the land, the relationship of people with the land and their dependence on it and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today. Mountains such as Tūtoko are linked in whakapapa to the gods and being the closest earthly elements to Raki the sky father, they are likened to the children of Raki and Papa, reaching skyward. The mauri of Tūtoko represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the land.

3.2 Tōpuni for Takitimu Range (T2)

(From Schedule 89 - refer to Sections 238 and 239 Ngāi Tahu Claims Settlement Act 1998)

Description Of Area

The area over which the Tōpuni is created is the area known as Takitimu Range located in Murihiku (Southland), as shown on Allocation Plan MS5 (SO 12232).

Preamble

Under Section 239 (Clause 12.5.3 of the deed of settlement), the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic and traditional values relating to Takitimu as set out below.

Ngāi Tahu Values Relating To Takitimu

The Takitimu maunga (mountains) were named by Tamatea, the captain of the Takitimu waka (canoe) in memory of the waka after it struck trouble in Te Waewae Bay and was eventually wrecked near the mouth of the Waimeha Stream. Tradition states that the Takitimu waka was overtaken by three large waves known as Ō-te-wao, Ō-roko and Ō-kaka, followed by a cross wave, which resulted in the Takitimu being hurled well inland, with its cargo being strewn about. In some accounts the ranges inland from Te Waewae Bay are likened to the huge waves that caused the demise of the waka Takitimu. In other accounts the Takitimu maunga are considered to be the upturned hull of the waka.

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity and continuity between generations and document the events that have shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi. Tamatea and his crew made their way overland from the site of the wreck. Tamatea likened the majestic and upright Takitimu maunga when he viewed them from the south coast, to the crew of the Takitimu struggling to control the waka in adverse conditions. During the overland journey past the Takitimu maunga, Tamatea lost one of his party, a woman named Kaheraki who strayed away from the party and was captured by the maeroero (spirits of the mountain) and never seen again. Kaheraki had been betrothed to Kahungunu, who was a son of Tamatea. The Takitimu maunga are, therefore, a symbolic reminder of the famous exploits of Tamatea in the south and a reminder forever locked into the landscape, of the tūpuna (ancestral) waka Takitimu, adding lustre to the noted spiritual values of the western Southland landscape.

The Takitimu maunga are visible from all points of the Murihiku landscape and are also a noted weather indicator. The mauri of Takitimu represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the land.

4.0 Nohoanga

Nohoanga are temporary camp sites to facilitate customary fishing and gathering of other resources. The Ngāi Tahu Settlement Act provides for 72 such sites, with 11 of these situated in Southland. Refer to Map 85 - Statutory Acknowledgement Areas, Tōpuni and Nohoanga for where details on where these Nohoanga are located.

5.0 Taonga Species Management

Within the Settlement Act (Section 288), the Crown recognises the special association of Ngāi Tahu with certain bird, plant and marine mammal taonga species. The aim is to improve Ngāi Tahu involvement in the management of these species through increased consultative requirements with Ngāi Tahu. A list of taonga species is provided in Schedule 97 of the Settlement Act and also in the Southland Regional Policy Statement administered by the Southland Regional Council.

Section 5.2 Historic Heritage Items

Table 14 Section 5.2 - Historic Heritage Items

Site No.	HNZ Register Number	Name	Locality	Map No.	Legal Description	Category of HNZ Registration
H1	2552	Railway Goods Shed	1745 Dipton-Winton Highway, Centre Bush	56	Sec 1 SO 12002 (CT SL10D/212),	2
H2	4921	Clifden Suspension Bridge	324 State Highway 99, Waiau River, Clifden	25	Sec 38, Blk I, Lillburn SD. Marked A on SO 10343 - Historic Reserve	1
H3	2555	St Alban's Anglican Church (Former)	24 Beaufort Street, Centre Bush	56	Sec 17 Blk XVIII Town of Limehills (CT 128436),	2
H4	2547	Five Rivers Station Complex (Cottage, Homestead, Stables, Woolshed)	431 Selbie Road, Five Rivers	16	Lot 4 DP 13851 (CT SL12B/729),	1
H5	7806	Templeton Flax Mill Complex	Templeton Road, Otaitai Bush, Riverton	37	Sec 56 Blk VI Jacobs River Hundred (CT's SL194/135, 90253), Southland Land District	1
H6	380	Fairlight Station Homestead	47 Fairlight Road, Fairlight	54	Sec 48 Eyre SD (CT SL6B/348),	1
H7	5196	Stone Hut - Blue Lakes	Waikaia Piano Flat Road, Glenaray Station, Waikaia	13	DPF 643, Pt Run 626, Sec 2, SO 10632 etc Blks I, III and V, Garvie SD	2
H8	5197	Corrugated Iron Hut - Blue Lakes	Waikaia Piano Flat Road, Glenaray Station, Waikaia	13	DPF 643, Pt Run 626, Sec 2, SO 10632 etc Blks I, III and V, Garvie SD	2
H9	5198	Corrugated Iron Hut (1950's) - Blue Lakes	Waikaia Piano Flat Road, Glenaray Station, Waikaia	13	DPF 643, Pt Run 626, Sec 2, SO 10632 etc Blks I, III and V, Garvie SD	2
H10	5191	Bush Huts	Waikaia Piano Flat Road, Glenaray Station, Waikaia	13	DPF 643, Pt Run 626, Sec 2, SO 10632 etc Blks I, III and V, Garvie SD	2
H11	Note: Please see H55.					
H12	2563	The Traveller's Rest Accommodation	65 Leask Bay Road, Harrold Bay, Stewart Island	44	Sec 36 Blk I Paterson SD, (CT SL12A/21)	1
H13	381	Waimahaka Homestead	28 Holms Road, Waimahaka	39	Pt Sec 52 Blk IV Toetoes SD, (CT SL178/2),	1

Site No.	HNZ Register Number	Name	Locality	Map No.	Legal Description	Category of HNZ Registration
H14	396	Ackers Cottage	Leask Bay Road, Harrold Bay, Stewart Island	44	Sec 36 Blk I Paterson SD, (CT SL12A/21), Part Road Reserve	1
H16	3822	Otautau Courthouse (Former)	146 Main Street, Otautau	65A	Sec 56 Blk I Town of Otautau, (CT SL10A/754)	2
H17	7722	Marairua Homestead and Outbuildings	70 Marairua Road, Tuturau	34	Lot 1 DP 14543, (CT SL11C/569)	1
H18	2540	Howell's (Kohikohi) Cottage	22 Napier Street, Riverton	67B	Lot 3, DP 4512 (289 m2 is subject to Heritage Covenant on DP 12788)	1
H19	7705	Wantwood (Stone Homestead)	317 Waimea Valley Road, Mandeville	28	Sec 12 and Pt Sec 408, Hokonui SD, (CT SLA4/541)	1
H20	383	Ringway Homestead	165 North Road, Ringway Ridges, Otautau	31, 32	Sec 2A Ringway Settlement, (CT SL7A/641)	1
H21	384	Ringway Stable Block	165 North Road, Ringway Ridges, Otautau	31, 32	Sec 2A Ringway Settlement, (CT SL7A/641)	1
H22	3272	Riverton Playcentre (former Courthouse)	170 Palmerston Street, Riverton	67B	Sec 8 Blk II Town of Riverton, (CT SL225369)	2
H23	2541	St Mary's Church (Anglican), Riverton	173 Palmerston Street, Riverton	67B	Lot 1 DP 457, (CT SL5B/88)	2
H24	7818	Palmerston Street Cottages Historic Area	82, 84 and 86 Palmerston Street, Riverton	67A, 67B	Lot 2 DP 1776, (CT SL106/299), Lot 1 DP 1776, (CT SL8D/649), Pt Sec 7-8 Blk VIII Town of Riverton/Aparima, (CT SL6/217), Southland Land District	Historic Area
H25	2535	Daniel House	85 Palmerston Street, Riverton	67A, 67B	Lot 2 DP 2551, (CT SL132/138)	2
H26	7704	Edendale Homestead and associated outbuildings	1941 Edendale - Woodlands Highway (SH 1), Edendale	34, 52	Lot 2 DP 304456, (CT 17935)	1
H27	2548	Stewart General Store (Former)	Corner 1855 Dipton-Winton Highway (SH 6) and Beaufort Street, Centre Bush	56	Sec 12 Blk III Town of Limehills, (CT SL49/178)	2

Site No.	HNZ Register Number	Name	Locality	Map No.	Legal Description	Category of HNZ Registration
H29	2559	Warwick Downs Stable	Corner 1130 Otapiri Gorge Road and Otapiri-Mandeville Road, Otapiri	27	Pt Lot 7 DP 10727, (CT SL9B/897)	2
H30	2558	Warwick Downs Homestead	Corner 1130 Otapiri Gorge Road and Otapiri-Mandeville Road, Otapiri	27	Pt Lot 7 DP 10727, (CT SL9B/897)	2
H31	7785	SS Tararua Wreck Site, Tararua Acre and Waipapa Lighthouse Site	Waipapa Lighthouse Road, Otara	42B	Sec 38 Blk I Otara SD ((General Purposes Reserve - Lighthouse Reserve NZ Gazette 1981, p.272. CT SL12A/926), part of Sec 39 Blk I Otara SD (Recreation Reserve NZ Gazette 1981, p.272.) Sec 29 Blk I Otara SD (Cemetery Site NZ Gazette 1881 p.961.), part seabed and foreshore, road reserve	1
H32	9234	Port Craig Sawmill and Settlement Site	Port Craig, Te Waewae Bay	29	Secs 1-3 Blk XII (CT SL88/206, 5362, SL88/210); Secs 5-8 Blk XII (CT SL88/212, SL88/204, SL88/213, SL88/207); Secs 11-12 Blk XII (Gravel Reserves Crown Land); Secs 1-7 Blk XIII (CTs SL88/164; SL88/209, SL88/214, SL88/179, SL88/180, SL88/208, SL88/163); Sec 9 Blk XIII (CT SL88/211); Sec 10 Blk XIII (CT SL88/160); Sec 13 Blk XIII (Education Reserve Crown Land); Sec 1 Blk XIV (CT SL82/191); Sec 2, 16 Blk XIV (NZ Gazette 1999 p. 3211); Crown Land Blk X Rowallan SD (NZ Gazette 1999 p. 3211); Road Reserve, All Rowallan SD, Southland Land District.	1
H33	7171	Richard Henry's Bird Pen	Sandy Bay, Pigeon Island, Dusky Sound, Fiordland	FRZ 1	Dusky Sound, Fiordland	1

Site No.	HNZ Register Number	Name	Locality	Map No.	Legal Description	Category of HNZ Registration
H34	7427	St Andrews Presbyterian Church (Former)	1785 Dipton-Winton Highway (State Highway No. 6), Centre Bush	56	671 Hokonui SD, (CT SL35/46)	2
H35	3264	Altrive	25 Waipounamu Road, Waipounamu	23	Section 3 Blk VIII Wendonside SD (CT SL8C/960)	2
H67	3270	Waikaia Plains Station Homestead	375 Plains Station Road, Ardlussa		Sec 1 Blk III Wendonside SD (CT SL7D/545)	2
H36	7366	Castlerock Station Historic Area	72 Castlerock Road, Castlerock	16	Lot 2 DP 3186, (CT SLA1/782)	Historic Area
H56	5200	St Mary's Anglican Church (Former), Waianiwa	19 Argyle Otahuti Road, Waianiwa	32, 37	Section 11 Village of Argyle (CT SL7D/837)	2
	7527	Great North Road Historic Area	Great North Road and Meldrum Street, Winton	63/64		Historic Area
H37	7527	Lidell's Building (Lowe Brothers, Grasshoppers Gift Shop)	246 Great North Road, Winton	80B	Section 15 Blk III Town of Winton, (CT SL7D/823)	Not separately registered
H38	7527	Theatre Royal	212 Great North Road, Winton	80B	Lot 1 DP 2620, (CT SL131/31)	Not separately registered
H39	7527	Milwood Turnery	214 Great North Road, Winton	80B	Pt Sec 2 Blk II Town of Winton, (CT SL131/35)	Not separately registered
H40	7527	Winton Hotel	218 Great North Road, Winton	80B	Sec 1 Blk II Town of Winton, (CT SL158/252)	Not separately registered
H41	7527	McWilliam Grocery/ General Merchants Building	220 Great North Road, Winton	80B	Lot 1 DP 5284, (CT SL203/6)	Not separately registered
H42	7527	Southland Savings Bank	222 Great North Road, Winton	80B	Lot 1 DP 3320, (CT SL148/113)	Not separately registered
H43	7527	Bank of New Zealand	230 Great North Road, Winton	80B	Sec 4 Blk III Town of Winton, (CT SLA3/640)	Not separately registered
H44	7527	Metzgers Building - Central Sports	240 Great North Road, Winton	80B	Lot 2 DP 2814, (CT SL12A/831)	Not separately registered
H45	7527	Anzac Park Oval and Memorial Gates	245 Great North Road, Winton	80B	Lot 2 DP 413797 (CT SL451536)	Not separately registered
H46	7527	Presbyterian Church and Sunday School Building	11 Meldrum Street, Winton	80B	Lot 1 DP 12010, (CT SL8D/981)	Not separately registered

Site No.	HNZ Register Number	Name	Locality	Map No.	Legal Description	Category of HNZ Registration
H47	7527	Annie's Building (Annie's of Winton)	260 Great North Road, Winton	80B	Pt Sec 1 Blk IV, Town of Winton, (CT SL173/25)	Not separately registered
H48	7527	Statesman Restaurant (signed Buchanan Butchery on verandah fascia)	264 Great North Road, Winton	80A, 80B	Lot 2 DP 1217, (CT SL8B/869)	Not separately registered
H49	7527	Winton Pharmacy	266 Great North Road, Winton	80A, 80B	Lot 1 DP 1217, (CT SL8B/271)	Not separately registered
H50	7527	Former Reap Building	280 Great North Road, Winton	80A	Section 5 Blk IV Town of Winton (CT SLA3/500)	Not separately registered
H51	7527	HD Farm Direct and Associated Outbuildings	286 Great North Road, Winton	80A	Pt Sec 7 Blk IV Town of Winton, DCDB Document ID: T 19382	Not separately registered
H52	7527	Post Office (former)	257 Great North Road, Winton	80B	Sec 19 Blk V Town of Winton, (CT SL9D/230)	Not separately registered
H53	7527 (2566)	Jamieson's Restaurant (former)	206-210 Great North Road, Winton	80B	Lot 2 DP 4532, (CT SL179/63)	2
H54	7527 (2567)	Railway Hotel (former)	232-234 Great North Road, Winton	80B	Pt Sec 3 Blk III Town of Winton (CT SL138/5)	2
H55	7527 (2565)	Holy Trinity Church (Anglican)	Corner 252 Great North Road (SH6) and Meldrum Street	80B	Sec 1 and Pt Sec 2, Blk III Town of Winton (CT SL134/123),	2
H67	9046	Tamatea/Dusky Sound Historic Area, Fiordland	Dusky Sound, Fiordland National Park	FRZ.1	Fiordland National Park	Historic Area
H33	9046 (7171)	Richard Henry's House Site and Bird Pen	Sandy Bay Pigeon Island, Dusky Sound, Fiordland	FRZ.1	Dusky Sound, Fiordland National Park	1
H68	9046	Astronomer Point and Cook Creek at Pickersgill Harbour	Dusky Sound, Fiordland National Park	FRZ.1	Fiordland National Park	Not separately registered
H69	9046	Indian Island	Dusky Sound, Fiordland National Park	FRZ.1	Fiordland National Park	Not separately registered
H70	9046	Luncheon Cove, Anchor Island	Dusky Sound, Fiordland National Park	FRZ.1	Fiordland National Park	Not separately registered
H71	9046	Facile Harbour and the Wreck of the Endeavour, Resolution Island	Dusky Sound, Fiordland National Park	FRZ.1	Fiordland National Park	Not separately registered

Site No.	HNZ Register Number	Name	Locality	Map No.	Legal Description	Category of HNZ Registration
H72	9046	The Wreck of the ss Waikare	Dusky Sound, Fiordland National Park	FRZ.1	Fiordland National Park	Not separately registered
H72	9047	Rakituma/Preservation Inlet Historic Area	Preservation Inlet, Fiordland National Park	FRZ.1, FRZ.5, FRZ.6	Fiordland National Park	Historic Area

Historic Heritage of Local Significance						
H57		All Saints Anglican Church, Ryal Bush	257 Ryal Bush Wallacetown Road, Ryal Bush	32	Lot 1 DP 13277 (CT 10C/919)	None
H58		Wyndham Post Office	18 Balaclava Street, Wyndham	83A	Lot 1 DP 12256 (CT SL9D/153)	None
H60		Braxton's House	131 Butson Road, Garston	12	Sec 12, Blk II, Nokomai SD (CT SLB3/1372)	None
H61		McNamee's House	49 Butson Road, Garston	54	Pt Sec 5, Blk III, Kingston SD (CT SL57/214)	None
H62		Naylor House - Stone House and well tiled with stone	27 Naylor Road, Garston	12	Lot 2, DP 381321 (CT SL329423)	None
H63		Stables	4 Garston Athol Highway (SH 6), Garston	54	Lot 2, DP 380830 (CT SL323569)	None
H64		Glenham Tunnel	101 South Wyndham School Road, Glenham/131 Wilson Road, Glenham	39	Section 9, Blk V, Wyndham (CT SL 145/113) and Pt Sec 14, Blk V Wyndham (CT SL126/7)/Pt Sec 11, Blk VI Wyndham (CT SL145/153)	None
H65		Janet Frame's House	13 Ferry Street Wyndham	83	Sec 9 Blk XIV Town of Wyndham (CT SL 143/44)	None
H66		Sinclair Miners Cottage	13 High Street East Nightcaps	61	Lot 1 Blk VII DP 109	None

Archaeological Sites:

Note:

1. The archaeological sites shown on the District Planning Maps are a 'snapshot' of recorded sites known at the time the Plan was notified. The sites are demarcated under the relevant New Zealand Archaeological Association Identification Number (NZAA ID no). References within the District Plan to Schedule 5.2 are intended to also be a reference to the archaeological sites identified on the planning maps. District Plan users

should also check with the New Zealand Archaeological Association Record Keeper for any updates or further information:

NZAA Southland Filekeeper

www.archsite.org.nz/contact

2. All archaeological sites are protected by the Heritage New Zealand Pouhere Taonga Act 2014 whether listed in the District Plan or not. An archaeological authority from Heritage New Zealand will be required to modify, damage or destroy any archaeological site.

Section 5.3 Designations

Table 15 Section 5.3 - Designations

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
Southland District Council - Requiring Authority						
Depot						
D1	Waikaia Depot	Depot	37 & 39 Swalwell Street, Waikaia	Sec 4 & 5 Blk II TN of Waikaia		75
D2	Te Anau Depot	Depot	23 Caswell Street, Te Anau	Sec 770 Blk I Manapouri SD and Lot 2 DP 10441		69
D3	Riverton Depot	Depot	112 & 114 Havelock Street, Riverton	Sec 8 & Pt Sec 9 Blk III TN of Riverton		67B
Waste Management Facility						
D4	Mossburn Waste Management Facility	Waste Management Facility	1525 Mossburn Lumsden Road	Sec 521 Blk I Taringatura SD and Lot 1 DP 14190		60
D5	Lumsden Waste Management Facility	Waste Management Facility	35 Oxford Street, Lumsden	Sec 1425 Hokonui SD		57
D6	Wyndale Waste Management Facility	Waste Management Facility	190 Edendale Wyndham Road, Wyndham	Pt Sec 39 & 40 Blk III TN of Menzies Ferry		34
D9	Wallacetown Waste Management Facility	Waste Management Facility	1 Clyde Street, Wallacetown	Sec 1 Blk XXXVIII TN of Wallacetown		79
D10	Winton Transfer Station	Waste Management Facility	193 Florence Road, Winton	Lot 1 DP 9622		80, 80A, 80B
D11	Stewart Island Waste Management Facility (Transfer Station)	Waste Management Facility	28 Horseshoe Point Road, Stewart Island	Sec 1 SO 322798		44
D12	Te Anau Waste Management Facility	Waste Management Facility	237 Manapouri Te Anau Highway, Te Anau	Lot 1 DP 13497		70, 71

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
D13	Riverton Waste Management Facility	Waste Management Facility	1 Havelock Street, Riverton	Sec 83 Blk XXV Jacobs River HUN		67
D14	Riversdale Waste Management Facility	Waste Management Facility	96 Dunn and Cody Road, Riversdale	Pt Sec 503 Hokonui SD		22
D15	Stewart Island Waste Management Facility (Clean Fill)	Waste Management Facility	47 Braggs Bay Road, Stewart Island/Rakiura	Sec 37 Blk I Paterson SD.		62
Roading						
D16	Lynches Pit	Roading	Dunn and Cody Roads	Sec 1257 Blk XXX Hokonui SD		22
D17	Main Wendonside Pit	Roading	611 Main Wendonside Rd	Sec 25 Blk IV Wendonside SD		17
D18	Waipounamu Pit	Roading	205 Main Wendonside Road, Waipounamu	Sec 1 SO 12102		23
D19	Riversdale Waikaia Pit	Roading	766 Riversdale - Waikaia Road	Sec 14 Blk VII Wendonside SD		23
D20	Tahakopa Pit	Roading	960 Mokoreta - Tahakopa Road	Sec 1 Blk XI Mokoreta SD		40
D21	Ferry Road Pit	Roading	175 Redan Street, Wyndham	Sec 76 Blk VI TN of Wyndham		34 83
D22	Frews Gravel Pit	Roading	101 Graham Road, Tokanui	Pt Sec 3 Blk III Otara SD		42B
D23	McDonald's Pit #1	Roading	755-767 Niagara Tokanui Hwy	Sec 1 of Sec 23 Blk III Waikawa SD		43,
D24	McDonald's Pit #2	Roading	755-767 Niagara Tokanui Hwy	Sec 2 of Sec 23 Blk III Waikawa SD		43
D25	Cameron's Quarry	Roading	1319 Niagara - Tokanui Hwy	Pt Sec 19 and Sec 28 Blk IV Waikawa SD and Sec 28		43
D26	Downs Road Pit	Roading	270 Downs Road South, Edendale	Sec 131E Edendale Settlement		34
D27	Te Tipua Pit	Roading	875 Rakahouka-Hedgehope Road	Pt Sec 53 Blk IV Mabel HUN		33
D28	Wilsons Crossing Pit	Roading	1225 Wilsons Crossing Road-Tussock Creek	Secs 51 and 52 Blk XIV New River HUN		32

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
D29	Grove Bush Gravel Pit	Roading	110 Tramway Road, Grove Bush	Sec 45 Blk V Mabel HUN		33
D30	Waghorn Pit	Roading	200 Waituna Lagoon Road Gorge Road	Sec 21 Blk XII Oteramika HUN		38, 41
D31	Viners Pit	Roading	195 Lincoln Road, Oporo Spar Bush	Sec 50 SO 331		32
D32	Winton Bridge Pit	Roading	195 Winton - Wreys Bush Hwy	Sec 249 Blk VII Oreti HUN		27
D33	Mavora Lakes Road Pit	Roading	Mavora Lakes Rd	Sec 6 Blk III Burwood SD		10
D34	Holmesdale Pit # 1	Roading	265 Mossburn Lumsden Highway	Secs 8 and 9 Blk VI Village of Holmesdale		16
D35	Holmesdale Pit #2	Roading	31 Keown Road, Castlerock	Sec 12 Blk VI Village of Holmesdale		16
D36	Nuttals Pit	Roading	725 Pourakino Valley Road	Sec 25 Blk XX Jacobs River HUN		31
D37	Jones' Pit	Roading	250 Carmichael Road- Riverton	Secs 63 and 64 and Pt Sec 47 Blk IV Jacobs River HUN		32
D38	Carmichael's Pit	Roading	33 Webb Road, Thornbury	Pt Sec 31 Blk IX Jacobs River HUN		72
D39	Browns Pit	Roading	97 Webb Road- Thornbury	Pt Sec 47 Blk VII Jacobs River HUN		72
D40	Grove Burn Pit	Roading	130 and 132 Grove Burn Road, Rowallan	Lot 1 DP 7935 and Sec 33 Blk III Alton SD		74
D41	Te Waewae Pit	Roading	181 Fishing Camp Road, Te Waewae	Secs 1 & 2 SO 9942		30C
D42	Centre Hill Pit	Roading	680 Centre Hill Road	Sec 2 SO 11265		10
D248	Seaward Downs Pit	Roading	140 Stalker Settlement Road, Seaward Downs	Sec 12S Stalker SETT		39
D249	Kamaha Road Pit	Roading	48 Kamaha Road East, Menzies Ferry	Lot 1 DP 13911		34
D250	Orawia River Bridge Pit	Roading	2136 Ohai Clifden Highway, Eastern Bush	Pt Lot 1 DP 3108		25
D251	Lawson's Pit	Roading	24 Hills Road, Morton Mains	Lot 1 DP 2688		38

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
Public Utility						
D43	Water Supply (Wairio Reservoir)	Public Utility	1698 Otautau Nightcaps Road, Wairio	Sec 1 SO 11199		26
D44	Water Supply (Morley Stream)	Public Utility	496 Nightcaps Ohai Highway, Ohai	Pt Sec 284, Sec 370 Blk III Wairio SD and Pt Sec 41 Blk XXVII Wairaki SD		63
D45	Mossburn Water Supply	Public Utility	4A Sommerset Street, Mossburn	Lot 1 DP 11018		60
D46	Lumsden Wastewater Treatment Facility	Public Utility	22 & 32 Oxford Street, Lumsden	Sec 1280 Hokonui SD and Sec 1 SO 363772		57
D47	Riversdale Wastewater Treatment facility	Public Utility	2 Boston Street, Riversdale	Pt Lots 5 & 6 DP 92		66
D48	Balfour Wastewater Treatment Facility	Public Utility	4 Kruger Street, Balfour	Sec 1240 Block XXI Hokonui SD		47
D49	Tokanui Wastewater Treatment Facility	Public Utility	11B McEwan Street, Tokanui	Lot 1 DP 8315		73
D51	Winton Wastewater Treatment Facility	Public Utility	3 Gap Road West Winton	Lot 1 DP 5815 & Lot 8 DP 731		81
D52	Oban Wastewater Treatment Facility	Public Utility	225 Back Road, Stewart Island	Sec 165 Blk I Paterson SD		44
D53	Winton Water Pumpstation	Public Utility	81 Winton Substation Road, Winton	Lot 1 DP 9167		80
D54	Winton Water Tower	Public Utility	20 Wemyss Street, Winton	Lot 1 DP 4757		80A, 80B

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
D55	Winton Water Supply	Public Utility	190 Florence Street, Winton	Lot 2 DP 2059		80A, 80B
D56	Ohai Wastewater Treatment Facility	Public Utility	177 Birchwood Road, Ohai	Pt Lot 19 DP 1289		63
D57	Ohai Wastewater Pumpstation	Public Utility	134 Birchwood Road, Ohai	Pt Lot 21 DP 1289		63
D58	Manapouri Water Supply	Public Utility	17 Hillside Manapouri Road, Manapouri	Sec 41 Blk X TN of Manapouri		58
D59	Te Anau Water Supply (Reservoir)	Public Utility	120 Te Anau Milford Highway, Te Anau	Sec 23 & 36 Blk IX Mararoa SD		69
D60	Te Anau Wastewater Treatment Facility	Public Utility	67 and 101 Upukerora Road, Te Anau	Pt Sec 760 Blk and Sec 1056 Manapouri SD and Lot 15 DP 15395		69
D61	Te Anau Wastewater Treatment Facility and Toilets	Public Utility	9 Mokonui Street, Te Anau	Sec 571 Blk I Manapouri SD and Pt Lot 32 Blk I DP 280		69B
D62	Water Catchment Protection	Public Utility	496 Nightcaps Ohai Highway, Ohai	Sec 221, 288 Block III & 298 Wairio SD		63
D63	Otautau Water Supply	Public Utility	19 Liemen Street, Otautau	Lot 1 DP 6135		65
D64	Otautau Water Supply (Reservoir)	Public Utility	186 Knutsford Road, Otautau	Lot 1 DP 6136		65
D65	Riverton Rocks Highway Wastewater Treatment Facility	Public Utility	190B, 370 and 390 Rocks Highway Riverton	Lot 1 DP 10568 & Sec 21 Blk 11 Jacobs River HUN and Lot 6 DP 10771 (part of)		68
D66	Riverton Water Supply	Public Utility	2 -20 High Street, Riverton	Secs 5 - 23 Blk XXII TN of Riverton		67

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
D67	Riverton Wastewater Treatment Facility	Public Utility	1 Havelock Street, Riverton	Sec 83 Blk XXV Jacobs River HUN		67
D68	Oban Wastewater Treatment Facility	Public Utility	71 Back Road, Stewart Island	Sec 1 SO 12113		62
D69	Browns Wastewater Treatment Facility	Public Utility	24 McCaughan Street, Browns	Pt Lot 1 DP 14375 and Pt Lot 1 DP 2881	Secondary Designation to D113 Hillside Primary School	48
D70	Gorge Road Wastewater Treatment Facility	Public Utility	2273 Gorge Road	Lot 2 DP 14879 (part of)		55
D71	Manapouri Wastewater Treatment Facility	Public Utility	65 View Street, Manapouri	Pt Sec 64 Blk 1 Takitimu SD		58
D72	Monowai Wastewater Treatment Facility	Public Utility	82 Turbine Drive Monowai	Lot 15 DP 15003		19
D73	Nightcaps Wastewater Treatment Facility	Public Utility	50 Leithen Street Wairio	Section 1 SO Plan 11630, Section 1 SO 12098		61
D74	Otautau Wastewater Treatment Facility	Public Utility	190 Otautau Drummond Road, Otautau	Sec 1 SO 12136		65
D75	Tuatapere Wastewater Treatment Facility	Public Utility	89 Erskine Road, Tuatapere	Sec I SO 390559		74
D76	Winton Wastewater Pump Station	Public Utility	3 Dejoux Road, Winton	Lot 7 DP 13625		81
D77	Edendale Wyndham Wastewater Treatment Facility	Public Utility	155 Edendale Wyndham Road, Edendale	Secs 34, 35 & 36 Blk III Matura HUN and part of Lot 3 DP 3312		34

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
D78	Te Anau Water Supply	Public Utility	177 Te Anau Terrace, Te Anau	Part Secs 678, 690 and 1059 Blk 1 Manapouri SD		69
D79	Tuatapere Water Supply	Public Utility	51 Elder Drive, Tuatapere	Sec 172 Blk III Alton SD		74
D81	Edendale Water Supply	Public Utility	96 Homestead Road, Edendale	Sec 2 & 4 SO 429781		34
D82	Energy Facilities	Public Utility	12 Hicks Road Stewart Island	Lot 1 DP 12638 Blk I Paterson SD		62A
D254	Curio Bay Wastewater Treatment Plant	Public Utility to establish, operate and maintain a Wastewater Treatment Plant at Curio Bay	550 Waikawa Curio Bay Road, Curio Bay	Lot 7, DP 431152	Yes	43, 43B

Cemetery

Southland District Council Cemeteries to be designated.

D83	Otautau Cemetery	Cemetery	18 Bayswater Road, Otautau	Pt Sec 34 & 35 TNSP of Hodgkinson (1879) and Pt Sec 76 TN of Hodgkinson		65
D84	Wyndham Cemetery	Cemetery	373 Mimihau School Road, Wyndham	Sec 26 Blk I Wyndham SD		34
D85	Historic Mokoreta Cemetery	Cemetery	117 Mokoreta Tahakopa Road, Mokoreta	Sec 3 SP 10516, Pt Sec 35 Blk IV Mokoreta SD		40
D86	Historic Winton Cemetery	Cemetery	2693 Dipton Winton Highway, Winton	Secs 9 - 12 Blk I TN of East Winton		80
D87	East Winton Cemetery	Cemetery	25 Devereux Road, Winton	Lot 1 DP 2751		27, 32, 33
D88	Halfmoon Bay Cemetery	Cemetery	13 Mapau Road , Stewart Island	Sec 7 Blk I Paterson SD and part of Horseshoe Bay Road reserve.		62
D89	Wairio Cemetery	Cemetery	22 Nightcaps Ohai Road, Nightcaps	Sec 191 Blk IV Wairio SD, Sec 326 Wairio SD		61
D90	Lynwood Cemetery	Cemetery	227 and 229 Whitestone Road, Te Anau	Sec 43 Blk IV Mararoa SD & Sec 1 SO 12314		9

Desig No.	Requiring Authority and Designation Name	"Purpose"	Location	Legal Description	Conditions	Map
D91	Wreys Bush Cemetery	Cemetery	212 Durham Street, Wreys Bush	Sec 175 Wairio SD		26
D92	Dipton Cemetery	Cemetery	1838 South Hillend - Dipton Road, Dipton	Sec 268 Taringatura SD		50
D93	Lumsden Cemetery	Cemetery	14 Lumsden Riversdale Highway, Lumsden	Sec 241B Hokonui SD		57
D94	Centre Hill Cemetery	Cemetery	20 Cemetery Road, Mossburn	Sec 12 Blk III Centre Hill SD		16
D96	Riverton Cemetery	Cemetery	93 Riverton Otautau Road, Riverton	Lot 1 DP 3956 & Secs 39 & 39A Blk VI Jacobs River HUN		36C,
D97	Edendale Cemetery	Cemetery	5 Scenic Reserve Road, Edendale	Pt Sec 132E Edendale SETT		34
D98	Woodlands Cemetery	Cemetery	5 Woodlands Cemetery Road, Woodlands	Lot 45 DP 115		82
D99	Horseshoe Bay (Stewart Island) Cemetery	Cemetery	16 Horseshoe Point Road, Stewart Island	Sec 2 SO 322798		44
D100	Wallacetown Cemetery	Cemetery	4 Ailsa Street, Wallacetown	Sec 66 Blk XVI New River HUN		79
D101	Historic Wallacetown Cemetery	Cemetery	24 Cumnock Street, Wallacetown	Sec 59 Blk XVI New River HUN		79
D103	The Settlers Cemetery, Otautau	Cemetery	36 Knutsford Road, Otautau	Sec 7 Blk VIII TN of Otautau		65
D104	Tararua Acre Cemetery	Cemetery	237 Waipapa Otara Road, Haldane	Sec 29 Blk I Otara Survey District		42B
Airports						
D105	Te Anau Airport Manapouri	Airport	1627 Manapouri Te Anau Highway (SH 95)	Sec 7 Blk IV Manapouri SD and Lot 3 DP 364549		9, 85, 86
D106	Flight Paths, Te Anau Airport Manapouri	Airport	Manapouri Te Anau Highway	Various		9, 10, 14, 15, 85, 86

Kordia Telecommunications Ltd (Formally Broadcast Communications Ltd)						
D107	Kordia Telecommunications Ltd	Television Transmitter Site	349 Bushy Park Road Hedgehope	Lot 1 and 2 DP 15331		28
Invercargill City Council						
D108	Invercargill City Council	Branxholme Water Treatment Plant Purpose: To allow development of water treatment at Branxholme	86-92 Turkey Bush Road, Branxholme	Section 60 Blk XIV New River HUN		32
Minister of Education						
D110	Minister of Education	Aparima College	33 Leader Street, Riverton	Pt Sec 12-13, 16, 16A, Sec 11, 14-15, 17, 17A, 26, 36 Blk XXV Jacobs River HUN		67, 67B
D111	Minister of Education	Balfour Primary School	131 Queen Street, Balfour	Pt Sec 4 of 242 Hokonui SD and Lot 8 DP 759		47
D113	Minister of Education	Hillside Primary School	24 McCaughan Street, Browns	Pt Lot 1 DP 2881 Blk III Winton HUN and Blk VII Forest Hill HUN and PT Lots 1 & 2 DP 118 Blk III Winton		48
D114	Minister of Education	Central Southland College	174 Grange Street, Winton	Pt Sec 7 Blk I Winton HUN, closed road Blk Winton HUN, Lot 5 Blk III Winton HUN, Pt Sec 7, Sec 32 Blk VI Winton HUN		80
D115	Minister of Education	Hauroko Valley Primary School	State Highway 96, Clifden	Sec 15 Blk I Lillburn SD		25
D116	Minister of Education	Dipton Primary School	1935 South Hillend Dipton Road, Dipton	Sec 1 Blk XI Town of Dipton		50
D117	Minister of Education	Drummond Primary School	5 Domain Road, Drummond	Lot 13 DP 276		51
D118	Minister of Education	Edendale Primary School	24 Salford Street, Edendale	Secs 1-17 Blk I Town of Edendale, Secs 1-8 Blk II Town of Edendale, Secs 1-8 Blk III Town of Edendale		52, 52A

D119	Minister of Education	Fiordland College	2 -18 Howden Street, Te Anau	Sec 987 Blk I Manapouri SD		69
D120	Minister of Education	Garston Primary School	1705 Kingston-Garston Highway (SH 6)	Allot 1 DP 430		54
D121	Minister of Education	Glenham Primary School	Glenham School Road, Glenham	Lot 9 DP 269 Lot 1 DP 3612 & Sec 64 Blk V Wyndham SD		39
D122	Minister of Education	Gorge Road Primary School	32 Tokanui Gorge Road	Pt Sec 45 Blk Oteramika HUN		55
D123	Minister of Education	Halfmoon Bay Primary School	Ayr Street, Halfmoon Bay	Secs 3-7 & Pt Secs 20 & 21 Blk I Town of Oban		62
D124	Minister of Education	Heddon Bush Primary School	Hall Road, Heddon Bush	Sec 186 Blk XV Oreti HUN		26
D125	Minister of Education	Hedgehope Primary School	2248 - 2250 Winton-Hedgehope Road, Hedgehope	Pt Sec 186 DP 300 & Lot 1 DP 2812 & Lot 1 DP 3335 Blk V Forest Hill HUN		33
D126	Minister of Education	Isla Bank Primary School	Lindsay-Calcium Road, Isla Bank	Pt Sec 15 Blk XV Jacobs River HUN		32
D127	Minister of Education	Limehills Primary School	8-14 Derby Road, Limehills	Blk XXXIII, Town of Limehills		56
D128	Minister of Education	Lochiel Primary School	Smith Road, Lochiel	Pt Sec 1 Blk II Town of Lochiel		32
D129	Minister of Education	Lumsden Primary School	19 Maria Street, Lumsden	Sec 1 SO 428303		57
D130	Minister of Education	Mararoa Primary School	State Highway 94, The Key	Pt Sec 7 Blk II Mararoa SD		9
D131	Minister of Education	Menzies College	4 Alma Street, Wyndham	Pt Sec 61, Sec 74 & 83 BlkVI Town of Wyndham, closed street Blk VI Town of Wyndham (part of)		83
D132	Minister of Education	Mossburn Primary School	Surrey Street, Mossburn	Sec 14 Blk II Village of Mossburn		60
D133	Minister of Education	Northern Southland College	33-51 Maria Street, Lumsden	Pt Lots 1 Blk 1 DP 127 Sec 1151 Hokonui SD, Pt Sec 1152 Hokonui SD, Pt Lot 1-3 Blk II DP 127		57
D134	Minister of Education	Otautau Primary School	Grey Street, Otautau	Lots 9-24 Blk VI DP 76		65

D135	Minister of Education	Rimu Primary School	442 Rimu Road, Rimu	Pt Sec 9 Blk VII Invercargill HUN	38
D136	Minister of Education	Riversdale Primary School	Rutland Street, Riversdale	Lots 1-20 Blk VI DP 67 Blk XXXI Hokonui SD	66, 66A
D137	Minister of Education	Riverton Kindergarten	120 Havelock Street, Riverton	Sec 28 Blk III Town of Riverton	67B
D138	Minister of Education	Riverton Primary School	7 Leader Street, Riverton	Sec 1 SO 11952, Pt Sec 5, Sec 7 Blk XXV Jacobs River HUN, Pt Lot 3 DP 4671	67, 67B
D139	Minister of Education	Takitimu Primary School	11 Evans Street, Nightcaps	Lot 1 DP 4584, Pt 1 Lot DP 2378	61
D140	Minister of Education	Te Anau Kindergarten	181 Milford Road, Te Anau	Sec 412 Blk I Manapouri SD	69A
D141	Minister of Education	Te Anau Primary School	163 Milford Road, Te Anau	Sec 409-412, 415-417 Blk I Manapouri SD, Sec 426 Blk I Manapouri SD, Pt Lot 3 Blk III DP 280	69A, 69B
D142	Minister of Education	Te Tipua Primary School	5 Te Tipua Primary School Road, Te Tipua	Lot 1 DP 2410 Blk III Lindhurst HUN	34
D143	Minister of Education	Thornbury Primary School	29 Muriel Street, Thornbury	Lots 1-9 & 11-13 DP 30 being Pt Sec 21, Blk VII Jacobs River HUN	72
D144	Minister of Education	Tokenui Primary School	Duncan Street, Tokenui	Pt Sec 6 Pt Lot 13 & Lot 14 DP 1211 Blk IV Otago SD	73
D145	Minister of Education	Tuturau Primary School	Shanks Road, Tuturau	Lot 1 DP 417357	34
D146	Minister of Education	Waianiwa Primary School	Argyle-Otahuti Road, Waianiwa	Pt Sec 1 Blk XVI New River HUN	32
D147	Minister of Education	Waiau Area School	47 Orawia Road, Tuatapere	Lot 1 DP 3841 situated in Blk XIII Waiau SD, Sec 34, Pt Sec 35, Sec 36, Pt Sec 37, Sec 38 Blk XIII Waiau SD, Sec 41-44 TN of Tuatapere situated in Blk XIII Waiau SD, Lot 2 DP 486875.	74
D148	Minister of Education	Waikaia Primary School	Leamington Street, Waikaia	Secs 8-11, 17-20 Blk VIII & Secs 17-	75

				21 Blk XIII Waikaia Township		
D150	Minister of Education	Wallacetown Primary School	34 Mauchline Street, Wallacetown	Secs 1-9 & 19-22 Blk VIII Town of Wallacetown		79
D151	Minister of Education	Winton Primary School	Great North Road, Winton	Secs 1-12 Blk VII Town of Winton		80, 81
D152	Minister of Education	Woodlands Primary School	8 Woodlands-Morton Mains Road	Lot 91 DP 115 Blk VI Oteramika HUN		82
D153	Minister of Education	Wyndham Primary School	35 Florence Street, Wyndham	Pt Secs 60, 61, 75 & 77 & Closed Street Blk VI Town of Wyndham (part of)		83
Minister of Police						
D154	Minister of Police	Ohai Police Station	71 Birchwood Road, Ohai	Lot 4 DP 1934		63
D155	Minister of Police	Otautau Police Station	154 Main Street, Otautau	Sec 5 Blk I Town of Otautau		65A
D156	Minister of Police	Riversdale Police Station	Newcastle, Rutland and Lincoln Streets, Riversdale	Lots 5, 6 & 11 Blk VII, DP 67 Blk XXXI, Hokonui SD		66A
D157	Minister of Police	Riverton Police Station	31 & 33 Napier Street, Riverton	Lot 13 DP 64, Blk XXV Jacobs River HUN and Lot 1 DP 4282		67B
D158	Minister of Police	Stewart Island Police Station	Cnr Golden Bay Road and View Street, Oban	Lot 1 DP 4365, Blk I, Paterson SD		62
D159	Minister of Police	Te Anau Police Station	196 Milford Road, Te Anau	Lot 2 DP 13727		69A
D160	Minister of Police	Tuatapere Police Station	Main Street, Tuatapere	Lot 4 DP 1562, Blk XIII, Waiau SD		74A
D161	Minister of Police	Winton Police Station	297 Great North Road, Winton	Lot 1 DP 10978		80A
D162	Minister of Police	Wyndham Police Station	1 Balaclava Street, Wyndham	Sec 3,& 4, Blk XV, Town of Wyndham		83
The New Zealand Railways Corporation						
Notation: Railway Purposes						
D163	The New Zealand Railways Corporation	Main South Line- the operation, enhancement and maintenance of the rail network	From Gore Boundary to Invercargill City Boundary	Various		33, 34, 38, 39, 52, 52A, 82

D164	The New Zealand Railways Corporation	Ohai Line - the operation, enhancement and maintenance of the rail network	From Invercargill City Boundary to Ohai	Various		20, 26, 31, 32, 33, 38, 61, 63, 65, 65A, 72, 78
The Power Company Ltd						
Notation: Electricity Zone Substation, Depot and Ancillary Purposes						
D165	The Power Company Ltd	Lumsden Depot	Between Tauna and Ida Streets, Lumsden	Secs 16, 17 and 18 Blk XIII Town of Lumsden		57A
Notation: Electricity Zone Substation and Ancillary Purposes						
D166	The Power Company Ltd	Edendale Substation - Electricity Zone Substation and Ancillary Purposes	Salford Street, Edendale	Lot 3 DP 11580 Pt Sec II Blk II Town of Edendale check	Yes	52
D167	The Power Company Ltd	Ohai Substation - Electricity Zone Substation and Ancillary Purposes	Bluebottle Road, Ohai	Lot 1 DP 14954 SL 12A/365/5390 m2 check	Yes	63
D168	The Power Company Ltd	Browns Substation - Electricity Zone Substation and Ancillary Purposes	Zwies Road, Browns	Pt Lot DP 3968 Blk VII Forest Hill HUN /119 m2	Yes	48
D169	The Power Company Ltd	Centre Bush Substation - Electricity Zone Substation and Ancillary Purposes	Hundred Line Road, Centre Bush	Section 1 SO 8970/900 m2	Yes	27
D170	The Power Company Ltd	Dipton Substation - Electricity Zone Substation and Ancillary Purposes	Hamilton Burn Road, Dipton	Pt Lot 12 Blk XII Dipton Town, DP 244/1007 m2	Yes	50
D171	The Power Company Ltd	Glenham Substation - Electricity Zone Substation and Ancillary Purposes	Pollock Road, Glenham	Sec 1 SO 8828/150 m2	Yes	39
D172	The Power Company Ltd	Gorge Road Substation - Electricity Zone	Tokanui - Gorge Road Highway	Sec 67 Blk IX Oteramika HUN/2,421 m2	Yes	55

		Substation and Ancillary Purposes				
D173	The Power Company Ltd	Heddon Bush Substation - Electricity Zone Substation and Ancillary Purposes	917 - 919 Drummond Heddon Bush Road, Heddon Bush	Sec 280, 281, & 288 Blk XIV, Oreti HUN	Yes	26
D174	The Power Company Ltd	Hillside Substation - Electricity Zone Substation and Ancillary Purposes	State Highway 94	Sec 18 Blk III Mararoa SD	Yes	9
D175	The Power Company Ltd	Lumsden Substation - Electricity Zone Substation and Ancillary Purposes	Lumsden - Riversdale Highway	Sec 1 SO 6560	Yes	57
D176	The Power Company Ltd	Makarewa Substation - Electricity Zone Substation and Ancillary Purposes	Branxholme Makarewa Road, Makarewa	Sec 1 SO 10076	Yes	32
D177	The Power Company Ltd	Otautau Substation- Electricity Zone Substation and Ancillary Purposes	Otautau Wreys Bush Road, Otautau	Pt Sec 19 Blk II Aparima HUN	Yes	26, 31
D178	The Power Company Ltd	Orawia Substation - Electricity Zone Substation and Ancillary Purposes	Chamberlain Road, Orawia	Sec 1 SO 7872	Yes	25
D179	The Power Company Ltd	Riversdale Substation - Electricity Zone Substation and Ancillary Purposes	Cnr Brighton and York Streets, Riversdale	Sec 1 SO 7830	Yes	66
D180	The Power Company Ltd	Riverton Substation - Electricity Zone Substation and Ancillary Purposes	Albany Street, Riverton	Lot 1 DP 12299 Blk VI Jacobs River HUN/3975 m2	Yes	67

D181	The Power Company Ltd	Te Anau Substation - Electricity Zone Substation and Ancillary Purposes	State Highway 94, Te Anau	Sec 1 SO 7060	Yes	70
D182	The Power Company Ltd	Tokanui Substation - Electricity Zone Substation and Ancillary Purposes	Wilks Road, Tokanui	Sec 1 SO 6752	Yes	73
D183	The Power Company Ltd	Underwood Substation - Electricity Zone Substation and Ancillary Purposes	201 Wallacetown Lorneville Highway, Underwood	Sec 1 SO 6554	Yes	37
D184	The Power Company Ltd	Monowai Substation - Electricity Zone Substation and Ancillary Purposes	160 Turbine Drive, Monowai	Contained within Lot 1 DP 332486 / 375798 m2	Yes	19
D185	The Power Company Ltd	North Makarewa Substation - Electricity Zone Substation and Ancillary Purposes	89 Counsell Road, Makarewa North	Sec 1 SO 11686 / 6,000 m2	Yes	33
D186	The Power Company Ltd	Mossburn Substation - Electricity Zone Substation and Ancillary Purposes	44 Dyer Road, Barnhill, Mossburn	Sec 1 SO 10705 / 1.2439 ha	Yes	16
D187	The Power Company Ltd	Winton Substation - Electricity Zone Substation and Ancillary Purposes	203 and 211 Winton Substation Road, Winton	Sec 1 SO 10655, Sec 1 SO 7446 Blk VI Winton HUN / 1.4303 ha	Yes	80
D188	The Power Company Ltd	Lumsden Transformer Site - Electricity Transformer and Ancillary Purposes	47 Maria Street, Lumsden	Sec 1 SO 10619	Yes	57
D189	The Power Company Ltd	Lumsden Transformer Site - Electricity Transformer	33 Diana Street, Lumsden	Lot 3 DP 11770 Blk X Town of Lumsden	Yes	57A

		and Ancillary Purposes				
D190	The Power Company Ltd	Te Anau Transformer Site - Electricity Transformer and Ancillary Purposes	Pompolona Street, Te Anau	Sec 1 SO 9932	Yes	69A
D191	The Power Company Ltd	Tuatapere Transformer Site - Electricity Transformer and Ancillary Purposes	49A Orawia Road, Tuatapere	Sec 1 SO 10569	Yes	74
D192	The Power Company Ltd	Mid Dome Repeater - Electricity Repeater and Ancillary Purposes	Mid Dome	Marked A SO 12318	Yes	11, 17
D193	The Power Company Ltd	Mount York Repeater - Electricity Repeater and Ancillary Purposes	Mount York	Sec 248, Blk II, Takitimu SD SO 7950. 248 m2	Yes	14
D253	The Power Company Ltd	White Hill Substation - Electricity Zone Substation & Ancillary Purposes	Felton Road, Mossburn	Pt Lot 1 DP 338582	Yes	16
D255	The Power Company Ltd	Electricity Zone Substation including all buildings, structures, lines and ancillary purposes	100 Boundary Road, Drummond	Lot 4, DP 456725	Yes	32
D256	The Power Company Ltd	Athol Fiver Rivers Substation - Electricity Zone Substation and Ancillary Purposes	Road Reserve adjacent to 375 Athol Five Rivers Highway, Athol		Yes	11
D257	The Power Company Ltd	Winton Hedgehope Substation - Electricity Zone Substation and Ancillary Purposes	2014 Winton Hedgehope Highway, Hedgehope	Lot 1 DP 471983	Yes	33

Meteorological Service of New Zealand Ltd						
Notation: Weather Station						
D194	Meteorological Service	Lumsden AWS	Maria Street, Lumsden	Lot 5 Blk II DP 127		57
D195	Meteorological Service	Manapouri AWS	Manapouri Aerodrome	Lot 3 DP 364549		86
Chorus NZ Ltd (Chorus)						
Notation: Telecommunication and Radio Communication and Ancillary Purposes						
Primary Requiring Authority						
D196	Chorus	Bald Hill Microwave Station	Bald Hill, Longwood Range, Otautau	Pt Sec 1 SO 12155		31
D197	Chorus	Balfour Exchange	74 Queen Street, Balfour / 1063 m2	Lot 1 DP 3745 being Pt Sec of Town of Balfour		47
D198	Chorus	Bridge Road Radio Station	121 Bridge Road, Roslyn Bush/ 1370 m2	Lot 1 DP 12448 being Pt Sec 31 Blk V Invercargill HUN		38
D199	Chorus	Dipton Exchange	71 George Street, Dipton /360 m2	Sec 1 SO 9758 Pt Sec 2 Blk XI Town of Dipton		50
D201	Chorus	Edendale Exchange	21 Hunter Street, Edendale/ 1012 m2	Lot 30 DP 13		52A
D202	Chorus	Garston Exchange	484 Garston Athol Highway, Garston/ 302 m2	Crown Land Blk IV Nokomai SD		12
D203	Chorus	Halfmoon Bay Exchange	42 Elgin Terrace, Oban/ 734 m2	Lot 2 DP 12995		62
D204	Chorus	Halfmoon Bay UHF Station	Deep Bay Road, Oban/ 688 m2	Pt Sec 17 Blk I Paterson SD		62
D205	Chorus	Kapuka Exchange	1774 Gorge Road Invercargill Highway, Kapuka/ 301 m2	Pt Sec 14 Blk IV Oteramika HUN		38
D206	Chorus	Lumsden Exchange	10 and 12 Ida Street, Lumsden/ 2024 m2	Secs 8 & 9 Blk XIII Town of Lumsden		57A
D207	Chorus	Manapouri Exchange	47 Hillside Manapouri Road, Manapouri/ 278 m2	Sec 1 SO 7944 Town of Manapouri		58
D208	Chorus	Mossburn Exchange	6 York Street, Mossburn/ 1740 m2	Lot 2 DP 14079		60
D209	Chorus	Mt Prospect Microwave Station	Mt Prospect, Te Anau/ 1.1056ha	Sec 1 SO 11957		10

D210	Chorus	Nightcaps Exchange	5 and 7 High Street East, Nightcaps/ 539 m2	Lot 4 & 5 Blk VII DP 109 Wairio SD		61
D211	Chorus	Ohai Exchange	71 Birchwood Road, Ohai/ 1211 m2	Lot 4 DP 1934 Blk III Wairio SD		63
D212	Chorus	Orawia Exchange	2289 Ohai Clifden Highway, Orawia/ 301 m2	Section 1 SO 6215		25
D213	Chorus	Orepuki Exchange	13 Frentz Road, Pahia/ 278 m2	Sec 1 SO 8879		59
D214	Chorus	Otautau Exchange	148 Main Street, Otautau/ 1600 m2	Sec 1 SO 11560		65A
D215	Chorus	Riversdale Exchange	Cnr Newcastle and Durham Streets, Riversdale/ 1012 m2	Lot 1 DP 12340 Hokonui SD		66A
D216	Chorus	Riverton Exchange	111 Bath Road, Riverton/ 1012 m2	Sec 21 Blk IV Town of Riverton		67B
D217	Chorus	Ryal Bush Exchange	126 Collinson Road, Ryal Bush/ 480 m2	Sec 1 SO 10313		32
D218	Chorus	Te Anau Exchange	86 Town Centre, Te Anau/ 1979 m2	Sec 1 SO 11559		69B
D219	Chorus	The Key Exchange	2377 Te Anau Mossburn Highway, The Key/ 809 m2	Sec 16 Blk II Mararoa SD		9
D220	Chorus	Thornbury Exchange	39 Foster Road, Thornbury / 464 m2	Sec 1 SO 8969		72
D221	Chorus	Tokanui Exchange	2623 Tokanui Gorge Road Highway, Tokanui/ 1012 m2	Sec 1 SO 7205		73
D222	Chorus	Tuatapere Exchange	38 Orawia Road (SH 96) Tuatapere/ 809 m2	Sec 246 Blk XIII Waiau SD		74
D223	Chorus	Waianiwa Exchange	232 Argyle Otahuti Road, Waianiwa/ 430 m2	Sec 1 SO 6161		32
D224	Chorus	Waikaia Exchange	45 Newburn Street, Waikaia/ 1012 m2	Sec 9 Blk XIV Town of Waikaia		75
D225	Chorus	Waimahaka Exchange	8 Waimahaka Fortification Road, Waimahaka/ 994 m2	Sec 1 SO 7459		77
D226	Chorus	White Hill Microwave Station	660 Cumming Road, Lumsden/ 1576 m2	Sec 1 SO 11955		21, 16
D227	Chorus	Winton Exchange	34 Springford Road, Winton/ 1291 m2	Sec 15 Blk XXII Town of Winton		80A, 80B
D228	Chorus	Woodlands Exchange	8 Wyeth Road, Woodlands/ 274 m2	Pt Lot 2 DP 1927 being Pt Sec 12 Blk VI Invercargill HUN		82

D229	Chorus	Wyndham Exchange	14 and 16 Balaclava Street, Wyndham/ 1404 m2	Lots 2 &4 DP 12256		83A
Spark New Zealand Trading Ltd (Spark)						
Notation: Telecommunication and Radio Communication and Ancillary Purposes						
Secondary Requiring Authority						
D230	Spark	Bald Hill Microwave Station	Bald Hill, Otautau, 0 m2.	Pt Sec 1 SO 12155		31
D231	Spark	Halfmoon Bay UHF Station	Deep Bay Road, Oban/ 688 m2	Pt Sec 17 Blk I Paterson SD		62
D232	Spark	Mt Prospect Microwave Station	Mt Prospect, Te Anau/ 30,000 m2	Pt Run 640 Mararoa SD		10
D233	Spark	Otautau Exchange	148 Main Street, Otautau/ 1600 m2	Sec 1 SO 11560		65A
D234	Spark	White Hill Microwave Station	Cumming Road, Lumsden/ 1576 m2	Sec 1 SO 11955		16, 21
D235	Spark	Woodlands Exchange	Wyeth Road, Woodlands/ 274 m2	Pt Lot 2 DP 1927 being Pt Sec 12 Blk VI Invercargill HUN		82
Transpower NZ Ltd						
Notation: "Electricity Substation"						
D236	Transpower NZ Ltd	Edendale Substation	80 Salford Street, Edendale/ 1.5527ha	Lot 3 DP 11580 & Pt Sec II Blk II Town of Edendale		52
D237	Transpower NZ Ltd	North Makarewa Substation	68 Counsell Road, Makarewa/ 13.0140 ha	Sec 1 SO 11686		33
Notation: "Outdoor Switchyard"						
D238	Transpower NZ Ltd	Manapouri Outdoor Switchyard	Lake Manapouri, Fiordland National Park	Sec 2, SO 12304, Fiordland National Park		
New Zealand Transport Agency (NZTA)						
Notation: "State Highway Purposes"						
D239	New Zealand Transport Agency	State Highway 1	From south boundary of Gore District to east boundary of Invercargill City			33, 34, 38, 52, 82, 52A
D240	New Zealand Transport Agency	State Highway 6	From north boundary Invercargill City to Southland District Council boundary at Kingston			6, 7, 11, 12, 16, 17, 21, 22, 27, 32, 33, 38, 46, 50,

						54, 56, 57, 57A, 80, 80A, 80B, 81
D241	New Zealand Transport Agency	State Highway 94	From west boundary of Gore District to Milford Sound			1,2, 4, 9, 10, 15, 16, 17, 22, 23, 28, 47, 57, 57A, 60, 66, 66A, 69, 69A, 70, 85
D242	New Zealand Transport Agency	State Highway 95	From Te Anau to Manapouri			9, 14, 58, 69, 70, 71, 85, 86
D243	New Zealand Transport Agency	State Highway 96	West Boundary of Gore District to Ohai			20, 26, 27, 32, 33, 34, 48, 61, 63, 80, 80A
D244	New Zealand Transport Agency	State Highway 98	From intersection of State Highway 1 at Dacre to intersection with State Highway 6 at Lorneville			33, 38
D245	New Zealand Transport Agency	State Highway 99	From northern boundary of Invercargill City to Clifden			25, 30, 30C, 31, 32, 36, 36A, 36B, 36C, 37, 38, 49, 59, 64, 67, 67A, 67B, 72, 74, 74A, 74B, 79
D252	New Zealand Transport Agency	State Highway 97	Five Rivers to Mossburn Road (SH97) from its intersection with State Highway 6 at the eastern extent to			16, 60

			its intersection with State Highway 94 at the western extent.			
Radio New Zealand Ltd						
D246	Radio New Zealand Ltd	Radio communication and telecommunication (including broadcasting) and ancillary purposes and land uses	756 Edendale Woodlands Highway, Dacre (State Highway 1)	Section 3 Blk XIX Town of Dacre		33
Invercargill Airport Ltd						
D247	Invercargill Airport Ltd	Airport approach and land use controls - eastern extent.	Airspace surfaces for aircraft operations.	Various		33, 37, 38

Section 5.4 Rivers and Streams Requiring Esplanade Mechanisms

As prepared by the Southland Fish & Game Council - 2012

This schedule cross references with Rule SUB.6 - Esplanade Mechanisms

Table 16 Section 5.4 - Rivers and Streams Requiring Esplanade Mechanisms

MAP REF	WATERWAY	LOCATION	COMMENTS
ER1	Acton Stream	South of Mossburn Five Rivers Road	Mostly has legal access but river has moved away from legal road in many places.
ER2	Aparima River	Gropers Bush Thornbury Road Bridge to Jacobs River Estuary	Largely natural attractive angling river.
ER3	Aparima River	Winton Wreys Bush Highway Bridge to Gropers Bush Thornbury Road Bridge	Access points limited in mid reaches.
ER4	Aparima River	Hamilton Burn to Winton Wreys Bush Highway Bridge	Access points limited in mid to lower reaches.
ER5	Aparima River	North of Hamilton Burn	High use area.
ER6	Argyle Burn	Waikaia confluence to 300 metre contour	Marginal strip in lower reaches only, to where it leaves Winding Creek Road.
ER7	Braxton Burn	Hamilton Burn confluence to Mt Hamilton Road	Mostly has legal access but river moved away from legal road in places.
ER8	Bright Water Spring	Full length	Spring fed stream, no legal public access - access reliant on goodwill of land owners.
ER9	Bryce Burn	Lill Burn confluence to DOC Estate	Small hill stream fishery.
ER10	Cromel Stream	Irthing confluence to DOC Estate	Mostly has legal access but river has moved away from legal road in many places.
ER11	Dipton Stream	Oreti confluence to below Taringatura camp	Popular small stream fishery.
ER12	Dipton Stream	Taringatura camp to Cumming Road	Has legal access in lower reaches but generally none except in area around Castlerock.
ER13	Dome Burn	Waikaia confluence to DOC Estate	Marginal strip/crown land full length.
ER14	Dunsdale Stream	Hedgehope Stream confluence to DOC Estate	A very good and popular small stream trout fishery.

MAP REF	WATERWAY	LOCATION	COMMENTS
ER15	Dunton Creek	National Park Boundary to DOC Estate	Important spawning stream.
ER16	Etal Stream	Aparima River confluence to DOC Estate	Hill stream, no access in lower reaches, some farther upstream to DOC Estate.
ER17	Ewe Burn	Full length	Good trout spawning available.
ER18	Eyre Creek	Mataura River confluence to Dog Box bivouac	Has DOC marginal strip and legal road in lower and mid reaches but not continuous. Upper reaches to Eyre Mountains.
ER19	Flaxy Creek	Mararoa River confluence to south of Hillside Manapouri Road	Has mostly legal access. Difficult access due to swamps and dense vegetation.
ER20	Garvie Burn	Waikaia confluence to DOC Estate	Some discontinuous access in lower reaches only. None above McDonald Road.
ER21	Gow Burn	Waikaia confluence to DOC Estate	Marginal strip full length.
ER22	Hamilton Burn	Aparima River confluence to DOC Estate	Legal unformed road exists along margins but river has moved away in places. None above Braxton Burn confluence to just below Hamilton Road.
ER23	Hedgehope Stream	Makarewa River confluence to Glencoe Highway	Has legal access in middle and lower reaches but none in upper - above Glencoe.
ER24	Hindley Burn	Lill Burn confluence to DOC Estate	Small hill stream fishery.
ER25	Home Creek	Waiau River confluence to Hillside Manapouri Road	High quality trout fishery, practical legal access not secure.
ER26	Irthing Stream	Oreti confluence to DOC Estate	Mostly has legal access but river has moved away from legal road in many places.
ER27	Lill Burn	Waiau River confluence to DOC Estate	Lowland stream has legal access in places but river migration has occurred moving it away from unformed legal road.
ER28	Lora Stream	Makarewa River to DOC Estate	A popular small stream trout fishery.
ER29	Makarewa River	Oreti River confluence to South of Winton Lorneville Highway SH 6 bridge	Popular fishery and hunting area but poor water quality.

MAP REF	WATERWAY	LOCATION	COMMENTS
ER30	Makarewa River	North of Winton Lorneville Highway SH 6 bridge to DOC estate	Straightened for farming purposes, some potential for restoration.
ER31	Mararoa River	Waiau River confluence to south of The Key bridge	Very high quality rainbow and brown trout fishery.
ER32	Mararoa River	North of The Key bridge to south Mavora Lake outlet	Upstream of park land tenure uncertain, needs legal public access.
ER33	Mararoa River	North of the north Mavora Lake inlet	Berm fenced, DOC land.
ER34	Mataura River	Tomogalak Stream confluence to Gore District boundary	Access points limited, Water Conservation Order applies.
ER35	Mataura River	Gore District boundary to the sea	Legal access insecure, Water Conservation Order applies.
ER36	Mataura River	Nokomai River confluence to Tomogalak Stream confluence	Water Conservation Order applies.
ER37	Mataura River	Nokomai River confluence to DOC estate	Water Conservation Order applies.
ER38	Meadow Burn	Mataura River confluence to south of Fingerpost Pyramid Road	Access reliant on goodwill of land owners, Water Conservation Order applies.
ER39	Mimihau Stream	Mataura River confluence to the confluence of Waiarikiki Stream	Water Conservation Order applies.
ER40	Mimihau Stream	Waiarikiki Stream confluence to end of north and south branches	Water Conservation Order applies.
ER41	Mokoreta	Mataura River confluence to source	Good quality trout fishery.
ER42	Monowai River	Lake Monowai outlet to head pond	Practical access is across private land. Access difficult along banks due to dense vegetation, moderate to low fishing use.
ER43	Morley Stream	Oraua Stream confluence to Beaumont Creek confluence	Lowland stream has legal access in places but river migration has occurred moving it away from unformed legal road.

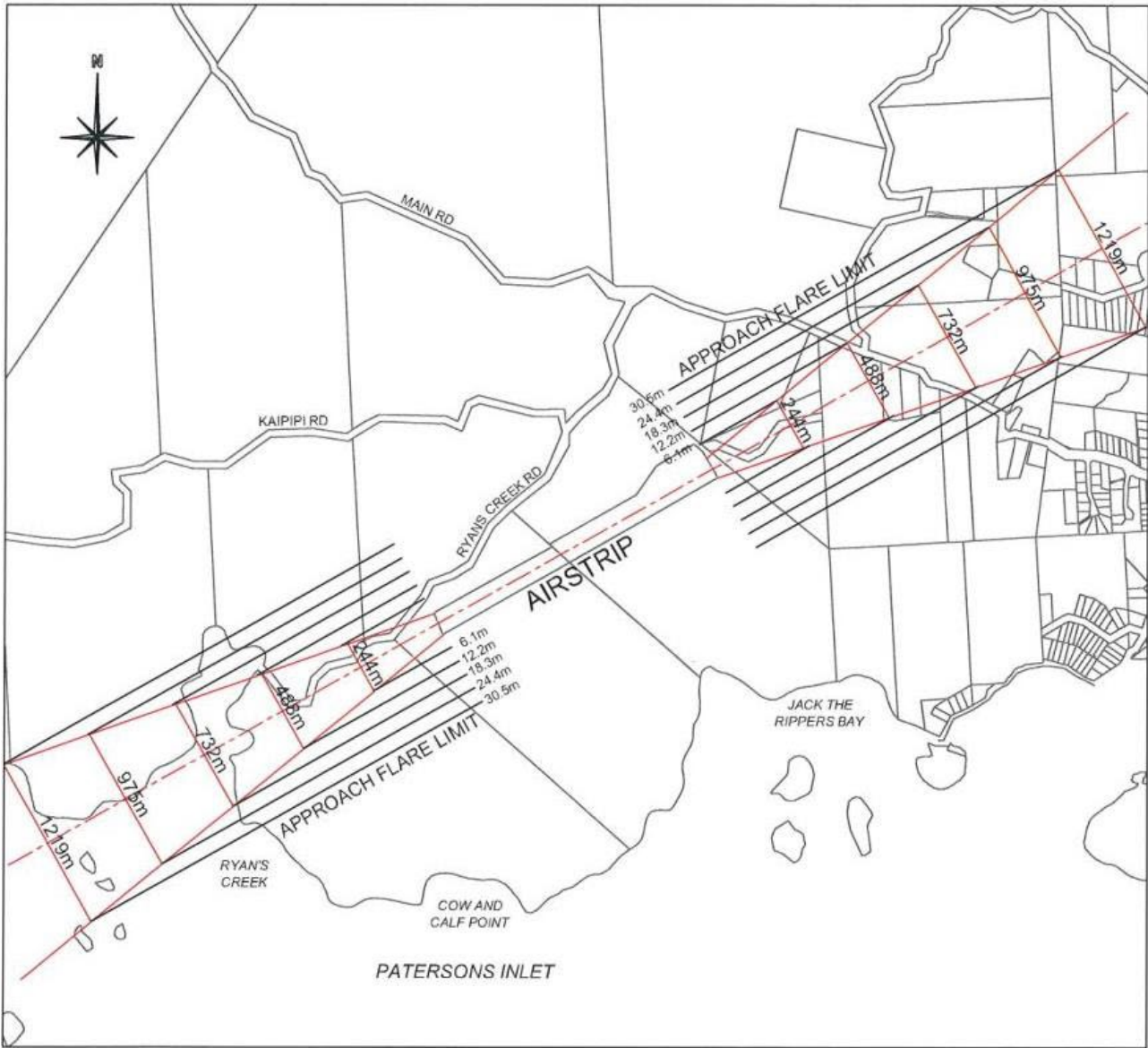
MAP REF	WATERWAY	LOCATION	COMMENTS
ER44	Murray Creek	Oreti River confluence to Castlerock Dipton Road	Has legal access along most but river has moved away in places.
ER45	Nokomai River	Mataura River confluence to source	Water Conservation Order applies.
ER46	Orauea Stream	Waiiau River confluence to Morley Stream confluence	Lowland stream has legal access in places but river migration has occurred moving it away from the legal unformed road.
ER47	Oreti River	Riverton Wallacetown Highway (Iron) bridge to sea	Easements over Landcorp land allow access to river which is LINZ administered. Water Conservation Order applies.
ER48	Oreti River	Weydon Burn confluence to source	Legal access reasonable, Water Conservation Order applies.
ER49	Oreti River	Mossburn Lumsden Highway bridge to Riverton Wallacetown Highway (Iron) bridge	Limited access between Winton and Wallacetown, Water Conservation Order applies.
ER50	Oreti River	Weydon Burn confluence to Mossburn Lumsden Highway Bridge	High use area for many types of recreation.
ER51	Otakau Creek	Oreti River confluence to source	Important whitebait fishing and habitat, popular for duck hunting in lower reaches, close to Invercargill.
ER52	Otamita Stream	Otamita Gorge Road Bridge to source	Very good small stream trout fishery.
ER52	Otamita Stream	Otamita Gorge Road Bridge to Gore District boundary	Issues with public access in lower reaches below Waimea Highway, close to Gore.
ER54	Otapiri Stream	Matthews Road bridge to Tanner Road bridge	Very popular small stream trout fishery.
ER55	Oteramika Stream	Mataura confluence to Mataura Island Road.	No public access. Moderate fish numbers in reach close to Mataura.
ER56	Pleasant Creek	Aparima River confluence to DOC Estate	Hill stream with DOC Estate adjoining most of it.
ER57	Pourakino	Riverton Estuary to confluence of Granity Stream	Has legal road and DOC marginal strip on most, but gaps as well.
ER58	Quioch Creek	Mataura River confluence to SH 6 (Athol)	Has no legal access.

MAP REF	WATERWAY	LOCATION	COMMENTS
ER59	Redan Stream	Mokoreta River confluence to Redan	Legal road to Wyndham - Mokoreta Road but none upstream.
ER60	Retford Stream	National Park boundary to DOC estate	Mostly has legal access from Milford Road but river has moved away from legal road in places.
ER61	Robert Creek	Mataura River confluence to DOC Estate	No legal access.
ER62	Thomas, Lake	Full length	No practical public access.
ER63	Titipua Stream	Hedgehope Stream confluence to Glencoe Brydone Road	Has a mix of legal road and DOC marginal strip but not continuous.
ER64	Titiroa Stream	Toetoes Harbour to Mataura Island Titiroa Road	Legal Road to Fleming Road but none upstream.
ER65	Tokanui River	Tokanui to the sea	Legal road along stream but straightening has moved it away in many places.
ER66	Tomogalak Stream	Mataura River confluence to DOC Estate	Has some legal road and DOC marginal strip but not continuous.
ER67	Upukerora River	Lake Te Anau to Coal Pit Flat	Natural river in DOC Estate, no legal public access to upper reaches in DOC Estate - access reliant on goodwill of land owners.
ER68	Upukerora River	Coal Pit Flat to DOC Estate	Legal access to upper reaches poor.
ER69	Waiau River	Mararoa Weir to the sea	In National Park or DOC land but access needs to be protected.
ER70	Waiau River	Lake Manapouri outlet to the Mararoa Weir	Access poor, flows vary.
ER71	Waihopai Stream	Invercargill City boundary to State Highway 1	No public access.
ER72	Waikaia River	Mataura River confluence to start	Important source of flows to Mataura River at Gore during low flows, Water Conservation Order applies.
ER73	Waikaka Stream	Gore District boundary to start	Good game bird hunting, popular small stream fishery.
ER74	Waikawa River	Sea to Fortification Road (West Branch) and to George Road (East Branch)	Legal Road follows river and west branch full length but upper reaches of east branch has no public access.

MAP REF	WATERWAY	LOCATION	COMMENTS
ER75	Waimahaka Stream	Titiroa confluence to Crighton Road	No public access.
ER76	Waimatuku/Middle Creek	Full length	No legal public access.
ER77	Waimea River	Mataura River confluence to Lumsden Riversdale Highway	Legal access has been largely removed from stream by river straightening activities, but remains in some places.
ER78	Wairaki River	Waiau River confluence to DOC estate	Legal access (DOC) in most places but not in upper reaches and only along river margin. Access to river over private land.
ER79	Waituna Stream	Full length and tributaries	Important brown trout spawning streams, Waituna Lagoon system RAMSAR site.
ER80	Waterloo Burn	Aparima confluence to DOC Estate	Hill stream some access in lower reaches otherwise none.
ER81	Weydon Burn	Aparima River confluence to DOC estate	Mostly has legal access but river moved away from legal road in places.
ER82	Whitestone River	Mararoa River confluence to DOC estate	Natural river in DOC Estate, limited legal public access to middle and upper reaches.

Section 5.5 Stewart Island/Rakiura Airport Approach Vectors

Figure 11 Stewart Island/Rakiura Airport Approach Vectors



STEWART ISLAND AIRPORT PROTECTED AREA

Section 5.6 Edendale Dairy Plant Industrial Development Concept Plan

1.0 Explanation

The Edendale Dairy Plant area that is subject to this Development Concept Plan is approximately 39 hectares in size and is shown on Map 52 of the Planning Maps and appended to this schedule (the Edendale Dairy Plant Industrial Area).

1.1 Objectives

The objectives of the Edendale Dairy Plant Development Concept Plan are to:

- (a) Enable the continued use and development of the resources of the Edendale Dairy Plant in a way or at a rate that is consistent with the promotion of sustainable management and amenity values associated with the area.
- (b) Secure financial contributions in appropriate circumstances on the development of the Edendale Dairy Plant to offset any unavoidable adverse effects that the development may have on the Edendale township.

1.2 Inner Building Envelope

The inner building envelope applies to the land on which taller buildings associated with the core processing of dairy products (eg milk dryers and milk silos) are presently located plus undeveloped land to the north and west of the existing development identified for future development. The inner envelope has three different height limits: 55 metres for the original central spine developed as part of the original Edendale concept development plan; to the west a higher 70 metre area which allows for additional dryers which have grown in size and through technological advancement since the original plan and a 30 metre area further to the west to allow for the future relocation of the energy centre away from the Edendale township. Its outer boundary has been determined by three factors:

- (a) It covers the land on which existing taller processing equipment is located and on which processing activities involving taller structures are well suited and more likely to occur.
- (b) It is set back from the site boundaries to mitigate any adverse effects on the surrounding environment as a consequence of the height and bulk of the structures.
- (c) It allows for an extension of the inner envelope on the western side of the existing building thereby encouraging development and expansion away from the existing residential area of Edendale.

1.3 Outer Building Envelope

The outer building envelope applies to the areas of the site with lower structures and activities ancillary to the operation of the Dairy Plant and includes:

- (a) Any building, structure, carparking area, or railway access.
- (b) Administration building.
- (c) Boilers.
- (d) Cool stores.
- (e) Dry goods and bulk stores.
- (f) Milk and milk product storage, movement and distribution.
- (g) Milk product processing plant.
- (h) Truck workshop.

- (i) Laboratory.
- (j) Milk reception area.
- (k) Amenities building.
- (l) Carparking.
- (m) Rail loading and unloading.

All of these uses of these structures are integral to the continued efficient use and operation of the resources of the Dairy Plant.

In both the outer and inner building envelopes, buildings and structures are not subject to a road boundary set back or planting/fencing requirement but shall be so designed as to avoid shading of State Highway 1 between 10.00 am and 2.00 pm at any time of year.

1.4 Expected Environmental Results

- (a) The continued operation of the Dairy Plant as a resource of regional significance.
- (b) Certainty to the owners of the Dairy Plant and to the owners of adjacent land holdings regarding the continuing operation and management of the Dairy Plant and other activities in the future.
- (c) Continued operation of the Dairy Plant and the introduction of other associated uses in a manner that avoids, remedies or mitigates adverse effects on the environment.

2.0 Activities

2.1 Permitted Activities

Subject to compliance with the relevant performance standards, the following are permitted activities within the inner and outer building envelope identified on the Development Concept Plan:

- (a) The processing and handling of dairy products, including related by-products and waste materials.
- (b) Warehouses, silos, stores and cool stores for the storage of any products produced on the site.
- (c) Energy production including boilers, power plants and co-generation plants.
- (d) Transport servicing depots and workshops.
- (e) Facilities for the storage of dangerous goods and hazardous substances associated with the processing of dairy products including related by-products and waste materials that satisfy the procedural and structural controls procedure for such facilities in Section 3 of the Development Concept Plan provisions of the District Plan.
- (f) Water tanks and water treatment plants.
- (g) Building and structures associated with the processing of milk including cooling towers.
- (h) Parking and hard surfaces associated with vehicle movements.
- (i) Rail infrastructure for the transportation of milk, milk products or associated ingredient and package products.

2.2 Restricted Discretionary Activities

Subject to compliance with the relevant performance standards, all facilities for the storage of dangerous goods and hazardous substances associated with the processing of dairy products that deviates from the structural and procedural controls for such facilities in Schedule 5.12 are restricted discretionary activities within the inner and outer building envelope identified on the Development Concept Plan and are subject to the following criteria:

2.2.1 Assessment Criteria

The Council shall restrict the exercise of its discretion to the following matters:

- (a) Whether the risks associated with the proposal are able to be avoided or mitigated on the basis of a risk assessment based on the criteria outlined below.
- (b) The degree to which potential adverse effects on the environment are mitigated by features incorporated in the design of the facility.
- (c) Whether appropriate site management systems are proposed.
- (d) Whether there are reasonable alternatives to the proposal.

Risk Assessment

A qualitative or quantitative risk assessment identifying any risk to the environment may be required depending upon the scale or potential effects of the proposed activity with emphasis on the following issues:

- (a) Separation distance to people sensitive activities.
- (b) Location in relation to nearest aquifer or stream.
- (c) Nature of subsoil and site geology.
- (d) Distance to sensitive habitats in the area or water catchment.
- (e) Cumulative and synergistic effects and bioaccumulation of hazardous substances used or stored.
- (f) Fire safety and fire water management.
- (g) Adherence to health, safety and environmental management systems. Council considers the use of the NZCIC Responsible Care Management System, the DNV International Safety Rating System, appropriate ISO 14000 series system, or other recognised and accepted system to satisfy this requirement if included in the resource consent. The Council will give consideration to any other alternative site management system which will achieve the same intent of any of the above systems in relation to providing:
 - (i) spill contingency and emergency planning, monitoring and maintenance schedules;
 - (ii) secondary containment systems and stormwater diversion systems; and
 - (iii) safety procedures for transportation of hazardous substances, especially for large proposals.

Whether appropriate site management systems are proposed. Consideration will be given to specific spill contingency plans, emergency procedures, stormwater management, treatment and disposal procedures for hazardous waste, fire safety, transportation and monitoring and maintenance procedures.

Whether there are reasonable alternatives to the proposal. A description of any possible alternative locations or methods or substances for undertaking the activity shall be submitted, where it is likely that an activity will result in any significant adverse effects on the environment.

2.2.2 Conditions

Council may impose conditions on particular proposals in relation to the following matters:

- (a) Hazards and exposure pathways.
- (b) The surrounding natural and physical environment.
- (c) The separation distances from neighbouring activities and number of people potentially at risk from the facility.
- (d) Managing risks to adjacent property.
- (e) Cumulative effects of hazardous facilities in the area.
- (f) Site drainage and off site infrastructure (eg stormwater, sewer type and capacity).
- (g) Transport of hazardous substances on and off the site.

- (h) Site layout and design.
- (i) Fire safety and fire water management.
- (j) Spill contingency and emergency planning, monitoring and maintenance schedules.

Other conditions may be imposed to ensure that particular measures are undertaken so that any risk posed by the proposal is avoided or satisfactorily mitigated.

2.3 Restricted Discretionary Activities

The following are restricted discretionary activities:

- (a) Any building or structure in the inner building envelope shown on the Concept Plan, where the building or structure exceeds the permitted height limits of either 30 metres, 55 metres or 70 metres in height (excluding any portion of the building or structure that forms less than 25% of the overall building footprint).
- (b) Any building or structure in the outer building envelope shown on the Concept Plan, where the building or structure exceeds 20 metres in height (excluding any portion of the building or structure that forms less than 25% of the overall building footprint).
- (c) Any building or structure in the outer building envelope shown on the Development Concept Plan, which exceeds 12 metres in height (excluding any portion of the building or structure that forms less than 25% of the overall building footprint) plus the shortest horizontal distance between that part of the building or structure and the nearest site boundary.
- (d) Any building or structure that will cause shading on State Highway 1 between 10.00 am and 2.00 pm at any time of the year.

In assessing any application for a building or structure exceeding the maximum height, Council shall restrict its discretion to and have regard to the following:

- (a) The adverse effects of the excess portion of the structure on neighbouring houses and activities and on State Highway 1 in terms of shadow, draught, privacy, traffic safety and the existing character of the surrounding environment.
- (b) Any alternative locations within the scheduled site for a structure having an excess height which would have reduced impacts in terms of the above on neighbouring dwellings and activities.

2.4 Discretionary Activities

Any activity which fails to meet any performance standards for the permitted activities and/or the general provisions or both and not otherwise provided for as a restricted discretionary activity shall be assessed as a discretionary activity.

2.5 Additional Performance Standards

2.5.1 Access

Any new access that exceeds the minimum access standards set out in the Southland District Council Subdivision, Land Use and Development Bylaw 2012 shall be subject to approval by the relevant Road Controlling Authority. Should approval be granted, the district-wide access provisions may be waived if the relevant Road Controlling Authority considers that a proposed alternative design would avoid an unnecessary expense on the applicant or that the proposed alternative design is necessary to ensure that any adverse effect on the environment would be minor.

2.5.2 Earthworks

Any earthworks where a volume of 1,000 m³ or greater of land will be disturbed shall require the preparation and submission of an Earthworks Management Plan for approval by Council. This shall include details on management of issues relating to land stability, dust and erosion control, proximity to waterways, revegetation of exposed soil (where required).

2.6 Financial Contributions

- (a) The Council may impose a financial contribution for developments in the Edendale Dairy Plant Development Concept Plan area, the value of which exceeds \$10,000,000.
- (b) The financial contribution shall not exceed 0.2% of the value of the development. The value of any contribution shall be quantifiable and the justification of the value of the contribution shall be provided to the site operator.
- (c) The purpose of the imposition of the financial contribution shall be to remedy, mitigate or offset any quantifiable adverse effects arising from, in consequence of, or in association with, any development.
- (d) The use of the financial contribution shall be for one or more of the following in the Edendale township its environs:
 - (i) offsetting additional demands on infrastructure and utility services provided by Council;
 - (ii) offsetting additional demands on community and recreational facilities;
 - (iii) restoring or enhancing amenity values;
 - (iv) restoring or enhancing open space and landscaping.
- (e) The Council will assess the need for and quantum of, a financial contribution on a case-by-case basis as development occurs having regard to:
 - (i) the significance of the adverse effect;
 - (ii) the extent to which the adverse effect can be dealt with successfully by other means;
 - (iii) any proposals to mitigate or remedy the adverse effects;
 - (iv) any direct positive community benefits arising from the development.
- (f) In applying the provisions of this clause, Council shall have regard to the fact that in the circumstances money is the preferred form of financial contribution where adverse effects cannot be offset.

3.0 Dairy Processing Hazardous Substances

3.1 Hazardous Substances On Site

The following bulk hazardous substances facilities are or likely to be utilised within the Edendale Dairy Plant Schedule Site:

Table 17 Bulk Hazardous Substances Facilities

Clean in place (CIP) facilities compounds	Fixed bulk containers of corrosive substances (acids and caustics) oxidisers and poisons.
CIP bulk containers (not fixed)	Mobile bulk container of corrosive substances, oxidisers and poisons (1,000 or less).
Fuel tanks	Underground fuel tanks for refuelling or emergency boiler and generator use.
Fuel Tanks	Above-ground fuel tanks for emergency generator use or use in association with the site's boilers.
Bulk Gasses	Above-ground bulk gas storage.

3.2 Controls for Fixed Hazardous Substances Storage Facilities (Compounds) for Bulk Corrosive Substances

3.2.1 Structural Controls

- (a) Compounds containing two incompatible substances shall have entirely separate bunds and the separation distance between the tanks must be sufficient to cater for the spill angle or the tank (ie the tanks must be far enough apart that in the event that a spill occurred in the upper part of the tank, the trajectory of the spill would not result in the spilled substances entering the bund of the adjacent tank containing a chemically incompatible substance).
- (b) The bund will contain a mechanism for draining rainwater or spilled substances. This release mechanism must be able to be accessed from outside the bund and locked closed when not in use.
- (c) The unloading point for the tank must be either inside the bund wall or have a catchment area with a collection sump or wastewater drain outside the bund of suitable size to collect any leakage.
- (d) The unloading area for the supplier tanker must drain to a wastewater drain or a stormwater drain which can be diverted to wastewater.
- (e) All pipes conveying hazardous substances will be colour-coded relevant to the substance conveyed.

3.2.2 Procedural and Management Controls

These will be included in a hazardous substances site management plan:

- (a) All tanks will be tested at frequencies stipulated by HSNO (or any subsequent legislation).
- (b) The results of tank testing will be available to Council on request.
- (c) An Emergency Response Management Plan shall be developed and implemented, which covers all aspects of emergency response and spill contingency plans. This shall include:
 - (i) assigned roles and responsibility of response teams;
 - (ii) lists of equipment and maintenance procedures;
 - (iii) procedures for responding to a range of spill scenarios;
 - (iv) training of spill response.

3.3 Controls for Mobile Hazardous Substances Storage Facilities for Bulk Corrosive Substances

3.3.1 Structural Controls

- (a) All mobile tanks not located within a roofed area will be contained within a bund capable of holding 110% of the volume of the tank. Mobile tanks in a roofed area will be contained in a bund capable of holding 100% of the volume of the tank.
- (b) In the event that the container cannot be banded it will be located in an area with a dedicated drain which drains to a wastewater or containment sump.
- (c) Incompatible substances will be stored a safe distance apart taking into consideration the spill angle of the container.

3.3.2 Procedural and Management Controls

- (a) Procedures shall be developed for the delivery, storage, use and removal of mobile hazardous substances. Procedures will also include reporting of deliveries and inspection of storage areas (daily and weekly).
- (b) The site's spill contingency plans will incorporate spills from mobile bulk containers.

3.4 Underground Fuel Tanks

3.4.1 Structural Control

All tanks will be constructed in accordance with the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Tanks.

3.4.2 Management Control

Spill contingency plans will incorporate spills of fuel from supply tanker unloading and refuelling of milk tankers and other site vehicles.

3.5 Above-ground Fuel Tanks

3.5.1 Structural Controls

- (a) The tanks will be fully bunded or double walled/skinned and capable of holding the entire contents of the tank.
- (b) Devices shall be in place to prevent overflowing of fuel during filling.

3.5.2 Management Controls

- (a) The tanks will be incorporated into a spill contingency plan.

4.0 Management of Noise Emissions from Edendale Dairy Plant

4.1 Noise Management Plan

4.1.1 The Noise Management Plan for the site shall be revised within six months of the date of this District Plan becoming operative and updated to incorporate the following:

- (a) Noise Management Plan objectives, including the management of 'nuisance' noise.
- (b) Noise modelling, noise monitoring, auditing and reporting procedures.
- (c) Complaint handling procedures.
- (d) Procedures for managing noise, particularly at the southern end of the site, through operational procedures and staff and contractor training.
- (e) Procedures for managing noise, particularly at the southern end of the site, through plant upgrades, replacements, modifications and maintenance.
- (f) Procedures to determine the offer of treatment mitigation for non-compliant noise emissions.
- (g) Procedures for alterations to the Noise Management Plan, including regular updates and reporting to Council.

4.1.2 The Noise Management Plan shall be subject to approval from Council prior to implementation. Council shall provide a written response within 20 working days of receipt of the Noise Management Plan.

4.2 Monitoring and Reporting

- 4.2.1 Annual noise surveys shall be conducted by suitably qualified acoustics personnel experienced in the measurement of environmental noise. Surveys shall be undertaken during the peak operating season, ie around November and shall avoid the off season period, ie around June.
- 4.2.2 A Noise Contour Map shall be produced and included in the Noise Management Plan based on the peak milk processing operational scenario. Equal-loudness contours shall be produced using a professional noise modelling software package and shall include all major noise sources at the Fonterra Edendale site.

- 4.2.3 The Noise Contour Map shall show 40 dB LAeq and 45 dB LAeq equal-loudness contours around the whole Edendale Dairy Plant manufacturing site. Farming activities and any off site vehicle movements associated with the activity are excluded from this modelling.
- 4.2.4 The Noise Contour Map shall be updated at least annually and shall be provided to the Council within two months following any updates. Any major changes will be identified and an explanation for the variation attached.

4.3 Noise Containment Limit

- 4.3.1 The 45 dB noise contour is not permitted to:
- (a) Extend into any residential zoned property where that property is used as a residential activity and not subject to the 45 dB LAeq noise contour at the date at which this District Plan becomes operative.
 - (b) Extend beyond the notional boundary of any rural zoned dwelling not owned by the site operator where the notional boundary of the dwelling is not subject to the 45 dB LAeq noise contour at the date at which this District Plan becomes operative.

These properties shall be identified as per Clause 4.2.

Failure to comply with this rule shall be a discretionary activity.

Note:

- This clause does not apply to rural zoned properties owned by the site operator.
- “Notional Boundary” is defined as a line 20 metres from the side of a dwelling or the legal boundary where this is closer than 20 metres to the dwelling.

4.4 Classification of Potentially Noise Affected Properties

- 4.4.1 Where the Noise Contour Map prepared under 4.2 above indicates that noise levels from the site exceed 40 dB LAeq at any point within the boundary of any rural, residential/urban zoned property or any other zone containing an existing lawfully established dwelling at the date of which this District Plan becomes operative, that property shall be classified as a Potentially Noise Affected Property and marked on a Potentially Noise Affected Property Map. The site operator shall submit the Potentially Noise Affected Property Map to Council on an annual basis.

Note: This clause does not apply to properties owned by the site operator.

- 4.4.2 Where the Noise Contour Map prepared under 4.2 above indicates that cumulative noise levels from the site do not exceed 40 dB LAeq on any part of a property, the noise effects on this property shall be deemed to be permitted and this property is not eligible to be classified as a Potentially Noise Affected Property.

4.5 Noise Mitigation - Internal Noise Monitoring and Treatment for Potentially Noise Affected Properties

- 4.5.1 Where a property is classified a Potentially Noise Affected Property, internal noise monitoring shall be offered to the owner(s) of the affected existing building(s) within two months of the contour map being submitted to Council. The date of monitoring shall be agreed with the affected property owner.
- 4.5.2 Should internal noise monitoring be accepted by the affected property owner and this monitoring demonstrate that the Internal Noise Limits listed in Table 1 are not achieved, additional acoustic

insulation treatment shall be investigated and offered to the building owner within six months of the noise monitoring having been completed.

- 4.5.3 Should acoustic treatment be accepted by the affected property owner, this shall be undertaken within a period of 12 months from the date of acceptance.
- 4.5.4 Following completion of acoustic treatment, internal noise levels shall be monitored to ensure they achieve or better the Internal Noise Limits listed in Table 18

Table 18 Internal Noise Limits for Cumulative Noise from Edendale Site

Type of Occupancy/Activity	Assessable Area(s)	Internal Noise Limit
Habitable Dwelling	Bedrooms only	30 dB LAeq
All other buildings	ALL	“Satisfactory” Recommended Design Sound Level specified in Table 1 of NZS 2107:2000 for that particular type of Occupancy/Activity

- 4.5.5 Certification of sound insulation treatment will be provided to the Southland District Council within six months of acoustic treatment being completed.
- 4.5.6 A record of all certification shall be kept by both Southland District Council and the site operator. The Council shall ensure that a record of this certification be provided either on the property title or the property file (Land Information Memorandum).
- 4.5.7 Once certification is complete, the applicable property is not eligible for any further treatment provided the noise from the Edendale Dairy Plant does not increase to a level which in the opinion of a suitably qualified acoustic consultant would result in failure to achieve the internal noise limits listed in Table 1. This level is to be specified on the sound insulation certificate.
- 4.5.8 If an affected property owner does not accept the offer of internal noise monitoring or treatment, this offer shall be reviewed and resubmitted on an annual basis.
- 4.5.9 No building, other than those existing at the date at which the District Plan becomes operative shall be eligible for consideration as a Potentially Noise Affected Property.
- 4.5.10 Any extensions to an existing dwelling or the construction of a new dwelling on a property entirely or partly within the 40 dB LAeq contour is required to achieve the internal limits listed in Table 1. This is the responsibility of the land owner.

Noise Notes:

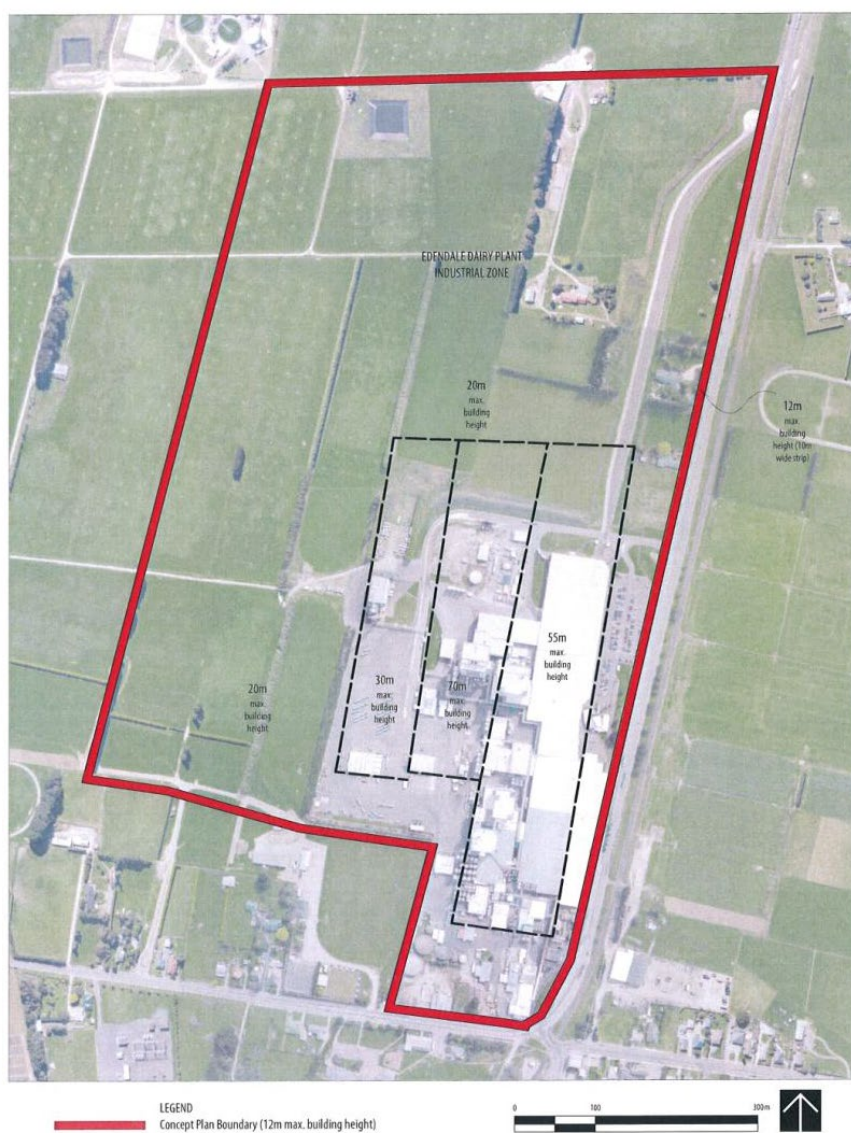
- (a) Additional sound insulation is not required to be provided to buildings/rooms where it can be shown that cumulative noise levels from the Edendale Dairy Plant site are below the relevant Internal Noise Limit.
- (b) Internal noise levels will be assessed with all doors and windows open to a level sufficient for ventilation for the applicable room. If compliance cannot be achieved with windows open, then windows will be closed for the purposes of monitoring. If compliance is achieved with windows closed and a suitable air ventilation unit is not present within the applicable room, an offer to install a ventilation unit at the site operator’s expense will be made to the affected property owner. The air ventilation unit installed shall be of a design that ensures noise compliance can be achieved.

- (c) Priority of internal noise monitoring and treatment will be given in order to those affected properties who are subject to the highest noise levels descending to the lowest.
- (d) Examples of the applicable noise limits for buildings other than habitable dwellings are given in:

Table 19 Examples of Internal Noise Limits Based on NZS 2107:2000

Type of Occupancy/Activity	Internal Noise Limit
School Classrooms	35 dB LAeq
General Office Areas	40 dB LAeq
Reading Areas in Libraries	40 dB LAeq
Small Retail Stores	45 dB LAeq
Bars and Lounges	45 dB LAeq

- (e) All noise contours shall be produced using a recognised noise modelling software package.



Section 5.7 Stewart Island/Rakiura Industrial Development Concept Plan

1.0 Explanation

- 1.1 The objectives of the Stewart Island/Rakiura Industrial Development Concept Plan are to:
- (a) Provide for light industrial activity on Stewart Island/Rakiura in a manner and at a location that recognises the unique nature of the Island environment and its distinctive intrinsic amenity values.
 - (b) Allow for development within the Stewart Island/Rakiura Industrial Zone to be sustainably managed to mitigate adverse effects on the environment.
- 1.2 The industrial resource area that is subject to this Development Concept Plan is Lot 3 DP 486635 as shown on Map 62A (the Stewart Island/Rakiura Industrial Zone).
- 1.3 The Stewart Island/Rakiura Industrial Resource Area is surrounded by a 40 metre width buffer strip of indigenous vegetation as shown on Map 69.
- 1.4 The internal boundary of the buffer strip shall be fenced in permanent material at the time of the subdivision.

2.0 Activities

2.1 Permitted Activities

Subject to compliance with the performance standards specified in Clause 3.2 the following activities are permitted activities within the Stewart Island/Rakiura Industrial Zone:

- (a) The processing and handling of products, including related by-products and waste materials.
- (b) Warehouses, silos, stores and cool stores for the storage of any products produced or processed on the site.
- (c) Energy production including boilers, power plants and co-generation plants.
- (d) Transport servicing and engineering workshops.
- (e) Facilities for the storage of dangerous goods and hazardous substances including related by-products and waste materials.
- (f) Storage of vehicles, machinery, boats, roading materials, plant and associated materials.
- (g) Contractors Depots with associated workshops and storage.
- (h) Building and structures to accommodate any permitted activities.
- (i) The erection and maintenance of the fence referred to in 1.4.

3.0 Permitted Activity Performance Standards

- 3.1 All permitted activities in the Stewart Island/Rakiura Industrial Zone shall comply with any relevant performance standard method or rule contained in Sections 3.1 to 3.13 of the District Plan.
- 3.2 In addition, the following permitted activity performance standards shall apply to permitted activities in the Stewart Island/Rakiura Industrial Zone. Where there is a conflict between any general performance standard method or rule in the District Plan and any permitted activity performance standard set out in this clause the latter shall prevail.

3.2.1 Height

The maximum height for buildings and structures in the Stewart Island/Rakiura Industrial Resource Area shall be 7.5 metres.

3.2.2 Finish of Structures

Buildings or structures are to be finished in green, grey or brown colours which are not in contrast with the surrounding landscape and which do not reflect at a greater intensity than the natural background.

3.2.3 Earthworks

Any activity that displaces or removes soil, subsoil or rock (or similar material) either within or from a property, over any period of time where:

- (a) No more than 200 m³ of materials is disturbed or removed.
- (b) The maximum height of fill or depth of cut does not exceed 1.5 metres.
- (c) The earthworks do not occur within 5 metres of a permanently wet or continually flowing water body greater than 1 metre in width.
- (d) The earthworks do not come within 1 metre, or the horizontal distance equivalent to the maximum depth of cut on site (whichever is the greater), of the legal side or rear boundary of any adjoining site, including publicly owned land.
- (e) Earthworks do not come within the drip line of any podocarp described in 6.0.

4.0 Restricted Discretionary Activities

Any earthworks that do not comply with Clause 3.2.3 shall be a restricted discretionary activity.

In assessing an application for a restricted discretionary activity under this clause, Council shall restrict its discretion to the following matters:

- (a) Necessity for the extent and location of earthworks.
- (b) The re-establishment of an appropriate vegetation cover.
- (c) The disposal of waste material.
- (d) The placement and compaction of fill.
- (e) The stability of the natural ground in the vicinity of the site and any fill material.
- (f) The design and construction of retaining structures.
- (g) Control measures to mitigate the potential for altered run-off patterns.
- (h) The visual effect of the completed earthworks.
- (i) The adverse effect on any podocarp described in 6.0.

5.0 Discretionary Activities

Any activity that does not comply with Permitted Activity Performance Standards 3.2.1 or 3.2.2 shall be a discretionary activity.

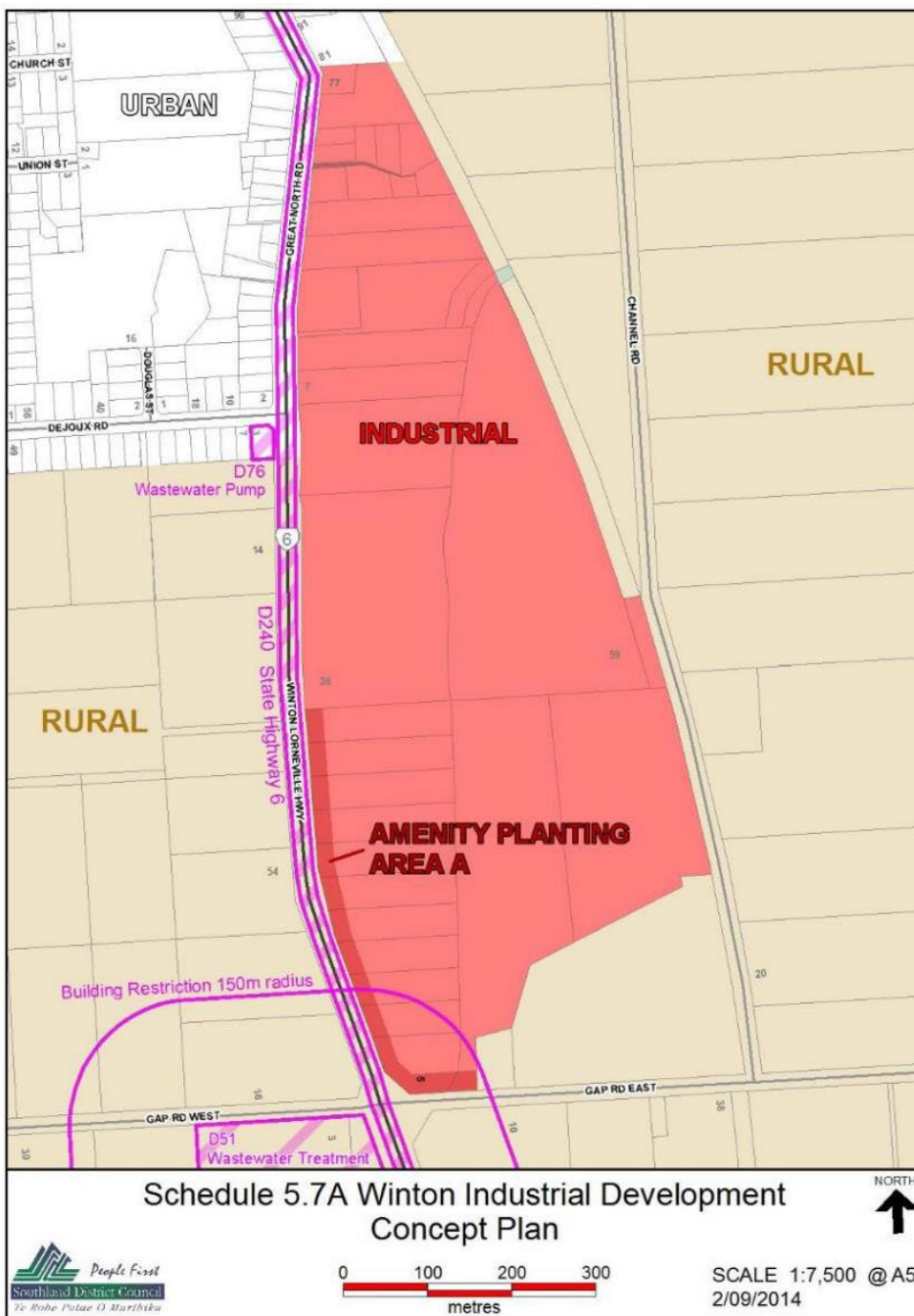
6.0 Non-Complying Activities

Notwithstanding any other rule in the District Plan the clearance, modification, damage or removal of any indigenous vegetation in the buffer zone shown on Map 62A or of any podocarps within the Stewart Island/Rakiura Industrial Zone that are equal to greater than 5 metres in height shall be a Non-Complying Activity.

Section 5.7 (A) Winton Industrial Development Concept Plan

Prior to any development occurring on the property identified in the map below, amenity landscape planting shall be completed within Amenity Planting Area A, in accordance with an approved Landscape Plan. The landscape plan shall be submitted to Council for approval and shall include (but not be limited to) demonstration of the planting of mixed species along the entire frontage of the property. If the activity does not comply with the concept plan requirements, a Discretionary resource consent will be required under Rule IND.2. Rule IND.4(5) applies to all zone boundaries of the Industrial Zone, with the exception of the area shown as Amenity Planting Area A.

Figure 12 Winton Industrial Development Concept Plan



Section 5.8 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

2011/361



Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 10th day of October 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 43 of the Resource Management Act 1991, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and on the recommendation of the Minister for the Environment given in accordance with section 44 of the Act, makes the following regulations.

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**Resource Management (National
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Regulations

1 **Title**

These regulations are the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

2. **Commencement**

These regulations come into force on 1 January 2012.

3. **Interpretation**

In these regulations,—

Act means the Resource Management Act 1991

current edition means the edition that has legal effect when the edition is being used

detailed site investigation means an investigation that—

- (a) is done by a suitably qualified and experienced practitioner; and
- (b) is done in accordance with the current edition of *Contaminated Land Management Guidelines No. 5-Site Investigation and Analysis of Soils*, Wellington, Ministry for the Environment; and
- (c) is reported on in accordance with the current edition of *Contaminated Land Management Guidelines No. 1-Reporting on Contaminated Sites in New Zealand*, Wellington, Ministry for the Environment; and
- (d) results in a report that is certified by the practitioner

fuel storage system means a system in which at least 1 of the following is underground:

- (a) a storage tank for aviation kerosene, diesel, kerosene, lubricating oil, or petroleum:

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- (b) the whole of the tank's ancillary equipment:
- (c) part of the tank's ancillary equipment

HAIL means the current edition of the *Hazardous Activities and Industries List*, Wellington, Ministry for the Environment

person means the person referred to in regulation 5(1)(a)

preliminary site investigation means an investigation that—

- (a) is done by a suitably qualified and experienced practitioner; and
- (b) is reported on in accordance with the current edition of *Contaminated Land Management Guidelines No. 1-Reporting on Contaminated Sites in New Zealand*, Wellington, Ministry for the Environment; and
- (c) results in a report that is certified by the practitioner.

4 Relationship of regulations with territorial authority and regional council functions

These regulations—

- (a) deal with territorial authority functions under section 31 of the Act:
- (b) do not deal with regional council functions under section 30 of the Act.

5. Application

(1) These regulations—

- (a) apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in subclause (7) or (8):
- (b) do not apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in subclause (9).

Activities

(2) An activity is removing a fuel storage system from the piece of land or replacing a fuel storage system in or on the piece of land, which means—

- (a) doing any of the following:
 - (i) removing or replacing the whole system:
 - (ii) removing or replacing an underground part of the system:

- (iii) taking away or putting back soil associated with the removal or replacement of the system or the part:
 - (b) doing any of the following for purposes associated with removing or replacing the whole system or part of the system:
 - (i) sampling the soil of the piece of land:
 - (ii) investigating the piece of land:
 - (iii) remediating the piece of land:
 - (iv) validating the piece of land:
 - (v) managing the piece of land.
- (3) An activity is sampling the soil of the piece of land, which means sampling it to determine whether or not it is contaminated and, if it is, the amount and kind of contamination.
- (4) An activity is disturbing the soil of the piece of land, which—
 - (a) means disturbing the soil of the piece of land for a particular purpose:
 - (b) does not include disturbing the soil of the piece of land, whatever the purpose, if the land is land to which regulation 33(9) or 36 of the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 applies.
- (5) An activity is subdividing land, which means subdividing land—
 - (a) that has boundaries that are identical with the boundaries of the piece of land; or
 - (b) that has all the piece of land within its boundaries; or
 - (c) that has part of the piece of land within its boundaries.
- (6) An activity is changing the use of the piece of land, which means changing it to a use that, because the land is as described in subclause (7), is reasonably likely to harm human health.

Land covered

- (7) The piece of land is a piece of land that is described by 1 of the following:
 - (a) an activity or industry described in the *HAIL* is being undertaken on it:
 - (b) an activity or industry described in the *HAIL* has been undertaken on it:

- (c) it is more likely than not that an activity or industry described in the *HAIL* is being or has been undertaken on it.
- (8) If a piece of land described in subclause (7) is production land, these regulations apply if the person wants to—
 - (a) remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land:
 - (b) sample or disturb—
 - (i) soil under existing residential buildings on the piece of land:
 - (ii) soil used for the farmhouse garden or other residential purposes in the immediate vicinity of existing residential buildings:
 - (iii) soil that would be under proposed residential buildings on the piece of land:
 - (iv) soil that would be used for the farmhouse garden or other residential purposes in the immediate vicinity of proposed residential buildings:
 - (c) subdivide land in a way that causes the piece of land to stop being production land:
 - (d) change the use of the piece of land in a way that causes the piece of land to stop being production land.

Land not covered

- (9) These regulations do not apply to a piece of land described in subclause (7) or (8) about which a detailed site investigation exists that demonstrates that any contaminants in or on the piece of land are at, or below, background concentrations.

6 Methods

- (1) Subclauses (2) and (3) prescribe the only 2 methods that the person may use for establishing whether or not a piece of land is as described in regulation 5(7).
- (2) One method is by using information that is the most up-to-date information about the area where the piece of land is located that the territorial authority—
 - (a) holds on its dangerous goods files, property files, or resource consent database or relevant registers; or
 - (b) has available to it from the regional council.

- (3) The other method is by relying on the report of a preliminary site investigation—
 - (a) stating that an activity or industry described in the *HAIL* is, or is not, being undertaken on the piece of land; or
 - (b) stating that an activity or industry described in the *HAIL* has, or has not, been undertaken on the piece of land; or
 - (c) stating the likelihood of an activity or industry described in the *HAIL* being undertaken, or having been undertaken, on the piece of land.

- (4) The person must—
 - (a) choose which of the 2 methods to use; and
 - (b) meet all the costs involved in using the method that the person has chosen.

7 Standards

- (1) In this regulation,—

land use means—

- (a) the current use, if the activity the person wants to do is—
 - (i) to remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land;
 - (ii) to sample the soil of the piece of land;
 - (iii) to disturb the soil of the piece of land;
- (b) the intended use, if the activity the person wants to do is—
 - (i) to subdivide land;
 - (ii) to change the use of the piece of land

Methodology means the current edition of the *Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health*, Wellington, Ministry for the Environment

priority contaminant means a contaminant for which the *Methodology* derives a soil contaminant standard.

- (2) If the contaminant of concern is a priority contaminant and the land use fits within an exposure scenario adopted in the *Methodology*, the applicable standard is the soil contaminant standard for the priority contaminant.

- (3) If the contaminant of concern is a priority contaminant and the land use does not fit within an exposure scenario adopted in the *Methodology*, the applicable standard is whichever of the following is more appropriate in the circumstances:
- (a) the guideline value derived in accordance with the methods and guidance on site-specific risk assessment provided in the *Methodology*;
 - (b) the soil contaminant standard for the priority contaminant of the exposure scenario adopted in the *Methodology* with greater assumed exposure than the actual exposure.
- (4) If the contaminant of concern is not a priority contaminant, the applicable standard is whichever of the following is more appropriate in the circumstances:
- (a) the guideline value derived in accordance with the methods and guidance on site-specific risk assessment provided in the *Methodology*;
 - (b) a guideline value for the protection of human health that is chosen in accordance with the current edition of *Contaminated Land Management Guidelines No. 2-Hierarchy and Application in New Zealand of Environmental Guideline Values*, Wellington, Ministry for the Environment.

8 Permitted activities

Removing or replacing fuel storage system

- (1) Removing or replacing a fuel storage system is a permitted activity while the following requirements are met:
- (a) the activity must be done in accordance with the current edition of *Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand*, Wellington, Ministry for the Environment;
 - (b) the territorial authority of the district where the system is located must be notified of—
 - (i) the place where the activity is to be done;
 - (ii) the dates on which it is intended that the activity begin and end;
 - (iii) the facility at which it is intended that soil taken away in the course of the activity be disposed of;

- (c) notification under paragraph (b) must be done no sooner than 1 month and no later than 1 week before the activity begins:
- (d) the volume of soil disturbed must be no more than 30 m³ for each tank in the system:
- (e) the volume of soil taken away in the course of the activity must be no more than 30 m³ for each tank in the system:
- (f) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:
- (g) the duration of the activity must be no longer than 2 months:
- (h) the results of the investigation of the piece of land required by the guidelines described in paragraph (a) must be reported to the territorial authority within 3 months after the activity ends.

Sampling soil

- (2) Sampling the soil of the piece of land is a permitted activity while the following requirements are met:
 - (a) controls to minimise the exposure of humans to mobilised contaminants must—
 - (i) be in place when the activity begins:
 - (ii) be effective while the activity is done:
 - (iii) be effective until the soil is reinstated to an erosion-resistant state:
 - (b) the soil must be reinstated to an erosion-resistant state within 1 month after the end of the course of sampling for which the activity was done:
 - (c) soil must not be taken away in the course of the activity except as samples taken for the purpose of laboratory analysis:
 - (d) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.

Disturbing soil

- (3) Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:

- (a) controls to minimise the exposure of humans to mobilised contaminants must—
 - (i) be in place when the activity begins:
 - (ii) be effective while the activity is done:
 - (iii) be effective until the soil is reinstated to an erosion-resistant state:
- (b) the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:
- (c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m³ per 500 m²:
- (d) soil must not be taken away in the course of the activity, except that,—
 - (i) for the purpose of laboratory analysis, any amount of soil may be taken away as samples:
 - (ii) for all other purposes combined, a maximum of 5 m³ per 500 m² of soil may be taken away per year:
- (e) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:
- (f) the duration of the activity must be no longer than 2 months:
- (g) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.

Subdividing or changing use

- (4) Subdividing land or changing the use of the piece of land is a permitted activity while the following requirements are met:
 - (a) a preliminary site investigation of the land or piece of land must exist:
 - (b) the report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land:
 - (c) the report must be accompanied by a relevant site plan to which the report is referenced:
 - (d) the consent authority must have the report and the plan.

Consequence if requirement not met

- (5) If a requirement described in any of subclauses (1) to (3) is not met, the activity is a controlled activity under regulation 9 while it meets the requirements in regulation 9(1).
- (6) If a requirement described in subclause (4) is not met, the activity is a controlled activity under regulation 9 while it meets the requirements in regulation 9(3).

9 Controlled activities

Removing or replacing fuel storage system, sampling soil, or disturbing soil

- (1) If a requirement described in any of regulation 8(1) to (3) is not met, the activity is a controlled activity while the following requirements are met:
 - (a) a detailed site investigation of the piece of land must exist:
 - (b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:
 - (c) the consent authority must have the report:
 - (d) conditions arising from the application of subclause (2), if there are any, must be complied with.
- (2) The matters over which control is reserved are as follows:
 - (a) the adequacy of the detailed site investigation, including—
 - (i) site sampling:
 - (ii) laboratory analysis:
 - (iii) risk assessment:
 - (b) how the activity must be—
 - (i) managed, which may include the requirement of a site management plan:
 - (ii) monitored:
 - (iii) reported on:
 - (c) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:
 - (d) the timing and nature of the review of the conditions in the resource consent:
 - (e) the duration of the resource consent.

Subdividing or changing use

- (3) If a requirement described in regulation 8(4) is not met, the activity is a controlled activity while the following requirements are met:
 - (a) a detailed site investigation of the piece of land must exist:
 - (b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:
 - (c) the consent authority must have the report:
 - (d) conditions arising from the application of subclause (4), if there are any, must be complied with.
- (4) The matter over which control is reserved is the adequacy of the detailed site investigation, including—
 - (a) site sampling:
 - (b) laboratory analysis:
 - (c) risk assessment.

No public notification of application for resource consent

- (5) The consent authority must not give public notification of an application for a resource consent to do any of the activities.

Consequence if requirement not met

- (6) If a requirement described in this regulation is not met, the activity is a restricted discretionary activity under regulation 10 while it meets the requirements in regulation 10(2).

10 Restricted discretionary activities

- (1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity.
- (2) The activity is a restricted discretionary activity while the following requirements are met:
 - (a) a detailed site investigation of the piece of land must exist:
 - (b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7:
 - (c) the consent authority must have the report:

- (d) conditions arising from the application of subclause (3), if there are any, must be complied with.
 - (3) The matters over which discretion is restricted are as follows:
 - (a) the adequacy of the detailed site investigation, including—
 - (i) site sampling:
 - (ii) laboratory analysis:
 - (iii) risk assessment:
 - (b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination:
 - (c) the approach to the remediation or ongoing management of the piece of land, including—
 - (i) the remediation or management methods to address the risk posed by the contaminants to human health:
 - (ii) the timing of the remediation:
 - (iii) the standard of the remediation on completion:
 - (iv) the mitigation methods to address the risk posed by the contaminants to human health:
 - (v) the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants:
 - (d) the adequacy of the site management plan or the site validation report or both, as applicable:
 - (e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:
 - (f) the requirement for and conditions of a financial bond:
 - (g) the timing and nature of the review of the conditions in the resource consent:
 - (h) the duration of the resource consent.
- Consequence if requirement not met*
- (4) If a requirement described in this regulation is not met, the activity is a discretionary activity under regulation 11.

11 Discretionary activities

- (1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity, controlled activity, or restricted discretionary activity.

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- (2) The activity is a discretionary activity.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations provide a national environmental standard for activities on pieces of land whose soil may be contaminated in such a way as to be a risk to human health. The activities are removing or replacing a fuel storage system, sampling the soil, disturbing the soil, subdividing land, and changing the use of the piece of land. The activities are classed as permitted activities, controlled activities, restricted discretionary activities, or discretionary activities.

The current editions of documents incorporated by reference are available on the Ministry for the Environment's website.

The regulations come into force on 1 January 2012.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 13 October 2011.
These regulations are administered by the Ministry for the Environment.

Section 5.9 Significant Geological Sites and Landforms

Notes:

1. Geological sites and landforms listed in this schedule are mainly in private ownership. There are a number of geological sites and landforms of significance within the District that are located on land administered by the Department of Conservation. The Department of Conservation and the New Zealand Geological Society's 'New Zealand Geopreservation Inventory' are useful sources of information for detail on significant geological sites and landforms located on conservation land. Activities on conservation land administered by the Department of Conservation are subject to the decision-making and concession processes of the Department and as such have not been listed in the District Plan.
2. Information listed in this schedule has been sourced from the Geoscience Society of New Zealand, 'New Zealand Geopreservation Inventory'.
3. Any resource consent application for subdivision, land use or development activities on land with significant geological sites and landform as listed in Schedule 5.12 - Significant Geological Sites and Landforms should consider whether or not it is likely to have an effect on that feature or landform.

Table 20 Significant Geological Sites and Landforms

Feature Number/ Map No.	Name of Geological Feature or Landform	Significance	Type	Classification (importance/ vulnerability)
G1 Map 20	Productus Creek Permian fossils, Mangarewa locality	Rich, well-preserved brachiopod and molluscan fauna. Only New Zealand occurrence of Glossopteris leaf fossils.	Fossils - Paleozoic	A2
G2 Map 20	Productus Creek Permian Wairaki Breccia localities (Letham Trig)	Youngest Permian fauna from New Zealand. Holostratotype of Makarewan Stage, Wairaki Breccia.	Biostratigraphic section; Fossils - Paleozoic	A3
G3 Maps 8 and 13	Potters Graben	One of the best examples of quartzose 'cover' sediments preserved on the uplifted peneplain of Central Otago.	Graben	C2
G4 Map 25	Waiau Cave, Clifden	Isolated lowland cave.	Solution caves	C1
G5 Map 68	Howells Point pillow lavas	Pillow lavas and pumpellyite mineral location.	Pillow lava	B3

Feature Number/ Map No.	Name of Geological Feature or Landform	Significance	Type	Classification (importance/ vulnerability)
G6 Map 16	Mossburn serpentinite quarry	Excellent exposure of serpentinite melange.	Pluton	C2
G7 Map 19	Waiau River Oligocene sandstone dikes	One of the best examples of sand injection structures developed during large scale folding in New Zealand Tertiary rocks.	Clastic dikes, Diapirism	B2
G8 Map 28	Bare Hill zeolitised tuff zone, Hokonui Hills	Section through heulandite and analcime-bearing Late Triassic tuffs in the Southland Syncline, a world class example of zeolite facies burial metamorphism.	Burial metamorphism - zeolite facies	A3
G9 Map 28	Croydon clinker	Representative example of thermally metamorphosed sediments associated with naturally burnt coal in Southland.	Thermal metamorphism - pyrometamorphism	C2
G10 Map 21	Wether Hill zeolite metamorphism	Internationally classic example of zeolite facies metamorphism.	Burial metamorphism - zeolite facies	A3
G11 Maps 16 and 21	White Hill zeolite metamorphism	Internationally classic example of zeolite facies metamorphism.	Burial metamorphism - zeolite facies	A3
G12 Map 16	Mossburn Permo-Triassic fossiliferous volcanoclastic sequence	Only example of Maitai Group rocks in the region. Diverse late Permian fauna. Allochthonous material in the exposure.	Strata - fossiliferous, Strata - volcanoclastic, Fossils - Paleozoic, Fossils	B2
G13 Map 21	Castle Rock karst, Dipton	Best karstic limestone bluff in Southland. Spectacular limestone ridgeline with one of the most impressive development of castle-like ramparts in tertiary limestone in New Zealand. Easily viewed from main road. One of the most significant avifaunal sites.	Folds - syncline, Karst features, Landforms, Solution caves	B2
G14 Map 25	Clifden limestone bluffs	Best, easily accessible karst features in Southland and one of the most diverse karstic landscapes in southern half of the South Island.	Karst features	C2

Feature Number/ Map No.	Name of Geological Feature or Landform	Significance	Type	Classification (importance/ vulnerability)
G15 Map 33	Forest Hill karst, Winton	Isolated limestone outcrops with spectacular solution weathering. Small pitfalls contain common avifaunal fossils.	Karst features	C2
G16 Map 24	Helmet Hill to Goldie Hill karst	Pristine active and fossil karstic landscape in virgin forest, with potential for future discovery of major cave systems and significant fossil avifauna.	Karst features, Solution caves	B2
G17 Map 25	Braida Crag limestone bluffs, Feldwick	Best example of limestone bluff (occasionally fluted) in western Southland, easily visible from Ohai-Clifden Highway (SH 96).	Karst features	C2
G18 Map 14	Freestone Hill limestone bluff, Manapouri	Only karstic limestone in the Manapouri area. One of the most impressive limestone bluffs in Southland.	Karst features	C2
G19 Map 27	Winton Hills tomos	Best examples in an extensive area along a ridgeline of small dolines and pitfalls, otherwise rare in Southland. Contain common avifaunal fossils.	Karst features	C2

Section 5.10 Guidelines for Buildings in the Stewart Island/Rakiura Urban Zone

Oban's landscape derives its visual character from the physical setting of hills and harbour and public spaces (beaches, streets etc). It is important that the continuing development of buildings and structures on the Island do not spoil these features, but rather that such development maintains and if possible enhances the distinctive visual character of the township.

The appropriate form and appearance of buildings and structures is in part determined by site factors such as size, contours, orientation, existing vegetation and the character of surrounding buildings. Accordingly, visual impact can be reduced by the correct siting of structures. Once this is achieved, other factors can assist to reduce visual impact. These include design form of the building or structure (eg a low profile design), colour, materials, retention of existing indigenous vegetation, landscaping work, revegetation and sensitive earthworks.

The following guidelines will be taken into account by Council when assessing resource consents for new buildings or additions to existing buildings.

Siting Of Buildings And Structures:

1. Avoid buildings on ridgelines/hill tops, especially skylines where the structure is silhouetted against the sky.
2. Avoid buildings on steep faces where earthworks become highly visible.
3. Ensure there is a backdrop of land for buildings when seen from obvious viewing points, rather than these buildings protruding on to the skyline.
4. Site buildings where there is a change in the landform, eg at the base of a hill or on a terrace.
5. Minimise excavation. A cut slope is a highly visible one. Cut slopes must be shaped to blend into the surrounding landscape.
6. Group the buildings of a development together.
7. Retain and/or establish indigenous vegetation so as to form a visual backdrop for the siting of buildings and integration of built structures into the landscape.
8. Site buildings in harmony with the land contours, eg with rooflines running parallel to the contour, not at an angle to it.

Materials:

1. Avoid highly reflective materials.
2. Employ materials that are natural in character and visually compliment the Stewart Island/Rakiura landscape.

Colour:

1. Avoid colours which would lead to a building appearing highly visible in the Island setting.
2. Where more industrialised materials such as galvanised iron, concrete are used, the use of warm colours and low reflective finishes are encouraged to ensure compatibility with the landscape.
3. Avoid colours, which do not derive from or compliment the colours of natural elements of the landscape (such elements include soil, rocks, streams, rivers, vegetation, the sky and the sea).
4. The sensitive use of colour will enhance the appearance of a building and can contribute greatly to the streetscape character. Two approaches are encouraged:
 - (a) Pale body colour, darker accent, with dark trim and roof.

(b) Dark body colour, pale accent and trim and a dark roof.

The preferable choice of colours are those in the neutral, earthy and natural ranges, including white.

Bright primary colours such as bright yellow, bright red, bright blue, bright green and purple should be avoided as background and base colours. While sometimes such colours are favoured by corporate business chains, such organisations are encouraged to recognise the unique nature of the Stewart Island/Rakiura environment.

Design Features:

1. The shape and size of new buildings should generally reflect the scale and form, which has been established by existing buildings, rather than being incongruous in the existing setting.
2. Avoid flat roofs.
3. Carparking - grouped, out of sight behind buildings or screening in the form of landscaping/vegetation where possible.

Section 5.11 State Highways and Regional Arterial Roads

Table 21 State Highways and Regional Arterial Roads

National Routes	Start	Finish	Road No.
State Highway 1			
Mataura Edendale Road	District Boundary - Brydone	Crescent Road	1486
North Road	Crescent Road	Ferry Road, Edendale	1477
Salford Street	Ferry Road, Edendale	85 Salford Street, Edendale	1476
Edendale Woodlands Road	85 Salford Street, Edendale	Flemington Road, Woodlands	1523
Woodlands Invercargill Road	Flemington Road, Woodlands	District Boundary, Kennington	1620
State Highway 6			
Winton Lorneville Road	District Boundary, Makarewa	Dejoux Road, Winton	2496
Great North Road	Dejoux Road, Winton	Welsh Road, Winton	2728
Dipton Winton Road	Welsh Road, Winton	Dipton Castlerock Road, Dipton	2876
Lumsden Dipton Road	Dipton Castlerock Road, Dipton	Oxford Street, Lumsden	3057
Diana Street	Oxford Street, Lumsden	Flora Road, Lumsden	3096
Flora Road	Diana Street, Lumsden	Albion Street, Lumsden	3108
Five Rivers Lumsden Road	Albion Street, Lumsden	Mossburn Five Rivers Road	3671
Garston Athol Road	Clyde Street, Athol	Garston	3722
Kingston Garston Road	Garston	District Boundary, Kennington	3744

Regional Arterial Roads	Start	Finish	Road No.
State Highway 94			
Riversdale Gore Road	District Boundary, Mandeville	Essex Street, Riversdale	3341
Newcastle Street	Essex Street, Riversdale	Riversdale Waikaia Road	3332
Lumsden Riversdale Road	Riversdale Waikaia Road	Plantation Street, Lumsden	3154
Flora Road	Plantation Street, Lumsden	Diana Street, Lumsden	3108
Mossburn Lumsden Road	Five Rivers Lumsden Road	Bath Street, Mossburn	3651
Devon Street	Bath Street, Mossburn	Cumberland Street, Mossburn	3633
Te Anau Mossburn Road	Cumberland Street, Mossburn	Manapouri Te Anau Road	3423
Luxmore Drive	Manapouri Te Anau Road	Milford Crescent, Te Anau	3528
Milford Road	Milford Crescent, Te Anau	Caswell Road, Te Anau	3521
Milford Te Anau Road	Caswell Road, Te Anau	Milford	3561
State Highway 95			
Cathedral Drive	Hillside Manapouri Road	1 km NE of Hillside Manapouri Road	3430
Manapouri Te Anau Road	Motor Camp Entrance	Te Anau Mossburn Road	3452

Regional Arterial Roads	Start	Finish	Road No.
State Highway 96 Hedgehope Mataura Road	Mataura Edendale Road	Hedgehope	1501
Winton Hedgehope Road	Hedgehope	Springford Street, Winton	2564
Devon Street	Springford Street, Winton	Great North Road, Winton	2740
Winton Wreys Bush Road	Dipton Winton Road	Wreys Bush	2398
Wreys Bush Nightcaps Road	Wreys Bush	Nightcaps Opio Road	2203
Digger Street	Nightcaps Opio Road	Dryfe Street, Nightcaps	2196
Dryfe Street	Johnston Road, Nightcaps	Digger Street, Nightcaps	2195
Johnston Road	Dryfe Street, Nightcaps	Ettrick Street, Nightcaps	2183
Ettrick Street	Johnston Road, Nightcaps	Wairio Stream	2178
Sinclair Avenue	Wairio Stream	Brazier Road	2174
Nightcaps Ohai Road	Brazier Road	Duchess Street, Ohai	2165
Birchwood Road	Duchess Street, Ohai	Entrance to Coal Mines	2152
State Highway 99 Wallacetown Lorneville Road	District Boundary, Lorneville	Largs Street, Wallacetown	1641
Dalry Street	Largs Street, Wallacetown	Cumnock Street, Wallacetown	1654
Riverton Wallacetown Road	Cumnock Street, Wallacetown	Albany Street, Riverton	1721
High Street	Albany Street, Riverton	Downing Street, Riverton	1805
Downing Street	High Street, Riverton	Palmerston Street, Riverton	1822
Palmerston Street, Riverton	Downing Street, Riverton	Bay Road, Riverton	1808
Orepuki Riverton Road	Bay Road, Riverton	Falls Creek Road, Orepuki	1922
Stafford Street	Falls Creek Road, Orepuki	Denbigh Street, Orepuki	1982
Tuatapere Orepuki Road	Denbigh Street, Orepuki	Jenkins Road, Tuatapere	2009
Main Road	Jenkins Road, Tuatapere	Boundary Creek	2021
Orawia Road	Boundary Creek	Bridge Street, Tuatapere	2022
Bridge Street	Orawia Road, Tuatapere	Waiau River	2036
Half Mile Road	Waiau River	Papatotara Road, Tuatapere	2038
Clifden Tuatapere Road	Half Mile Road, Tuatapere	Clifden Blackmount Road	2061
State Highway 97 Athol Five Rivers Road	Mossburn Five Rivers Road	Clyde Street, Athol	3692
State Highway 98 Lorne-Dacre Road	District Boundary, Makarewa	Edendale-Woodlands Highway	1566

Section 5.12 Hazardous Substances Table

Table 22 Hazardous Substances Table

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
Explosives	1.1A-G, J, L Mass explosion hazard	Gunpowder and black powder	15 kg	15 kg	15 kg		15 kg	0
		Display fireworks	0	0	0		0	0
		Industrial explosives (eg TNT) and all other 1.1	0	25 kg	25 kg		25 kg	25 kg
	1.2B-L Projection hazard	All	No thresholds					
	1.3C, F-L Fire and minor blast hazard	Smokeless ammunition reloading powder	15 kg	50 kg	50 kg		15 kg	15 kg
	1.3C, F-L Fire and minor blast hazard	Retail fireworks	No thresholds - refer to Hazardous Substance (Fireworks) Regulations 2001					
		All other 1.3	No thresholds					
	1.4B-G, S No significant hazard	Safety ammunition and marine flares	25 kg NEQ + 15 kg reloading powder above	50 kg + 50 kg	50 kg + 50 kg		25 kg + 15 kg	25 kg + 15 kg
		Retail fireworks	No thresholds - refer to Hazardous Substance (Fireworks) Regulations 2001					

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
		Sodium Azide, eg car airbag explosive charges	0 - (excluding airbags in vehicles)					
		All other 1.4	No thresholds					
Explosives	1.5D Very insensitive, with mass explosion hazard	All	No thresholds					
	1.6N Extremely insensitive, no mass explosion hazard	All	No thresholds					
Gases and aerosols	2NH (Non-Hazardous)	All	10 m3	200 m3	200 m3		200 m3	200 m3
	2.1.1A High hazard flammable gases	LPG in cylinders See table below with regard to indoor storage of LPG	270 kg Total Outdoor Storage Quantity	450 kg Total Outdoor Storage Quantity	530 kg Total Outdoor Storage Quantity	450 kg Total Outdoor Storage Quantity	450 kg Total Outdoor Storage Quantity	450 kg Total Outdoor Storage Quantity
		LPG propane-based refrigerant in commercial refrigeration receivers or cylinders	0	50 kg	50 kg		50 kg	50 kg
	2.1.1A High hazard flammable gases	Acetylene	1 m3	30 m3	150m3	30 m3	30 m3	30 m3
Hydrogen, methane and all other permanent gases		0	30 m3	30 m3		30 m3	30 m3	

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
	2.1.1B Medium hazard flammable gases	Anhydrous ammonia refrigerant	0	140 kg	10 tonnes in approved HSNO 'type' stores	5 tonnes in approved HSNO 'type' stores	140 kg	140 kg
		All other 2.1.1B	No thresholds					
	2.1.2A Flammable aerosols	All	20 litres	450 litres	450 litres		450 litres	450 litres
Flammable liquids (stored above-ground in containers with individual capacity ≤450 litres) (Otherwise than in bulk; Def: <450 litres)	3.1A Liquid: Very high hazard (flash point <23°C, initial boiling point ≤35°C)	Petrol	10 litres inside dwelling 50 litres outside dwelling (No storage in metal drums)	50 litres (any storage except metal drums) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores	1,950 litres in approved HSNO 'Type' stores	50 litres (any storage except metal drums) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores	50 litres (any storage except metal drums) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores.	50 litres (any storage except metal drums) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores.
		All other, e.g. ether	0	50 litres				

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
	3.1B Liquid: High hazard (FP<23°C)	All - eg acetone, paint spray thinners, pure alcohol	10 litres inside dwelling 50 litres outside dwelling (No storage in metal drums)	50 litres (any storage) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores. Large scale retail activities only: 1500 litres class 3.1B&C in containers of up to 10 litres each to HSNO Gazetted Controls or such greater quantities if compliant with HSNOCOP42 as appropriate	50 litres (any storage) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores. Large scale retail activities only: 1500 litres class 3.1B&C in containers of up to 10 litres each to HSNO Gazetted Controls or such greater quantities if compliant with HSNOCOP42 as appropriate	50 litres (any storage) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores.	50 litres (any storage) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores.	
Flammable liquids (stored above-ground in containers with individual capacity ≤450 litres)	3.1A plus 3.1B - cumulative total limit	Examples of 3.1B include methanol, acetone and ethanol. Also includes automotive paint spray thinners	10 litres inside dwelling 50 litres outside dwelling (No storage in metal drums)	50 litres (any storage except metal drums) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores	50 litres (any storage except metal drums) 250 litres in Dangerous Goods cabinet approved to AS 1940 450 litres in approved HSNO 'Type' stores	2,000 litres in total for rural activities where separated from residence in: Drums 60 and 209L in Approved HSNO stores	2,000 litres in total in: Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet	

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
(Otherwise than in bulk; Def: <450 litres)							250L Max per each DG Cabinet	
<p>It is hard to differentiate risk between 3.1A and 3.1B - both have flashpoints below 23°C and it is only Initial Boiling Point (IBP) trigger at 37°C that makes the difference. Some 3.1B substances present a greater hazard than petrol - for example acetone, ethanol and methanol. The risk depends on the ignition energy required to ignite and also the different fire fighting methods between polar and non polar solvents. An ethanol fire requires an alcohol resistant foam and methanol (racing fuel) is very toxic.</p>								
Flammable liquids (stored above-ground in containers with individual capacity ≤450 litres)	3.1C Liquid: Medium hazard (FP≥23°C, but ≤61°C)	All - eg paints, solvents, kerosene Jet-A1 aviation turbine kerosene	20 litres inside dwelling 50 litres outside dwelling	2,000 litres in total in: Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet Large scale retail activities only: 1500 litres class 3.1B&C in containers of up to 10 litres each to HSNO Gazetted Controls or such greater quantities if compliant with HSNOCOP42 as appropriate	2,000 litres in total in: Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet Large scale retail activities only: 1500 litres class 3.1B&C in containers of up to 10 litres each to HSNO Gazetted Controls or such greater quantities if compliant with HSNOCOP42 as appropriate		2,000 litres in total in: Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet	2,000 litres in total in: Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet
Flammable liquids (stored above-ground in containers with	3.1D Liquid: Low hazard (FP>60°C, but ≤93°C)	All - eg diesel, petroleum fuel oils	20 litres inside dwelling 209 litres outside dwelling	2,000 litres in total in:	11,000 litres in approved HSNO stores	10,000 litres in approved HSNO stores	2,000 litres in total in: Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet	

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
individual capacity ≤450 litres)				Drums 60 and 209L in Approved HSNO stores 250L Max per each DG Cabinet				
Flammable liquids (stored above-ground in containers with individual capacity >450 litres) (Tanks >450 litres)	3.1A Liquid: Very high hazard (flash point <23°C, initial boiling point ≤35°C)	Petrol	0		Certified single skin tanks: 0 Certified double skin tanks: 2,000 litres			
		All others	0					
	3.1B Liquid: High hazard (FP<23°C)	All - eg acetone, paint spray thinners, pure alcohol	0		Certified single skin tanks: 0 Certified double skin tanks: 600 litres			
	3.1C Liquid: Medium hazard (FP≥23°C, but ≤61°C)	All - eg paints, solvents, kerosene Jet-A1 aviation turbine kerosene	0		Certified single skin tanks: 450 litres Certified double skin tanks: 2,000 litres Certified super vault tanks constructed to SWRI standards: 10,000 litres			
Flammable liquids (stored above-ground in containers with individual capacity >450 litres)	3.1D Liquid: Low hazard (FP>60°C, but ≤93°C)	All - eg diesel, petroleum fuel oils	Certified single skin tanks: 450 litres Certified double skin tanks: 600 litres Certified super vault tanks constructed to South Western Research Institute	Certified single skin tanks: 450 litres Certified double skin tanks: 2,000 litres Certified super vault tanks constructed to SWRI standards: 10,000 litres	Certified single skin tanks: 450 litres Certified double skin tanks: 2,000 litres Certified super vault tanks constructed to SWRI standards: 10,000 litres	Certified single skin tanks: 450 litres Bunded single skin tanks: 5,000 litres Certified double skin tanks: 5,000 litres Certified super vault tanks constructed to SWRI standards: 30,000 litres		

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
			(SWRI) standards: 10,000 litres					
Waste oil (stored above-ground in containers with individual capacity >450 litres)	Not classified by HSNO	Waste oil	As above					
Flammable liquids (stored below-ground)	3.1A, 3.1B, 3.1C, 3.1D	Petroleum or alcohol blend fuels	The storage of HSNO sub-class 3.1A-D requires consent as a Controlled Activity - Please refer to Rule HAZS.2(2)					
Flammable liquids (any storage)	3.2A, 3.2B and 3.2C Liquid desensitised explosive: High, medium and low hazard	All	0					
Flammable solids	4.1.1A Readily combustible solids and solids that may cause fire through friction: Medium hazard	All	0	50 kg	50 kg	50 kg	50 kg	
	4.1.1B Readily combustible solids and solids that may cause fire through friction: Low hazard	All	0	500 kg	500 kg	500 kg	500 kg	

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
	4.1.2A&B Self-reactive: Types A&B	All	0	50 kg	50 kg		50 kg	50 kg
	4.1.2C-G Self-reactive: Types C-G	All	0	500 kg	500 kg		500 kg	500 kg
	4.1.3A-C Solid desensitised explosives	All	0	0	0		0	0
	4.2A&B Spontaneously combustible - Pyrophoric substances: High hazard and self-heating substances: Medium hazard	All	0	50 kg	50 kg		50 kg	50 kg
	4.2C Spontaneously combustible - self-heating substances: Low hazard	All	0	500 kg	500 kg		500 kg	500 kg
Flammable solids	4.3A&B Solids that emit flammable gas when wet: High and medium hazard	All	0	50 kg	50 kg		50 kg	50 kg
	4.3C Solids that emit flammable gas when wet: Low hazard	All	0	500 kg	500 kg		500 kg	500 kg
	4.2A&B Spontaneously combustible - Pyrophoric substances: High hazard and Self-heating substances: Medium hazard	All	0	50 kg	50 kg		50 kg	50 kg

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
	4.2C Spontaneously combustible - Self-heating substances: Low hazard	All	0	500 kg	500 kg		500 kg	500 kg
	4.3A&B Solids that emit flammable gas when wet: High and medium hazard	All	0	50 kg	50 kg		50 kg	50 kg
	4.3C Solids that emit flammable gas when wet: Low hazard	All	0	500 kg	500 kg		500 kg	500 kg
Oxidising substances	5.1.1A-C Liquids and solids	All	10 litres if liquid, 10 kg if solid	200 litres if liquid, 200 kg if solid	240 litres if liquid, 240 kg if solid	200 litres if liquid, 200 kg if solid	No threshold	No threshold
	5.1.1A-C Liquids Fonterra Edendale CIP	All	No threshold					
Oxidising substances	5.1.2A Gases	Oxygen (Except as stored and used in accordance with HSNO requirements within medical facilities,	5.5 m3	1,000 m3	1,000 m3		200 m3	200 m3

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
		Nitrous oxide (Except as stored and used in accordance with HSNO requirements within medical facilities)	0	30 x 8-gram nitrous oxide cartridges for catering purposes only	30 x 8-gram nitrous oxide cartridges for catering purposes only		0 except for medical purposes as noted	0 except for medical purposes as noted
		Chlorine	0		4,310 kg	210 kg	0	
	5.2A-G Organic Peroxide: Types A-G	All - eg MEKP Polyester resin catalyst	0.5 litres (hobby size)	16 litres	16 litres		4 litres (commercial size)	4 litres
Toxic substances	6.1A-C Acutely toxic	Anhydrous ammonia refrigerant	0	140 kg	140 kg		140 kg	140 kg
		Chlorine	0	0	0		0	0
		All other substances	0	20 litres if liquid, 20 kg if solid	20 litres if liquid, 20 kg if solid		20 litres if liquid, 20 kg if solid	20 litres if liquid, 20 kg if solid
	6.1D&E	Calcium Hypochlorite (HTH)	5 kg (Swimming pool chlorine)	200 kg	200 kg		1,000 kg (food and dairy industry disinfectant)	1,000 kg
		All other substances	1 kg	200 kg	200 kg		1,000 kg	1,000 kg
Toxic substances	6.3A&B Skin irritant	All	1 kg	2,000 kg	2,000 kg		2,000 kg	2,000 kg
	6.4A Eye irritant	Cement, Hydrated Lime and Burnt Lime	400 kg	50 tonne	50 tonne		30 tonne	30 tonne

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
Toxic substances		Calcium Chloride	5 kg	200 kg	200 kg		1,000 kg	1,000 kg
		All Others	1 kg	2,000 kg	2,000 kg		2,000 kg	1,000 kg
	6.5A&B Respiratory and contact sensitisers	Cement, Hydrated Lime and Burnt Lime	400 kg	50 tonne	50 tonne		30 tonne	30 tonne
		All Others	1 kg	2,000 kg	2,000 kg		2,000 kg	1,000 kg
	6.6A&B Human mutagens	All	1 kg	2,000 kg	2,000 kg		2,000 kg	1,000 kg
	6.7A&B Carcinogens	All	1 kg	200 kg	200 kg		200 kg	1,000 kg
	6.8A-C Human reproductive or developmental toxicants	All	0	0	0		0	0
	6.9A&B Substances affecting human target organs or systems	All	0	0	0		0	0
Corrosives	8.1A Substances corrosive to metals	All	5 litres	1,000 litres	15,000 litres*	1,000 litres	1,000 litres	5,000 litres
	8.2A-C Substances corrosive to skin	Cement, Hydrated Lime and Burnt Lime	400 kg	50 tonne	50 tonne	50 tonne	30 tonne	30 tonne
		All	5 litres	1,000 litres	15,000 litres*	1,000 litres	1,000 litres	5,000 litres
	8.3A Substances corrosive to the eye	Cement, Hydrated Lime and Burnt Lime	400 kg	50 tonne	50 tonne	50 tonne	30 tonne	30 tonne

Substance	HSNO sub-class and hazard classification	Substance	Urban Zone and residential activities in all other zones	Industrial Zone and Commercial Precinct in all zones excluding residential activities	Alliance's Site Limits per property, not within 50 metres of property boundary		Rural Zone excluding residential activities	Fiordland/Rakiura Zone excluding residential activities and forestry and timber treatment activities
					Lorneville	Makarewa		
		All	5 litres	1,000 litres	15,000 litres*	1,000 litres	1,000 litres	5,000 litres
Corrosives	Fonterra Edendale Industrial Zone	8.1, 8.2, 8.3 CIP Chemicals	N/A	No threshold	N/A	N/A	N/A	N/A
Ecotoxics	9.1A-D Aquatic ecotoxics and 9.2A-D Soil ecotoxics	All	See base Class thresholds NB: Where a substance requires resource consent and also has an ecotoxic class, the ecotoxicity shall be taken into consideration as part of Assessment Matter					
	9.3A-C Terrestrial vertebrate ecotoxics	All	See base Class thresholds NB: Where a substance requires resource consent and also has an ecotoxic class, the ecotoxicity shall be taken into consideration as part of Assessment Matter					
	9.4 A-C Terrestrial invertebrate ecotoxics	All	See base Class thresholds NB: Where a substance requires resource consent and also has an ecotoxic class, the ecotoxicity shall be taken into consideration as part of Assessment Matter					

Note: This table must be read with the notes outlined below:

* 15,000 litres is the maximum combined total of 8.1A, 8.2A-C and 8.3A corrosives for the Alliance Lorneville site, excluding the cement hydrated lime and burnt lime which is provided for separately in the table.

Notes:

1. Table HAZS.1 contains maximum permitted quantity thresholds (plus, in certain cases, storage requirements) for the storage, use and management of different types of hazardous substance, as classified via the Hazardous Substance (Classification) Regulations 2001. To avoid confusion, maximum permitted means up to and equal to the quantity thresholds specified. The quantities vary according to Zone and/or activity type. Where the requirements set out in this table are not met, resource consent will be required under Rules HAZS.2 and HAZS.3 of the District Plan.

2. The classification uses the criteria and numbering as specified in the HSNO Classification Regulation 2001. All approved hazardous substances in New Zealand have a HSNO hazard classification. Many substances have more than one hazardous property. The activity status must be determined for each hazard classification and the most onerous requirement shall apply.
3. The permitted quantity thresholds in Table HAZS.1 apply per site, except for the Industrial Zone and forestry and timber treatment activities in the Rural Zone, where the permitted quantity thresholds apply per hazardous sub-facility. Where more than one activity is carried out per site or hazardous sub-facility, each hazardous sub-facility shall comply with Table HAZS.1, otherwise resource consent will be required under Rules HAZS.2 and HAZS.3 of the District Plan.
4. Where the volume or weight of a hazardous substance is affected by the temperature and pressure at which it is stored, the volume or weight shall be considered (for the purposes of this table) to be that present in conditions of 20°C and 101.3 kPa otherwise resource consent will be required under Rules HAZS.2 or HAZS.3 of the District Plan.
5. Where any site contains residential activity then the Urban Zone thresholds detailed in the table shall exclusively apply, regardless of any other activity occurring on the site except for within the Rural Zone, where the Urban Zone thresholds apply to the residential dwelling and curtilage only.
6. Dwelling under HSNO includes the house and any structure attached to the house including a carport, basement garage, etc. It does include a balcony and a verandah but not a deck or patio unless roofed over.
7. “Approved” means test certified as compliant with HSNO, or in some cases approved by the EPA.
8. “Certified” means tanks that are issued with a Design Verification Test Certificate under HSNO by a Test Certifier if they are of a standard design eg service station tanks, farm tanks etc. The Design Verification Certificate is for the EPA listed Test Certified Approved Tank Fabricator’s production tanks; or; they are site built and subject to Engineer’s Producer Statements - PS1 and PS4’s for design, tank slab and seismic restraint eg Fonterra Edendale class 8 tanks and CIP Process Vessels. Both construction methods are then subject to Stationary Container Systems Certificates on site by another Test Certifier.

Table 23 Use of LPG Inside Buildings

Location	Max. Quantity of LPG	Max. size of cylinder
A detached house or single storey attached dwelling and multi-storey attached dwellings up to three storeys	20 kg per dwelling	10 kg cylinder
Multi-storey attached dwellings over three storeys	10 kg per dwelling	10 kg cylinder
Hotels, bars, restaurants, public buildings, places of worship, shops, offices and laboratories not attached to a dwelling	10 kg per 10 m ² of the indoor floor area, up to a maximum total quantity of 100 kg	10 kg cylinder

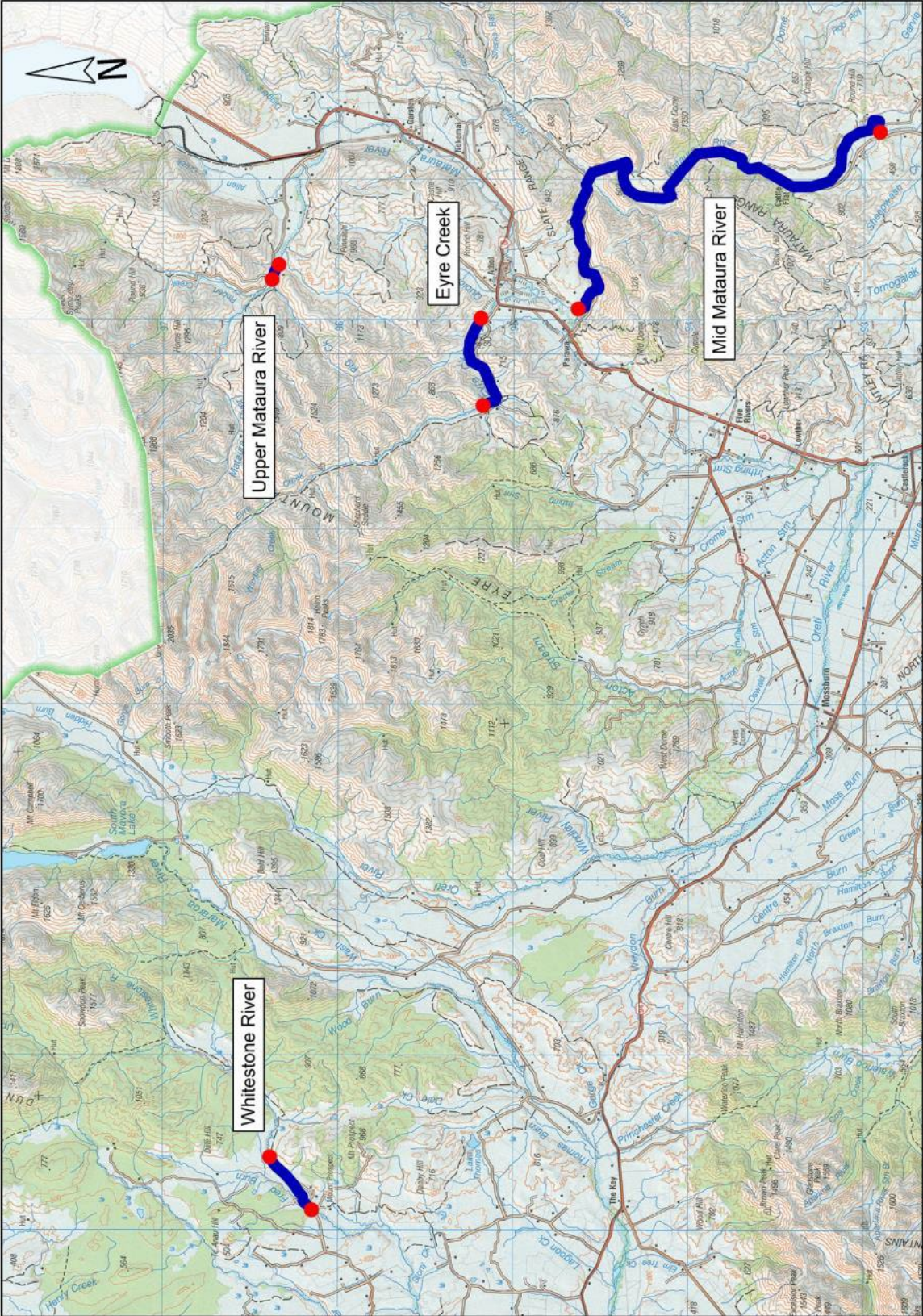
Location	Max. Quantity of LPG	Max. size of cylinder
Hotels, bars, restaurants, public buildings, places of worship, shops, offices and laboratories that are attached to a dwelling	20 kg per premises	10 kg cylinder
Factories and warehouses	45 kg per 50 m ² of the indoor floor area, up to a maximum total quantity of 180 kg per occupancy	45 kg cylinder

The table for the use of LPG inside buildings was included in EPA document HRC09001 - the Reassessment of LPG and LPG based refrigerants. The trigger quantities are maximums and cannot be exceeded through the resource consent process (provided for information only) as prohibited under HSNO.

Section 5.13 Wilding Tree Map

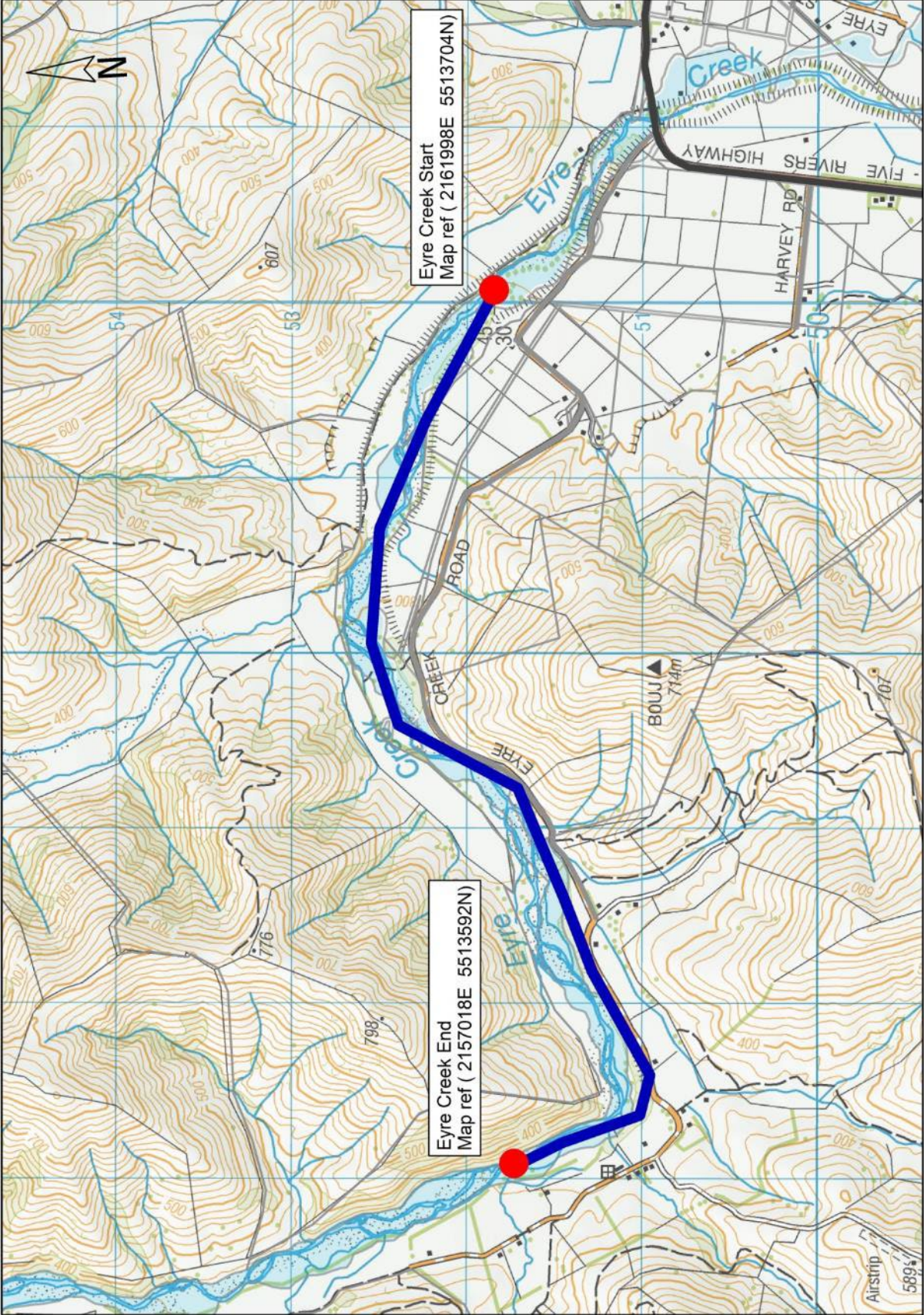
Map A - Overview

Figure 13 Map A - Overview



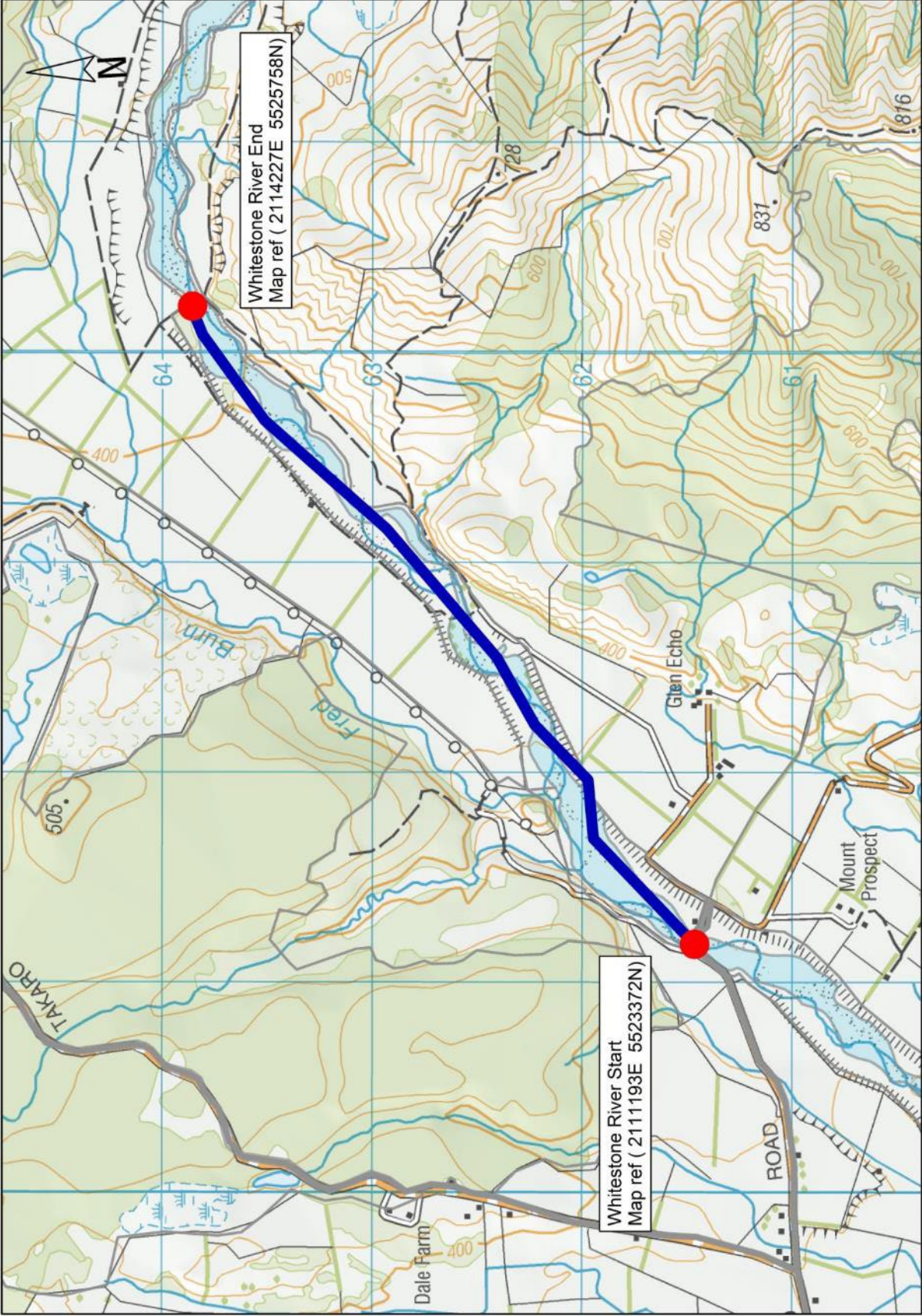
Map B - Eyre Creek Reach

Figure 14 Map B - Eyre Creek Reach



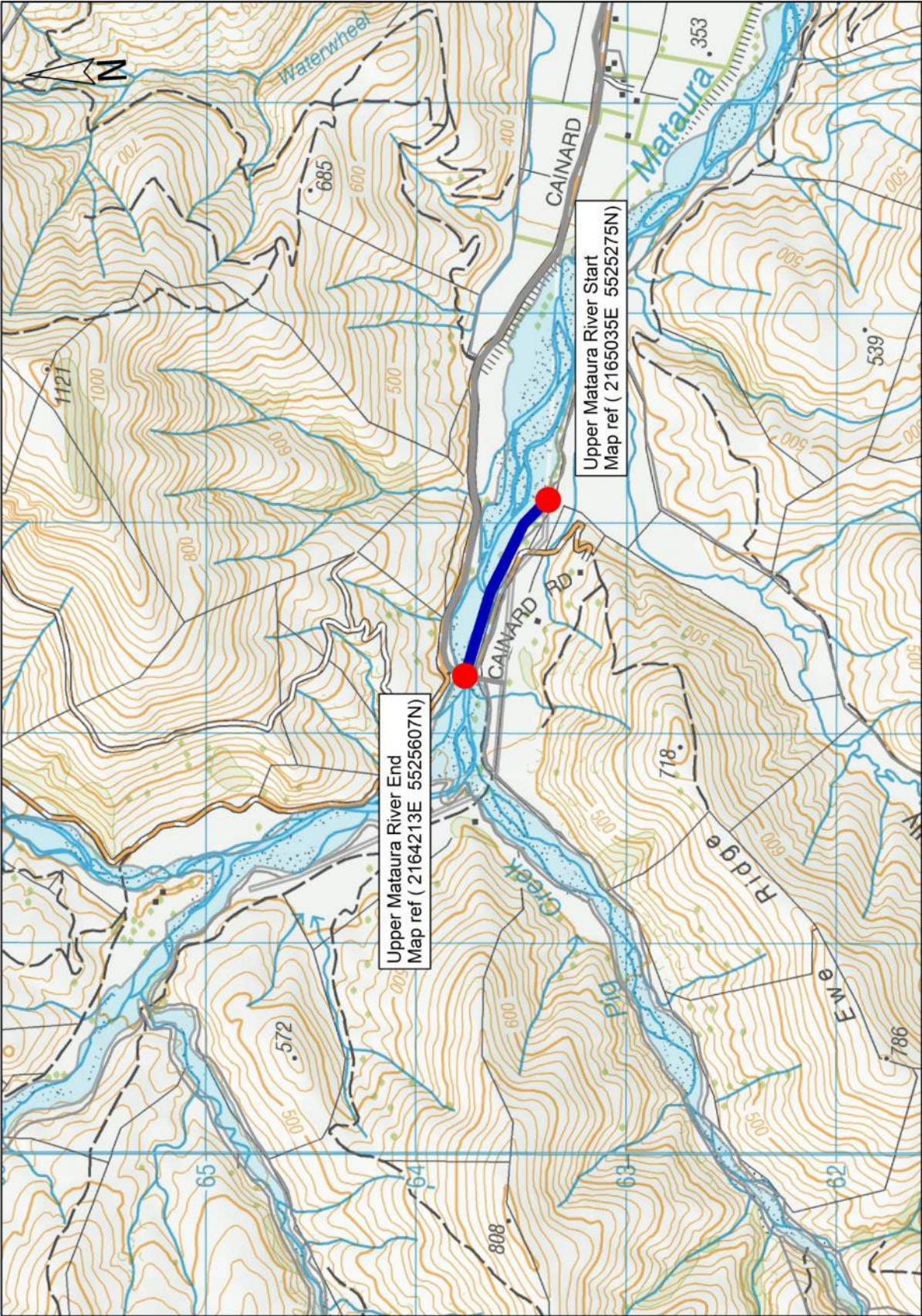
Map C - Whitestone River Reach

Figure 15 Map C - Whitestone River Reach



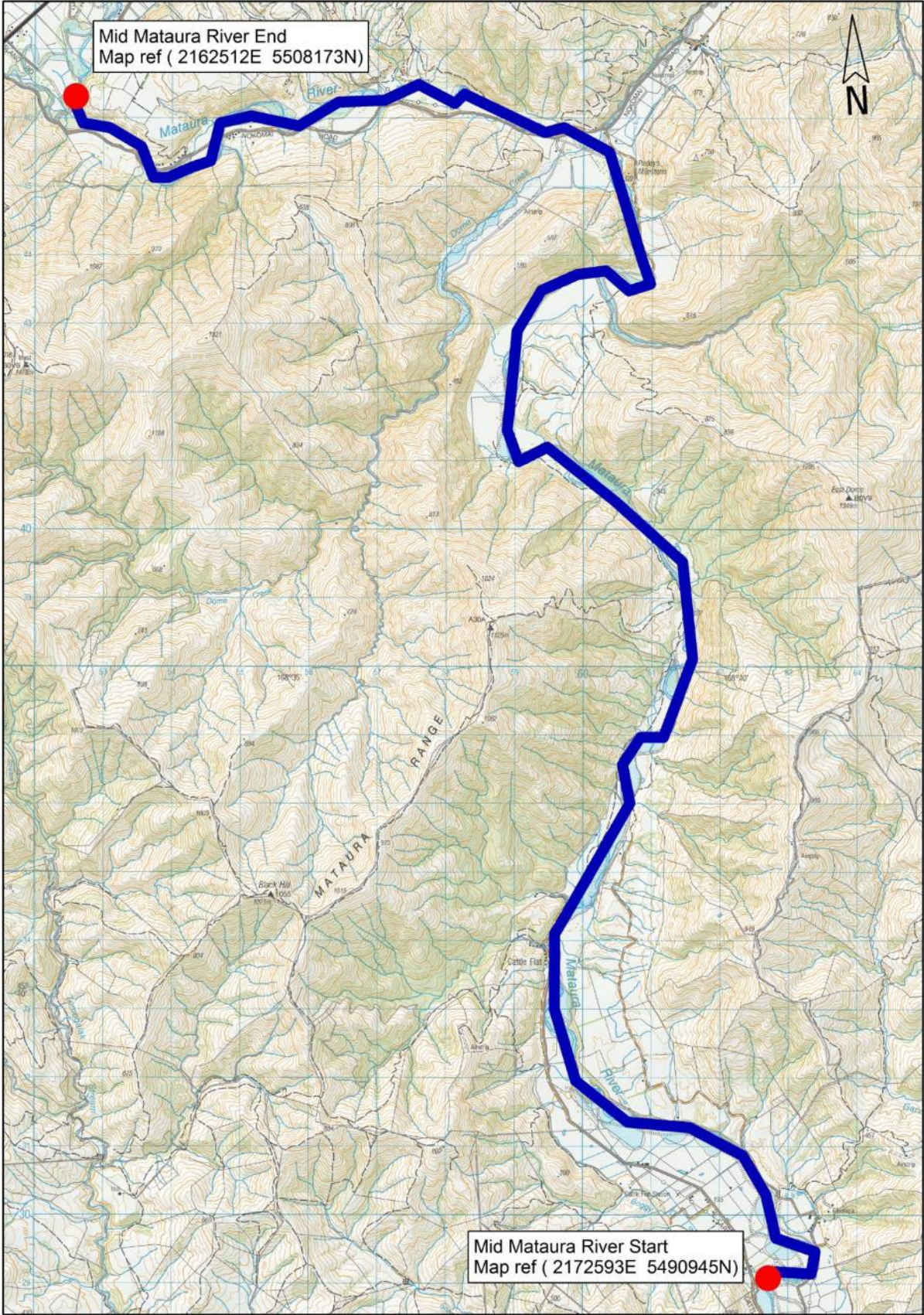
Map D - Upper Mataura River Reach

Figure 16 Map D - Upper Mataura River Reach



Map E - Mid Mataura River Reach

Figure 17 Map E - Mid Mataura River Reach



Section 5.14 Accidental Discovery Protocol

This accidental discovery protocol is relevant to all sites associated with human activity that occurred before 1900, regardless of any cultural association. If any material is discovered then work shall stop immediately.

In recognition of Section 6 of the Resource Management Act 1991 and legal requirements under the Heritage New Zealand Pouhere Taonga Act 2014 there is a requirement to consult Heritage New Zealand when archaeological sites are disturbed without authorisation having been previously obtained. The New Zealand Police also need to be consulted if the discovery includes Kōiwi (human remains).

If the work is being undertaken on land managed by the Crown such as the Department of Conservation or Land Information New Zealand, the landowner shall be notified.

In addition to this, if the site is related to Maori, the following shall also apply:

Kōiwi Accidental Discovery

If Kōiwi (human skeletal remains) are discovered, then work shall stop immediately and Te Ao Mārama Incorporated (Ngāi Tahu (Murihiku) Resource Management Consultants) will be advised.

They will arrange a site inspection by the appropriate Tangata whenua and their advisers, including statutory agencies, who will determine whether the discovery is likely to be extensive and whether a thorough site investigation is required.

In recognition of Section 6 of the Resource Management Act 1991 and legal requirements under the Heritage New Zealand Pouhere Taonga Act 2014, there is a requirement to consult Heritage New Zealand when archaeological sites are disturbed without authorisation previously obtained. The New Zealand Police also need to be consulted if the discovery includes Kōiwi or human remains.

Materials discovered will be handled and removed by Iwi responsible for the tikanga appropriate to their removal or preservation.

Taonga or Artefact Accidental Discovery

Taonga or artefact material (e.g. pounamu/greenstone artefacts) other than Kōiwi will be treated in a similar manner so that their importance can be determined and the environment recorded by qualified archaeologists alongside the appropriate Tangata whenua.

In-situ (Natural State) Pounamu/Greenstone Accidental Discovery

Pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997, all natural state pounamu/greenstone in the Ngāi Tahu tribal area is owned by Te Rūnanga o Ngāi Tahu. The Ngāi Tahu Pounamu Resource Management Plan provides for the following measures:

- Any in-situ (natural state) pounamu/greenstone accidentally discovered should be reported to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu as soon as is reasonably practicable. The Pounamu Management Officer of Te Rūnanga o Ngāi Tahu will in turn contact the appropriate Kaitiaki Papatipu Rūnanga.
- In the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu/greenstone should be carefully covered over

and/or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Management Officer.

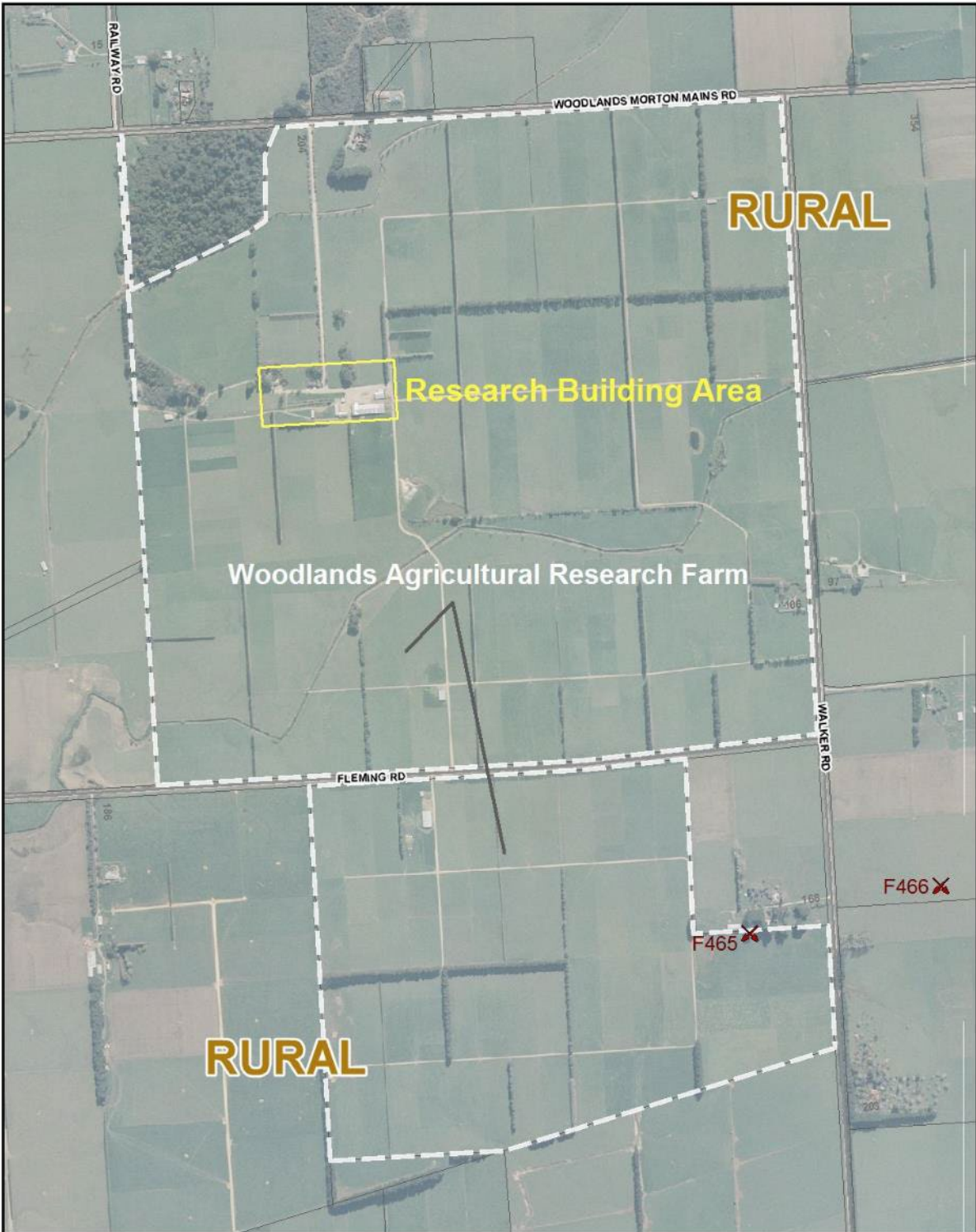
Contact details for the Pounamu Management Officer are as follows:

Te Rūnanga o Ngāi Tahu	Phone: +64 3 366 4344
Te Whare o Te Waipounamu	Phone: 0800 KAI TAHU
15 Show Place	(0800 524 8248)
Addington	Fax: +64 3 341 6792
Christchurch 8024	Email: info@ngaitahu.iwi.nz

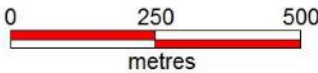
Postal Address
PO Box 13 046
Christchurch 8141

Section 5.15 Woodlands Agricultural Research Farm

Figure 18 Woodlands Agricultural Research Farm



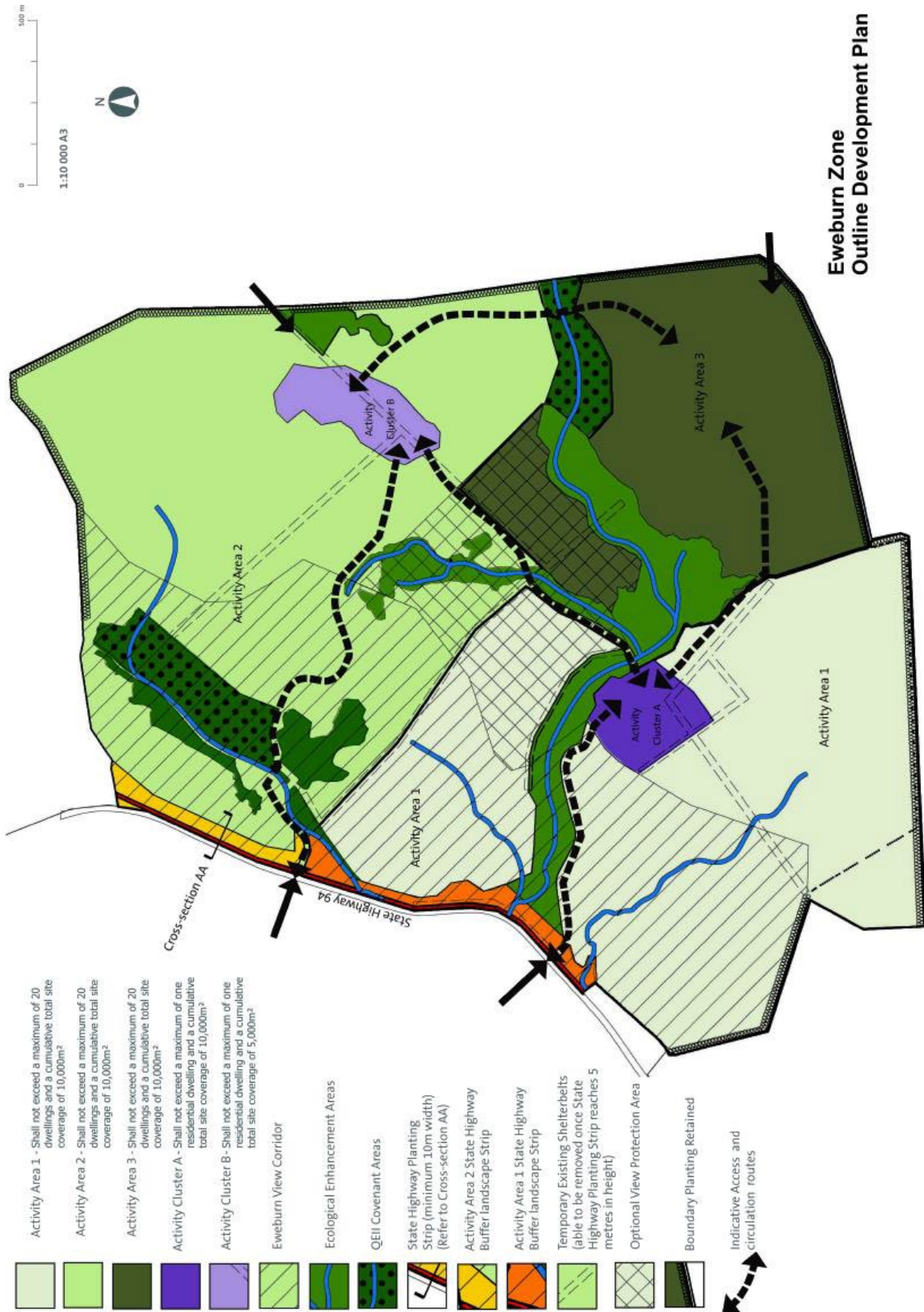
Schedule 5.15 Woodlands Agricultural Research Farm



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Section 5.16 Eweburn Zone Outline Development Plan

Figure 19 Eweburn Zone Outline Development Plan



Section 6.1 Information for Resource Consents

The provisions of the Fourth Schedule of the Act set out the general requirements for matters to be included in an assessment of the effects of a proposal on the environment, to accompany applications for resource and subdivision consents.

Information should be provided in hard copy (minimum of two copies) but the applicant may choose to also submit electronic copies of maps, site plans and documents. If it is intended to provide electronic copies of files, please check with Council prior to providing the documents, to ensure the correct file format.

The following list should guide Council and applicants in determining the type of information that should be submitted with any application for resource consent.

6.1.1 Land Use Drawings Required

1. Any application for resource consent shall include two sets of drawings illustrating the proposal.
2. A drawing showing the location of the site with road name, property number and north point.
3. A site plan of the area affected by the proposal showing:
 - (a) Site boundary lengths and other dimensions in metres.
 - (b) Location with distances to site boundaries of all existing buildings which are to remain on the site and all proposed buildings and structures (including where applicable eaves, balconies, courts and verandahs).
 - (c) Proposed use of each building.
 - (d) Position of any easement over the site.
 - (e) Position, location and dimensions of every parking and loading space.
 - (f) Location of roads adjacent to the site and the formation status of the road and any footpath(s).
 - (g) Kerb lines adjacent to the site and the position of any street trees.
 - (h) Levels on the site boundaries around any buildings, or contours of the site except where the site has a uniform grade of less than 1 in 10.
 - (i) Proposed retaining walls, excavations and landfill.
 - (j) Existing trees and proposed landscaping (particularly where this is a requirement of the rules for the zone). Dimensioned areas of the landscaping should be shown together with all existing and proposed sealed areas.
 - (k) Indigenous vegetation areas, streams, wetlands and heritage items.
 - (l) Where relevant, recession line diagrams or models.
 - (m) Watercourses and drainage and sewerage pipes within and adjacent to the site.
 - (n) The means proposed to deal with all stormwater and sanitary drainage.
 - (o) The location of any historic heritage item listed in Schedule 5.2 or archaeological site.
 - (p) The location of any transmission lines that traverse the site.
4. A floor plan of each building (at a scale of not less than 1:100) showing:
 - (a) Use of all parts of the building, including basements, parking, lift towers, storage or service areas.
 - (b) Room layout of the building, if this is known and a clear identification of the use of different rooms or parts of a floor, including a total gross floor area for each use.

Where several floors are of the same area and use, a standard floor plan may be shown.

5. Elevations of each building (at a scale not less than 1:100) showing: - external appearance of the building including doors and windows.
 - (a) Number of floors and their proposed usage.
 - (b) Building heights and height in relation to any boundary.
 - (c) Materials and colours to be used on the exterior cladding.

6.1.2 Land Use Details Required

1. Certificates of Title or Computer Freehold Register for the subject site(s).
2. A description of the site including existing uses, buildings, topography and vegetation, including information on the extent and nature of any fill on the site, an assessment of the likely risk of natural hazards and a description of the existing natural environment (including areas of indigenous vegetation, habitats of indigenous animals, existence of threatened species and landscape features).
3. A statement specifying all other resource consents that the applicant may require from any consent authority in respect of the activity to which the application relates and whether or not the application has applied for such consents.
4. A description of the activity for which consent is sought, including but not limited to:
 - a) The number of carparks to be provided and the provisions for access, loading and circulation.
 - b) The frequency and timing of vehicle movements anticipated to or from the site and the number of heavy vehicles expected.
 - c) Number of persons to be employed.
 - d) Hours of operation.
 - e) Any landscaping to be provided, including areas for planting, the location and types of trees to be planted, the location of any outdoor storage areas and how these are to be screened from view.
 - f) Any outdoor advertising signs proposed, including the dimensions, height, lettering and location (freestanding or on buildings) of any signage, or any illumination proposed.
 - g) In respect to any potential for noise generation:
 - i) the type and specification of any proposed machinery or equipment;
 - ii) the location on site or within buildings, and the material of which the buildings are constructed;
 - iii) details of any proposed measures to avoid, remedy or mitigate noise, including any technological or management approaches;
 - iv) hours of operation, and the expected nature and frequency of noise events;
 - v) duration where specified noise levels will be exceeded, particularly at night, with regard to likely disturbance that may be caused;
 - vi) the degree to which any excessive noise or vibration generation will affect amenity values:
 - a. the value and nature of entertainment activities and their benefit to the wider community, having regard to the frequency of noise intrusion and the practicality of mitigating noise, or utilising alternative sites;
 - b. the extent to which achieving the relevant standard is practicable, given any existing activities which create noise, particularly on the interface with commercial, industrial or recreational activities;

- c. the extent to which achieving the relevant standard is practicable where the existing noise environment is subject to significant noise intrusion from road, rail or air transport activities;
 - d. cumulative noise effects.
 - h) In respect to any hazardous substances to be stored or used on site:
 - i) the type and volume of those substances;
 - ii) proposed methods of containment, including in emergencies;
 - iii) the location on site or within buildings of any transfer, or storage points;
 - iv) transport arrangements on site, and routes and methods of transport to and from the site;
 - v) the location of the site or facility with respect to population, services, schools, emergency services, hospitals and arterial routes;
 - vi) compliance with the Hazardous Substances and New Organisms Act 1996;
 - vii) sensitivity of, and consequences of, any failure, escape or activation of the hazardous substance to the surrounding environment;
 - viii) consideration of alternatives including methods of storage;
 - ix) consideration of relevant New Zealand Standards and Industry Codes of Practice.
 - i) In respect to any earthworks, fill or excavation proposed:
 - i) the type of fill;
 - ii) the volume and depth of fill and excavation;
 - iii) identification of those areas of the site subject to fill or excavation;
 - iv) the impact on utilities, or on any archaeological sites;
 - v) the proximity of earthworks to surface water and groundwater bodies.
 - j) In respect to any potential for glare:
 - i) the nature and location of any highly reflective surfaces;
 - ii) the location, type and power of lighting on the site;
 - iii) the means of directing its spill;
 - iv) any effects on visibility of the night sky.
 - k) The need for any financial contribution and/or bond.
- 5. An assessment of any actual or potential effects that the activity may have on the environment (in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment) and the ways in which those adverse effects may be avoided, remedied or mitigated, including, but not limited to, the information set out below.
 - a) The effects of the proposal on biodiversity:
 - i) including methods proposed to avoid, remedy or mitigate adverse effects;
 - ii) including indigenous vegetation;
 - iii) including habitats and ecosystems;
 - iv) including ecologically sensitive areas;
 - v) including breeding populations of indigenous fauna;
 - vi) the proximity to riparian margins and waterways;
 - vii) the proximity to the coastal environment, or wetlands;
 - viii) proposals to compensate for or offset loss of indigenous vegetation and habitats of indigenous fauna;
 - ix) any relevant authorisation issued under the Forests Act 1949.
 - b) The effects of the proposal on any listed historic heritage items:
 - i) where a listed historic heritage item would be affected this should include plans and photographs showing existing interior or exterior original features;

- ii) plans of these features should any alterations be proposed to be carried out. A statement must also be provided as to whether any activity will affect the whole or part of a listed heritage item;
- iii) any consultation with the Heritage New Zealand.
- c) The effects on any nature conservation areas, recreational values and facilities:
 - i) existing recreation users;
 - ii) and the experiences of other recreational users in the vicinity.
- d) The effects on any significant geological sites and landforms as listed in Schedule 5.9 - Significant Geological Sites and Landforms.
- e) The effects of the proposal on any Outstanding Landscapes and Natural Features and Visual Amenity Landscapes:
 - i) visibility of development from surface water bodies and public places;
 - ii) visibility of development access;
 - iii) from proposed revegetation and any earthworks;
 - iv) whether the development breaks the skyline or the form of any ridges, hills or prominent slopes;
 - v) visibility of any utilities to service development;
 - vi) existing land uses and patterns of development;
 - vii) natural landscape patterns;
 - viii) natural vegetation patterns;
 - ix) any methods to avoid, remedy or mitigate adverse effects.
- f) Where natural hazards are identified, the proposed methods to avoid, remedy or mitigate the hazard:
 - i) including the extent to which the development has an operational need to be located in an area of natural hazard risk;
 - ii) including confirmation the development is not likely to accelerate or result in material damage to land, other land or any structure, through inundation or erosion;
 - iii) whether the development would reduce risk of natural hazards;
 - iv) and consideration of the most recent natural hazard information available.
- g) The effects of Energy Facilities, Mining and Infrastructure:
 - i) on the safety and integrity of any other network utility, which could be adversely affected by the proposal;
 - ii) and the extent to which the adverse effects of noise, lighting and vibration will be avoided, remedied or mitigated;
 - iii) on natural character and amenity values of the Coastal Environment, wetlands, lakes and rivers and their margins;
 - iv) the protection of Outstanding Natural Features and Landscapes;
 - v) the extent to which adverse effects on the environment from the storage use, disposal and transportation of hazardous substances is avoided, remedied or mitigated;
 - vi) the extent to which any adverse effects of the proposal on traffic safety and movement may be avoided, remedied or mitigated;
 - vii) the protection of historic heritage;
 - viii) the consideration of alternatives.
 - ix) The positive local, regional and national benefits to be derived from the use and development of renewable energy infrastructure.
- h) The effects on any river or lake, particularly effects on:
 - i) ecological values;

- ii) community water supplies;
 - iii) water quality;
 - iv) amenity values and natural character;
 - v) public safety and navigation;
 - vi) public access.
- i) Any effects on adjoining sites, for example shading caused by a building or blocking of views or dominance of buildings.
 - j) Any effects on Māori cultural, spiritual or traditional values including any traditions with their ancestral lands, water, sites, wāhi tapu and other taonga and the outcome of any consultation with tangata whenua.
 - k) The results of any consultation undertaken with any parties who may be affected by the proposal and any other stakeholders.

6.1.3 Subdivision Drawings Required

Every application for subdivision consent shall include a plan drawn to scale showing the following information:

1. The whole of the land held in physical continuity by the subdividing owner, a diagram may be shown if the land is too large to be drawn at the principal scale.
2. The location, dimensions and description of existing and proposed buildings in relation to existing and proposed boundaries.
3. The position of existing water, sewer, stormwater, electrical and telecommunication services.
4. The location of any transmission lines that traverse the site.
5. The lot number for each site, boundary distances, site areas and in the case of rear sites, both net and total areas.
6. The location of any esplanade mechanisms.
7. The location of any existing and proposed easements and rights of way.
8. Where reserves and/or roads are to vest in the Council, the location and areas of the proposed reserves and/or walkways and any tree planting proposed for the reserves and/or roads to vest in the Council.
9. Any outline development plan or structure plan.

6.1.4 Subdivision Information Required

In addition, the subdivision application assessment of environmental effects should address:

1. The methods of servicing new allotments with water, sewer, stormwater, electrical and telecommunication facilities and evidence to demonstrate that those services can outfall or connect to existing reticulations.
2. The formation standards of the roads adjoining the subject land, eg whether sealed, metalled or unformed, whether or not there is an existing kerb and channel and/or formed footpath.
3. Whether or not any adjoining river has an average width of 3 metres or more.
4. The position of stock water races.
5. The effects on water and soils.
6. The effects on amenity values.
7. The effects on any Outstanding Natural Features and Landscapes and Visual Amenity Landscapes.
8. The adequate provision of on-site wastewater systems where relevant.
9. Any risks associated with areas of land identified as contaminated or potentially contaminated.
10. The effects on significant indigenous vegetation and significant habitats of indigenous fauna.

11. The location of any esplanade mechanism.
12. The position of any listed heritage item, including archaeological sites.
13. The location of any wāhi tapu or wāhi taoka.
14. The presence of and type of natural hazards.
15. Integration with infrastructure.
16. The need for financial contribution, bond and vesting of land.

6.1.5 Conditions

Conditions can be put on resource consents to ensure that an activity is carried out as stated in the application or as revised by the decision and that adverse effects are mitigated or remedied. For example, on a large scale subdivision or construction project, a condition may be imposed requiring a Landscape Management Plan to be produced that describes how, what, when and by whom any landscaping activities would be undertaken and maintained, for example weed control.