Appendix 2: Recommended Amendments

Interpretation

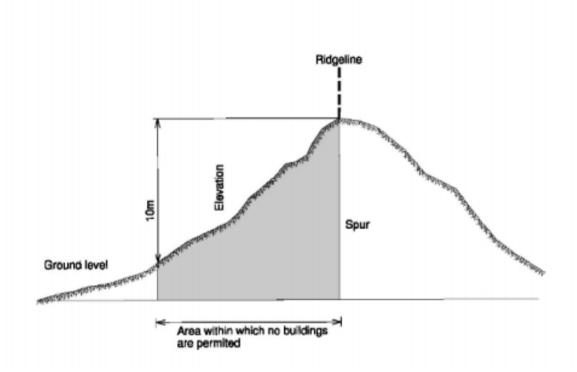
Definitions		
Ancillary Utility Equipment	Equipment that must be installed with, and at the same site as, a network utility to enable its operation, but excludes antennas,	
	selfcontained power units or generators. 222	
Building Node	Includes that area of land which contains the principal residential unit, other principal buildings, and any worker's accommodation	
	or accessory buildings, which are contained in a discrete area of the property, generally 223 delineated by intensive shelter or amenity	
	planting and worked paddocks.	
	A building node is contained within an area not exceeding 500m distance from the principal residential unit in relation to the High	
	Country, Front Range and Malvern Hills ONLs, and not exceeding 100m distance from the principal residential unit in the Port Hills ONL	
	A building node does not include any area which contains only holiday homes, baches, cabins, huts or similar buildings which are not	
	permanently occupied, and which are not associated with the farming operation on the property.	
Ridgeline ²²⁴	Ridgeline is the line marking or following the ridgetop that forms a continuous elevated crest and is the line of intersection at the top of	
	opposite slopes	

²²² Orion DPR-0367:009, Trustpower DPR-0441:014 Consequential

²²³ The Stations DPR-0144:005

²²⁴ SDC DPR-0207:001

New Diagram 1²²⁵



²²⁵ SDC DPR-0207:001

NFL-Policies

NFL-Policies	
NFL-P1	Recognise the values of the identified outstanding natural features and landscapes described in NFL-SCHED1 and protect these values from adverse
	effects by:
	a. avoiding subdivision, use and development in those parts of outstanding natural features and landscapes with limited or no capacity to absorb
	change, and providing for limited subdivision, use, and development in those areas with potential to absorb change;
	b. avoiding <u>subdivision</u> , use and development that detracts from extensive open views, or detracts from or damages the unique <u>distinctive</u> <u>226</u>
	landforms and landscape features;
	c. managing building density and form to ensure it remains at a low level and predominantly concentrated within building nodes, and maintains a
	predominance of vegetation cover and sense of low levels of human occupation;
	d. enabling activities that maintain the qualities of the landscape;
	e. avoiding buildings and structures that break the skyline;
	f. ensure buildings and structures are constructed from materials with low reflectance values, and are designed to minimise glare and the need
	for earthworks, and are mitigated by plantings to reduce their visual impact where appropriate;
	g. avoiding activities that are incompatible with the values identified, including plantation forestry, mineral extraction and large-scale earthworks.
	h. avoiding buildings and structures (excluding ancillary structures and public amenity structures) ²²⁷ in close proximity to the key visual corridors
	of State Highway 73 and the Midland railway line;
	i. recognising and providing protection for Ngāi Tahu values in locations of special significance to tāngata whenua;
	j. recognising the existence of working pastoral farms and their contribution to the openness of outstanding natural features and landscapes and
	providing for their ongoing operation and maintenance requirements ²²⁸ ;
	k. recognising the existing Porters Ski and Recreation Area and providing for its ongoing subdivision, use and development, while ensuring that the
	outstanding landscapes values of the Area are recognised and protected from inappropriate subdivision ²²⁹ , use and development.
NFL-P2	Recognise the values of the identified visual amenity landscapes described in NFL-SCHED2 and maintain these values by:
	a. avoiding visually prominent development;
	b. managing subdivision, use and development to ensure that it does not result in over domestication of the landscape;
	c. avoiding use and development that breaks the skyline; and
	d. recognising the existence of working pastoral farms and their contribution to the openness of visual amenity landscapes and providing for their
	ongoing operation and maintenance requirements ²³⁰ .
NFL-P3	When considering NFL-P1 and NFL-P2 in respect of proposals for important infrastructure, recognise:
	a. <u>the operational or functional requirements for the location proposed; and</u>

²²⁶ Forest and Bird DPR-0407:045

²²⁷ SDC DPR-0207:035

²²⁸ DHL DPR-0372:077, CFSL DPR-0388:038, RIL DPR-0390:060
²²⁹ Forest and Bird DPR-0407:045

²³⁰ DHL DPR-0372:077, CFSL DPR-0388:038, RIL DPR-0390:060

- b. site, route or method selection that serves to minimise the effects on the environment; and
- c. design measures and management methods to mitigate adverse effects. 231

Note for Plan Users: There may be a number of Plan provisions that apply to an activity, building or structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other District Wide or Area Specific Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity is provided in the How the Plan Works section.

The Regional Land and Water Plan applies rules to any activity that takes place in, on, under and over the beds of lakes and rivers under RMA S13(1). Plan users should check the provisions of that plan in addition to the provisions of the NFL Chapter more specifically and the Selwyn District Plan more generally.²³²

NFL-Rules

NFL-R1 Buildings and Structures		
ONL Overlay: Banks Peninsula	Activity status: PER	Activity status when compliance
	1. Buildings and structures, including ancillary structures.	not achieved:
ONL Overlay: Front Ranges		2. When compliance with any rule
	Where this activity complies with the following rule requirements:	requirement is not
ONL Overlay: Malvern Hills	NFL-REQ1 Height ONL	achieved: Refer to relevant rule
	NFL-REQ2 Footprint ONL	requirement.
ONL Overlay: Rakaia Catchment	NFL-REQ3 Coverage ONL	
	NFL-REQ4 Setbacks	
ONL Overlay: Waimakariri	NFL-REQ5 Appearance	
Catchment excluding SKIZ ²³³ and	NFL-REQ6 Height VAL	
GRAZ ²³⁴	NFL-REQ7 Footprint VAL	
	NFL-REQ8 Coverage VAL	
ONL Overlay: Waimakariri River		
ONL Overlay: Rakaia River		

²³¹ Orion DPR-0367:059, DHL DPR-0372:075, CFSL DPR-0388:037, RIL DPR-0390:058, Trustpower DPR-0441:125, Transpower DPR-0446:094, KiwiRail DPR-0458:046, Waka Kotahi DPR-0375:097

²³² CRC DPR-0260:116

²³³ Clause 16 (2) RMA

²³⁴ SDC DPR-0207:107

NFL-R2 Earthworks		
ONL Overlay: Banks Peninsula	Activity status: PER	Activity status when compliance
	1. Earthworks	not achieved:
ONL Overlay: Front Ranges		2. When compliance with any
	Where:	of NFL-R2.1 is not achieved: Refer
ONL Overlay: Malvern Hills	The earthworks:	to NFL-REQ9.1
	a. comply with NFL-Table 1 or NFL-Table 2; or	
ONL Overlay: Rakaia	b. are for maintenance and repair of existing <u>erosion control structures²³⁶</u> , <u>underground</u>	
Catchment	infrastructure, drains ²³⁷ , fence lines, roads, or tracks; or	
	c. are for the installation of underground infrastructure and ancillary <u>structures</u> <u>utility</u>	
ONL Overlay: Waimakariri	equipment. ²³⁸	
Catchment excluding SKIZ and	d. <u>are in association with maintenance, operation and repair of buildings and structures at</u>	
GRAZ ²³⁵	Coleridge HEPS ²³⁹ .	
ONL		
Overlay: Waimakariri River		
ONL Overlay: Rakaia River		
ONL Overlay: Te	Activity status: NC-RDIS	Activity status when compliance
Waihora/Lake Ellesmere	3. Earthworks associated with the maintenance and repair of underground infrastructure, drains,	not achieved: N/A <u>C</u>
	fence lines, roads or tracks.	
	Matters of Discretion	
	4 The exercise of discretion in relation to NFL-R2.3 is restricted to the following matters:	
	a .whether the proposal is consistent with maintaining the values of the ONL as described in	
	NFL-SCHED1	
	b. whether the proposal will integrate into the landscape and the appropriateness of the scale	
	and any mitigation measures such as planting,	
	c. the impact of development on views from public places and roads (including unformed legal	
	roads), ease of accessibility to that place and the significance of that view point.	

²³⁵ SDC DPR-0207:107

²³⁶ The Stations DPR-0144:003

²³⁷ ESAI DPR-0212:058

²³⁸ Orion DPR-0367:009, Trustpower DPR-0441:014 ²³⁹ Trustpower DPR-0441:129

	d. the extent to which the proposal will result in adverse cumulative effects.	
	e. whether the proposal supports the continuation of primary production.	
	f. the extent to which the proposal has functional or operational needs for its location. 240	
	Notification	
	Any application required by this Rule shall not be notified and the written approval of any other	
	party will not be required.	
SKIZ	Activity Status: CON	Activity status when compliance
	6. Earthworks;	not achieved:
		8. When compliance with any
	Where:	of NFL-R2.6.a is not achieved: See
	a. it is located within the Porters Basin Sub Area or the Village Base Sub Area; and	Rule <u>NFL-R2.10</u> , <u>NFL-R2.14</u> , <u>NFL-</u>
	b. it is for the following activities:	R2.18, NFL-R2.22, or NFL-R2.26.
	i. establishing ski trails and terrain parks;	9. When compliance with any
	ii. installing support structures for tows, lifts, and gondolas;	of NFL-R2.6.b. is not
	iii. establishing trails for recreational activities including mountain bike, luge, and walking trails;	achieved: DIS.
	iv. the construction of buildings, structures, and utilities;v. forming access tracks;	
	vi. forming access tracks, vi. forming roads in the Village Base Sub-Zone;	
	vii. installing infrastructure for stormwater, wastewater disposal, water supply,	
	electricity, and telecommunications; and	
	viii. ground preparation for planting of indigenous vegetation on areas greater than 5m ² .	
	ix. activities and facilities associated with the management and operation of a ski area ²⁴¹	
	Matters of control:	
	7. The exercise of control in relation to NFL-R2.6. is restricted to the following matters:	
	a. <u>NFL-MAT2</u>	
SKIZ	Activity Status: CON	Activity status when compliance
	10. Earthworks;.	not achieved:
		12. When compliance with any
	Where:	of NFL-R2.10.a. is not
	a. it is located within the Wastewater and Disposal Sub Area; and	achieved: See Rule NFL-R2.6, NFL-

²⁴⁰ ESAI DPR-0212:059 ²⁴¹ PAR DPR-0345:022

		T
	b. it is for the following activities:	R2.14, NFL-R2.18, NFL-R2.22,
	i. establishing ski trails and terrain parks; installing infrastructure for wastewater	or <u>NFL-R2.26</u>
	disposal	13. When compliance with any
	ii. installing support structures for tows, lifts, and gondolas; ground preparation	of NFL-R2.10.b. is not
	for the planting of indigenous vegetation ²⁴²	achieved: DIS
	iii. establishing trails for recreational activities including mountain bike, luge, and	
	walking trails;	
	iv. the construction of buildings, structures, and utilities;	
	v. forming access tracks;	
	vi. constructing snow making reservoirs; and	
	vii. installing infrastructure for stormwater, wastewater disposal, water supply,	
	electricity, and telecommunications.	
	Matters of control:	
	11. The exercise of control in relation to NFL-R2.10. is restricted to the following matters:	
	a. <u>NFL-MAT2</u>	
SKIZ	Activity Status: RDIS	Activity status when compliance
	18. Earthworks	not achieved:
		20. When compliance with any
	Where:	of NFL-R2.18.a. is not
	a. it is located within the Crystal Basin Sub Area, or Porter Lower Slopes Sub Area; and	achieved: See Rule NFL-R2.6, NFL-
	b. it is for the following activities:	R2.10, NFL-R2.14, NFL-R2.22,
	i. establishing ski trails and terrain parks;	or <u>NFL-R2.26</u> .
	ii. installing support structures for tows, lifts, and gondolas;	21. When compliance with any
	iii. establishing trails for recreational activities including mountain bike, luge, and	of NFL-R2.18.b. is not
	walking trails;	achieved: DIS
	iv. the construction of buildings, structures, and utilities;	
	v. forming access tracks;	Notification
	vi. constructing snow making reservoirs; and	Any application required by this
	vii. installing infrastructure for stormwater, wastewater disposal, water supply,	Rule shall not be notified and the
	electricity, and telecommunications.	written approval of any other
	viii. <u>activities and facilities associated with the management and operation of a ski</u> <u>area²⁴³</u>	party will not be required.

²⁴² PAR DPR-0345:022 ²⁴³ PAR DPR-0345:022

	Matters of discretion:	
	19. The exercise of discretion in relation to NFL-R2.18. is restricted to the following matters:	
	a. NFL-MAT2	
	b. The effectiveness of any proposed mitigation measures or environmental	
	offset/compensation.	
NFL-R3 Horticulture Planting		T
VAL Overlay	Activity status: DIS <u>CON</u>	Activity status when compliance
	4. Horticultural Planting, Woodlots, Shelterbelts	not achieved: N/A
	Matters of control:	
	5 The exercise of control is reserved over the following matters:	
	a. The visual amenity effects arising from the design, length, size, and siting of plantings;	
	<u>and</u>	
	b. how any plantings reflect and complement the landform patterns and shapes of the	
	landscape. ²⁴⁴	
NFL-R4 Mineral Extraction		
VAL Overlay	Activity status: DIS	Activity status when compliance
ONL Overlay	1.Farm Quarries up to 1500m ²	not achieved: N/A
	Activity status: NC	
	2.Mineral extraction, other than Farm Quarries up to 1500m ²	
ONL Overlay	Activity status: NC	Activity status when compliance
	3.Mineral extraction	not achieved: N/A ²⁴⁵
NFL-R5 Plantation Forest		
ONL Overlay	Activity status: NC	Activity status when compliance
	1. The establishment of a new, or expansion of an existing, plantation forest. Plantation forest	not achieved: N/A
VAL Overlay	Activity status: CON	Activity status when compliance
	2. The establishment of a new, or expansion of an existing, plantation forest. Plantation forest	not achieved: N/A
	246	·
	Matters of control:	
	3. The exercise of control is reserved over the following matters:	

²⁴⁴ CDL DPR-0381:015 ²⁴⁵ NCFF DPR-0422:168

²⁴⁶ Rayonier DPR-0439:028

a. The visual amenity effects arising from the design, length, size, and siting of plantings;	
and	
b. how any plantings reflect and complement the landform patterns and shapes of the	
landscape.	

NFL-Rule Requirements

NFL-REQ1 Building and structure		
ONL Overlay excluding SKIZ ²⁴⁷		
NFL-REQ2 Building Footprint		
NFL-REQ2 Building Footprint ONL Overlay excluding SKIZ ²⁴⁸	1. The maximum building footprint for a residential activity or rural production activity within a Building Node is 300m² for any individual building 2. The maximum building footprint for a rural production activity within a Building Node, except Banks Peninsular ONL, is 300m² for any individual building. 3. The maximum building footprint for a rural production activity within a Building Node in Banks Peninsular ONL is 300m² for any individual building. 2. 4 The maximum building footprint for a residential activity or rural production activity outside a Building Node is 100m² for any individual building.	Activity status when compliance not achieved:-NC 5. When compliance with NFL-REQ2(1), (3) and (4) is not achieved or NFL-REQ2(2) is not achieved and the building footprint is greater than 500m²: NC 6. When compliance with NFL-REQ2(2) is not achieved and the building footprint is no greater than 500m²: RDIS Matters for discretion: 7. The exercise of discretion in relation to NFL-REQ2.6 is restricted to the following matters: a. NFL-MAT3 b. NH-MAT4 Notification: 8. Any application arising from NFL-REQ2.6 shall not be subject to public or

²⁴⁷ Clause 16 (2) RMA

²⁴⁸ Clause 16 (2) RMA ²⁴⁹ DHL DPR-0372:083, CFSL DPR-0388:043

NFL-REQ3 Building coverage	e	
ONL Overlay	1. The maximum building coverage in the Rakaia Catchment, the Waimakariri Catchment, the Malvern Hills, and the Front Ranges ONL, excluding within the SKIZ ²⁵⁰ , is limited to:	
NFL-REQ4 Building and Stru	cture Setbacks	
ONL Overlay VAL Overlay	1. The minimum setback for all buildings and structures (excluding public amenity structures, ancillary structures ²⁵¹ , irrigation structures ²⁵² , stockyards, animal pens and stock loading ramps ²⁵³) from each side of the centre line of SH73 or the Midland railway line is 300m.	Activity status when compliance not achieved: 2. When compliance with NFL-REQ4.1 in any ONL Overlay area is not achieved: NC 3. When compliance with NFL-REQ4.1 in any VAL Overlay area is not achieved: RDIS Matters for discretion: 4. The exercise of discretion in relation to NFL-REQ4.3 is restricted to the following matters: a. NFL-MAT3 b. NH-MAT5 Wildfire Notification: 5. NFL-REQ4.3 shall not be subject to public
NEL DEGE Duilding and Street		notification.
NFL-REQ5 Building and Stru		A ski da skakon od sa sa sa disa sa sa sk
ONL Overlay VAL Overlay	 All buildings and structures, except irrigators²⁵⁴, in an ONL, excluding within the SKIZ²⁵⁵, must be finished in materials with a maximum reflectance value of 30% 	
		achieved: RDIS

²⁵⁰ Clause 16 (2) RMA ²⁵¹ SDC DPR-0207:034

²⁵² DHL DPR-0372:085 CFSL DPR-0388:044 RIL DPR-0390:063

²⁵³ NCFF DPR-0422:172

²⁵⁴ DHL DPR-0372:086 CFSL DPR-0388:044 RIL DPR-0390:063

²⁵⁵ Clause 16 (2) RMA

	2. All buildings and structures, except irrigators, must be finished in materials	
	with a maximum reflectance value of 30%	Matters for discretion: 5. The exercise of discretion in relation to NFL-REQ5.4 is restricted to the following matters: a. NFL-MAT3 b. NH-MAT5 Wildfire
		Notification: 6. Any application arising from NFL-REQ5.4. shall not be subject to public or limited notification and shall be processed on a non-notified basis.
NFL-REQ6 Building and	d Structure Height	
VAL Overlay	The maximum building or structure height for any residential activity is 9m.	Activity status when compliance not achieved:
	2. The maximum building or structure height any rural production activity is 12m.	5. When compliance with any of NFL-REQ6 is not achieved: RDIS
	3. The maximum height for any other Building is 4m.	
	4. The highest point of any building or structure shall be at least.	Matters for discretion: 6. The exercise of discretion in relation to NFL-
	4. The highest point of any building or structure shall be at least:a. 20m vertically below any ridgeline; or	REQ6.5 is restricted to the following matters:
	b. 100m horizontally from any ridgeline	a. <u>NFL-MAT3</u> b. <u>NH-MAT5</u> Wildfire
		Notification:
		6. 7 ²⁵⁶ Any application arising from NFL-
		REQ6.5 shall not be subject to public or limited notification and shall be processed on
		a non-notified basis.

²⁵⁶ Clause 16 (2) RMA

NFL-Schedules

NFL-SCHED1 Outstanding Natural Landscape Areas – Values and Attributes	
Rakaia River ONL	
Associative	i. Braided rivers are an iconic element of the Canterbury landscape.
	viii The Coleridge HEPS forms an intrinsic and historic part of the landscape. 257

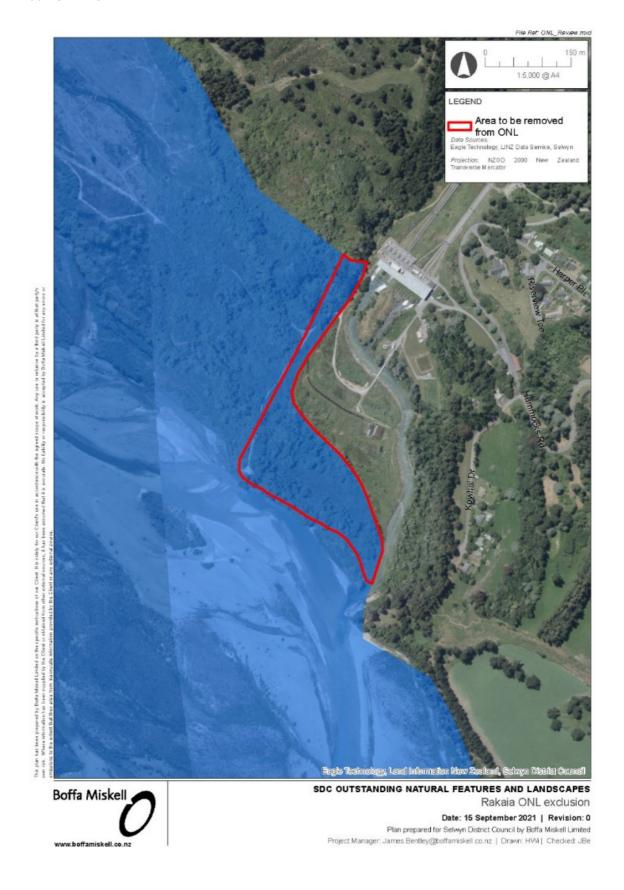
²⁵⁷ Trustpower DPR-0441:131

Mapping Change 1²⁵⁸-



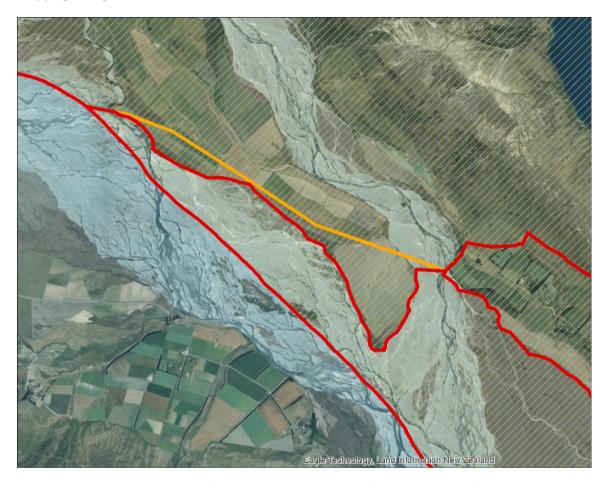
²⁵⁸ DPR-0070:001 Jan Inwood

Mapping Change 2²⁵⁹-



²⁵⁹ Trustpower DPR-0441:131

Mapping Change 3²⁶⁰



Change the orange line to better follow the northern extent of the Rakaia River (as it is drawn to the immediate south in red) so that land becomes part of the Rakaia Catchment ONL.

²⁶⁰ DPR

Mapping Changes 4²⁶¹





Current (left), amended (right). North-West of Te Waihora/Lake Ellesmere. Orange linework ONL; yellow linework = coastal environment and yellow shading = high natural character.





Current (left) amended (right): Rakaia River mouth. Orange linework ONL; yellow linework = coastal environment; yellow shading = high natural character; purple linework = outstanding natural character.





Current (left) amended (right): Taumutu. Orange linework ONL; yellow linework = coastal environment; yellow shading = high natural character





Current (left) amended (right): Timber Yard Point. Orange linework ONL; yellow linework = coastal environment; yellow shading = high natural character