

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2016-CHC-

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under Clause 14(1), First Schedule of the
Act in relation to the Proposed Invercargill City District
Plan decisions

BETWEEN **SOUTH PORT NEW ZEALAND LIMITED**

Appellant

AND **INVERCARGILL CITY COUNCIL**

Respondent

NOTICE OF APPEAL

TO: The Registrar
Environment Court
Christchurch

- 1 **South Port NZ Ltd ("Appellant")** appeals against decisions of the Invercargill City Council ("**Respondent**") on its Proposed Invercargill City Council District Plan ("**Proposed District Plan**").
- 2 The Appellant made a submission on the Proposed District Plan.
- 3 The Appellant is not a trade competitor for the purposes of section 308D of the Act.
- 4 The Appellant received notice of the decisions on 31 October 2016.
- 5 The decisions were made by the Respondent.
- 6 The decisions appealed, reasons for appeal and relief sought are grouped together by topic and are set out below generally in the order in which the relevant provisions appear in the Proposed District Plan.

2.4.2 Objective 6

- 7 The decision appealed is as follows:
 - (a) The decision to require that all adverse effects on coastal water quality and ecosystems are avoided.
- 8 The reasons for the appeal are as follows:
 - (a) The Appellant considers this objective to be inappropriate and unduly onerous. It is inappropriate to require that all adverse effects on coastal water quality and ecosystems are to be avoided, as it has no consideration to the scale or significance of such effects.
 - (b) The changes made to this objective significantly alter its original intent, which sought to maintain and enhance coastal water quality and ecosystems.
- 9 The Appellant seeks that objective 6 is deleted.

2.4.3 Policy 3

- 10 The decision appealed is as follows:
- (a) The decision to include verbatim the requirements of Policy 13 of the New Zealand Coastal Policy Statement (NZCPS) when assessing natural character in relation to proposals for subdivision, use and development.
- 11 The reasons for the appeal are as follows:
- (a) The Appellant considers it inappropriate to effectively duplicate the requirements of Policy 13 of the NZCPS as the criteria for assessing proposals in terms of the potential effects on natural character values. The Council needs to better consider how Policy 13 of the NZCPS affects its district and better provide for areas where natural character of the coastal environment is outstanding, and apply appropriate provisions where it is, and where it clearly is not (e.g. the Port environs).
 - (b) The adoption of Policy 13 could result in a conflict in the future if the NZCPS was amended.
- 12 The Appellant seeks that Policy 3 is deleted.

2.6.2 Objective 4

- 13 The decision appealed is as follows:
- (a) The decision not to include reference to the local and regional benefits of renewable energy generation activities.
- 14 The reasons for the appeal are as follows:
- (a) The Appellant considers it necessary to also recognise via this objective that renewable energy generation activities also give rise to benefits on a local and regional level.
- 15 The Appellant seeks that Objective 4 is amended as follows:
- The national, regional and local significance of renewable electricity generation activities is recognised*

2.7.3 Policy 5

16 The decision appealed is as follows:

- (a) The decision not to amend the objective to recognise that hazardous substances are also managed under other legislative requirements and that it is necessary to avoid undue duplication in this regard.

17 The reasons for the appeal are as follows:

- (a) The Appellant considers it appropriate to recognise in this policy that there are other provisions and legislative requirements in place which seek to manage the adverse effects potentially arising from the use, transportation and storage of hazardous substances.
- (b) There is no obligation under the RMA for Councils to regulate hazardous substances, unless a fulsome evaluation in terms of section 32 determines that such a regulatory step is appropriate to achieve the purpose of the Act.

18 The Appellant seeks that Policy 5 is amended as follows:

To recognise the provisions of other legislation, such as the Hazardous Substances and New Organisms Act 1996, which manage the adverse effects of manufacture, storage, use and disposal of hazardous substances and to avoid the unnecessary duplication of the regulatory control of such substances.

2.9.2 Objective 1

19 The decision appealed is as follows:

- (a) The decision to retain reference to the operational efficiency of Invercargill's local, regional and national infrastructure.

20 The reasons for the appeal are as follows:

- (a) The Appellant is concerned that reference to "operational efficiency" could be interpreted as relating to a requirement for the infrastructure itself in terms of its operating requirements (e.g. cost efficiencies), rather than ensuring its operational capacity is protected and able to continue to develop in an efficient manner.

- 21 The Appellant seeks that Objective 1 is amended as follows:

Invercargill's local, regional and national infrastructure is secure and ~~operates efficiently~~ its existing and future operational capacity is protected.

2.9.3 Policy 2

- 22 The decision appealed is as follows:

- (a) The decision to establish a hierarchy in terms of the preferred management of adverse effects arising from the development, construction, maintenance and upgrading of infrastructure.
- (b) The decision to include explanatory text which places an obligation on infrastructure providers to "consider all options to address adverse environmental effects".

- 23 The reasons for the appeal are as follows:

- (a) It is not considered appropriate to include within this policy a first order priority to avoid the adverse effects arising from the development of infrastructure.
- (b) Infrastructure is an essential activity, and as such there may be some adverse effects that cannot be completely avoided, yet the provision of that infrastructure may be deemed to be an appropriate development given the significant benefits that may also arise as a result.
- (c) It is inappropriate to require infrastructure providers to "consider all operations to address adverse effects". This places an inappropriately high threshold and inconsistent with the obligations inherent in the Act, which requires an assessment of suitable alternatives, under certain circumstances.

- 24 The Appellant seeks that Policy 2 is amended as follows:

To avoid ~~where practical~~, remedy, or mitigate adverse environmental effects arising from the development, construction, operation, maintenance, and upgrading of infrastructure on the environment.

Explanation:

.....

~~Infrastructural providers should be encouraged to consider all options to address adverse environmental effects. These options may include consideration of alternatives and/or opportunities to co-locate or share facilities where this is feasible and practicable to minimise the cumulative effects of infrastructure on the environment.~~

2.42.3 Policy 4

25 The decision appealed is as follows:

- (a) The decision to require that glare effects from activities within the Seaport Zone are “minimised”.

26 The reasons for the appeal are as follows:

- (a) The Appellant has concerns with the requirement in this policy to “minimise” glare effects on the amenity of nearby residential zones. It does not provide any guidance around the extent to which glare should be minimised. Minimising the effects of glare, could prevent the activity from occurring or could pose a health and safety risk.
- (b) The policy does not seem consistent with the explanatory text which seeks that where complaints are received, the Council will work with operators within the Seaport Zone to assess and reduce its impact as far as practicable.

27 The Appellant seeks that Policy 4 is amended as follows:

To accept that glare may be an effect from activities in the Seaport 1 Zone and seek to ~~minimise~~ manage any nuisance effects its effect on the amenity of nearby residential areas.

New Policy – Policy 12

28 The decision appealed is as follows:

- (a) The decision not to include the relief sought in the submission of the Appellant in order to properly address reverse sensitivity effects arising on activities undertaken within the Seaport zone.

29 The reasons for the appeal are as follows:

- (a) This policy is not consistent with best practice for addressing and managing potential reverse sensitivity effects.

- (b) The policy implies that activities undertaken in the Seaport Zone will give rise to adverse effects. It does not appropriately provide for activities within the Seaport Zone to occur, and be appropriately protected from adverse effects arising from reverse sensitivity effects.

30 The Appellant seeks that Policy 12 is amended as follows:

To enable the efficient and effective operation, use and development of the Port of Bluff by:

- (a) Ensuring that any adverse effects arising from noise sensitive activities located in the adjoining zones are appropriately avoided or mitigated;
- (b) Ensuring that areas which can be used to buffer the Port from activities that may result in reverse sensitivity effects on the Port are utilised;
- (c) Providing for the future expansion of the Port by zoning an appropriate area of land for such purposes.

3.20 Transport

Rule 3.20.13

31 The decision appealed is as follows:

- (a) The decision to include Rule 3.20.13 which applies a restricted discretionary activity status to land uses that either: (a) require direct access over a railway level crossing where there is currently no direct access; or, (b) when there is a change in land use that results in an increase in use of an existing direct access over a railway level crossing.

32 The reasons for the appeal are as follows:

- (a) The Appellant does not consider the Council has sufficient scope to include this rule. It was not requested as part of any submission or further submission that the Appellant is aware of.
- (b) This rule is fundamentally different to the rule requested by KiwiRail which requires new vehicle accesses to be located a minimum of 30 metres from a railway level crossing.

- (c) The drafting of this rule is subjective and there will be implementation difficulties, particularly with regard to (b). An increase in use may be difficult to quantify.
- (d) The Appellant is also concerned that this rule will unnecessarily frustrate activities which would otherwise be permitted under the Proposed District Plan.

33 The Appellant seeks that Rule 3.20.13 is deleted.

Rule 3.20.15

34 The decision appealed is as follows:

- (a) The decision to include a new rule requiring the construction of crossings at railway lines which are intended to be used by vehicles is a discretionary activity.

35 The reasons for the appeal are as follows:

- (a) The Appellant does not consider this rule is necessary. As acknowledged in the decision, the Council's Code of Practice for Land Development Bylaw applies to engineering, land development and subdivision infrastructure in the road corridor, including the construction and location of access ways. Access across a railway require KiwiRail's approval (landowner) subject to any conditions it wishes to impose. Furthermore, subdivision provisions adequately involve KiwiRail as an affected party and extend assessment to any effect on the rail network.
- (b) Given this it is not considered necessary to include District Plan rules relating to the formation and location of vehicle crossings.

36 The Appellant seeks that Rule 3.20.15 is deleted.

Rule 3.4.1 Permitted Activities

37 The decision appealed is as follows:

- (a) The decision to no longer include infrastructure, commercial activities and commercial recreation activities as part permitted activities within the Seaport Zone.

38 The reasons for the appeal are as follows:

- (a) Such activities currently provided for in the operative District Plan and have not had any demonstrated adverse effect.
 - (b) Such activities currently exist in the Seaport Zone and are likely to expand in the future, such as those activities that facilitate recreation or tourism activities.
- 39 The Appellant seeks that the following additional operative permitted activities be retained in the Proposed Plan:
- (a) Commercial Activities
 - (b) Commercial Recreational Activities

Rule 3.41.1 Permitted Activities

- 40 The decision appealed is as follows:
- (a) The decision not to include “Seaport Activities” as a permitted activity within the Smelter Zone.
- 41 The reasons for the appeal are as follows:
- (a) The Appellant considers that Seaport Activities should also be included in the list of activities that are permitted within the Smelter Zone. South Port provides a dedicated wharf and causeway servicing the Smelter, which are more properly defined as Seaport Activities. These existing activities should be appropriately recognised as being permitted within the Zone.
 - (b) These existing activities would be non-complying under the Proposed District Plan. This decision does not provide any certainty of outcome for the continued use and operation of these structures at Tiwai Point.
- 42 The Appellant seeks that Seaport Activities is included in the list of permitted activity within the Smelter Zone.

Proposed New Seaport 2 Zone

- 43 The decision appealed is as follows:
- (a) The decision to introduce and re-zone land owned and previously zoned as Seaport under the operative District Plan to Seaport 2 Zone. The Appellant appeals the **entirety** of this zone, including the associated district planning maps, introduction, issues,

objectives, policies and other methods including rules which are applicable.

44 The reasons for the appeal are as follows:

- (a) The proposed new Seaport 2 Zone is ultra vires.
- (b) The Appellant does not consider the Council has sufficient scope to introduce a new zone over the western area of Foreshore Road. The Seaport 2 Zone now proposed over this land was not included as part of the notified Proposed District Plan, nor does it appear to have been requested as part of any submissions or further submission relating to this land. Instead, the only submissions that appear to relate to this area is that of South Port who sought that the Seaport Zoning is retained.
- (c) The Appellant opposes the application of the Seaport 2 zoning on its land between the Bluff foreshore between the township and Bluff Harbour.
- (d) The new zone places the onus on the Port to ensure its activities and operations do not affect the surrounding area. It also requires public access to be available and maintained in this area. This could create significant conflicts and health and safety risks with the Port activities. Such a requirement is inconsistent with the NZCPS.
- (e) The Appellant is concerned that the Seaport 2 Zone will place significant constraint on the development potential and growth of Port activities.
- (f) The Seaport 2 zoning places undue uncertainties and restrictions and compromises the Port's current and future forward planning with respect to its existing land holdings.

45 The Appellant seeks that Seaport 2 Zoning is removed from the Proposed District Plan, and the area is re-zoned Seaport 1.

Further Relief Sought

46 In addition to the matters set out in paragraphs 1 to 45 above, the Appellant seeks the following relief:

- (a) Any similar relief with like effect which addresses the Appellant's concerns;
- (b) Any consequential amendments which arise from the Appellant's submission, the reasons for the appeal or the relief sought; and
- (c) Such other relief as the Court considers appropriate.

Attachments

47 Copies of the following documents are attached to this appeal:

- (a) The Appellant's submission and further submission (**Annexure A**);
- (b) The relevant parts of the Respondent's decisions (**Annexure B**); and
- (c) A list of the names and addresses of the persons to be served with a copy of this notice of appeal (**Annexure C**).

DATED this 9th day of December 2016



Kirsty O'Sullivan, on behalf of South Port New Zealand Limited

Address for service of Appellant:

South Port
Mitchell Daysh Limited
PO Box 489
DUNEDIN 9054
Email: kirsty.osullivan@mitchelldaysh.co.nz

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in [form 33](#)) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

You may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see [form 38](#)).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Annexure A

Submission and Further Submissions

**SUBMISSION ON PROPOSED INVERCARGILL CITY DISTRICT PLAN IN
ACCORDANCE WITH THE FIRST SCHEDULE OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Planning Department
Private Bag 90104
INVERCARGILL

Name: South Port New Zealand Limited (South Port)
P O Box 1
BLUFF

(note different address for service)

1. This is a submission with respect to the following Plan Change:

Proposed Invercargill City District Plan

2. This submission relates to the Proposed District Plan in its entirety.

3. South Port's interest in Invercargill City

South Port is the southern most commercial port in New Zealand, located at Bluff and operating on a year round, 24 hour basis. The Port of Bluff has been operating since 1877 while the Company was formed in 1988 having taken over the assets and liabilities of the former Southland Harbour Board. South Port owns and manages assets which have a book value of \$41 million, and employs more than 80 full time equivalent staff. The Port handles in excess of 2.5 million tonnes of cargo in a normal trading year and imports and exports products including aluminium, timber, logs, dairy, meat by products and wood chips. South Port was listed on the NZ Stock Exchange (NZX) in 1994 and is the only southland based company listed on the NZX.

The Port has split its land based operating resource into four main divisions – dairy warehousing, containers, cool and cold storage and general cargo. The primary port operation takes place on a 40ha manmade Island Harbour situated at Bluff. A separate dedicated fuel berth is operated at the Bluff Town Wharf, and provides the Tiwai Wharf facility to NZAS under a long term licence. There is approximately 7ha of port land available for further port development or industry establishment.

The Port of Bluff is an existing physical resource which is significant to the economic and social wellbeing of the Southland region. As a transport hub it is a facilitator of economic growth for the Region and beyond. The Port is reliant on appropriate provisions in the relevant planning documents and/or resource consents for its operations. South Port therefore takes an active interest in the

formulation of all relevant statutory documents under the RMA as these have a real and direct impact on the day to day running of the Port, as well as its ability to meet the needs of the community through development in the future. South Port submission on the Proposed Invercargill City Plan seeks to ensure that overall:

- There is appropriate recognition of strategic infrastructure and more specifically the Port in the Proposed Plan; and
- That the provisions of the Proposed Plan do not adversely affect the current operation of the Port, or inappropriately restrict its future development.

4. General Submissions on the Proposed Invercargill City Plan

South Port has reviewed the proposed provisions that are applicable to Port related activities and surrounding land use management. Specific submissions points are set out in **Annexure A** which is attached to and forms part of this submission. In addition to the matters set out in **Annexure A**, South Port makes the following submissions:

4.1 Infrastructure (Section 2.9) and Transportation (Section 2.17) Objectives and Policies

South Port considers it necessary for the Proposed District Plan to include as part of the District Wide objectives and policies, specific provisions relating to the Port of Bluff. Ports are widely recognised as fulfilling a significant strategic role for the cities and regions they serve. South Port therefore considers it necessary for District Wide objectives and policies to explicitly recognise the contribution of the Port to the economic and social wellbeing of the City and Region, and to also effectively provide for its ongoing operation and future growth.

Given this, South Port does not consider that the more general objectives and policies within the Proposed Plan that relate to infrastructure and transportation provide adequate and appropriate recognition of the Port as significant infrastructure. As drafted, objectives and policies relating to infrastructure and transportation do not provide sufficient, specific recognition for the Port. Instead these objectives and policies read more like higher level objectives and policies that would normally be set out in a Regional Policy Statement. With this in mind, it is noted that the operative and proposed Southland Regional Policy Statements direct territorial authorities to, among other matters; identify existing and proposed strategic transport infrastructure; provide for the establishment and continuing operation and maintenance of transport infrastructure; ensure that reverse sensitivity effects of development and land use on existing and/or planned regionally and nationally significant infrastructure are avoided, remedied or mitigated. South Port submits that the current approach to objectives and policies within the Proposed Plan contravenes the direction required by these higher level planning documents.

South Port notes that there are specific objectives and policies relating to the Port operations within the Seaport Zone, however this only provides for activities

within the Seaport Zone, and does not serve to adequately protect the Port from incompatible activities or reverse sensitivity effects that might be proposed adjacent to the Port and outside the Seaport zone.

4.2 Seaport Zone

South Port supports the retention of the Seaport Zone and Inner Control Boundary (Port Noise) as shown on Maps 28 and 30. However South Port observes that a large section of the Foreshore Road land (east of Shannon Street) has been allocated the Industrial 1A (Marine) Zoning as shown on Planning Map 30 (refer to the map attached as **Annexure B**). South Port submits that this area should remain in the Seaport Zone.

South Port owns the majority of this land and it is earmarked for future cargo related business. The Industrial 1A Zoning places undue uncertainties and restrictions on such activities and compromises the Port's current and future forward planning with respect to its existing landholdings. For example, Rule 3.29.1(A) seeks to impose a limit of operational hours for activities in this zone to between 7am and 10pm. South Port submits that this is inappropriate as there are existing engineering industries in this area which do at times require a 24 hour operation. The proposed height limit of 12m for this zone is also unduly onerous and should be at least 25m, which is more characteristic of the type of activities that are likely to occupy this area.

4.3 In summary South Port:

- a) Opposes in part and supports in part the Proposed District Plan and has set out the specific relief sought above and in **Annexure A**.
- b) The reasons for South Port's opposition are that the Proposed District Plan, as notified and in the absence of amendments, or similar in accordance with this submission and in **Annexure A**:
 - (i) Will not promote the sustainable management of natural and physical resources, will not achieve the purpose of the RMA, and is otherwise contrary to Part 2 and other relevant provisions of the Act, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means;
 - (ii) Will not promote the efficient use and development of natural and physical resources; and
 - (iii) Does not represent sound resource management practice particularly with respect to sea port planning and surrounding land use management.

5. Specific Submissions to the Proposed District Plan and the Specific Relief Being Sought by South Port is set out above and in the Table attached as Annexure A.

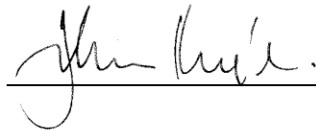
6. South Port seeks the following decision from the Invercargill City Council:

- a) That the amendments (or similar in order to address South Port's submission points) outlined above in **section 4** and in **Annexure A** are accepted;
- b) Such further or other relief as is appropriate or desirable in order to take account of the concerns expressed in this submission.

7. South Port wishes to be heard in support of its submission.

8. If others make a similar submission, South Port would be prepared to consider presenting a joint case with them at any hearing.

Signature:



By its authorised agent John Kyle, for and on behalf of South Port New Zealand Limited

Date: 21 October 2013

Address for service: Mitchell Partnerships Limited
P O Box 489
DUNEDIN

Telephone: (03) 477 7884

Email: john.kyle@mitchellpartnerships.co.nz

ANNEXURE A

Specific Submissions

Section Two: Issues, Objectives, and Policies		South Port's Position	South Port's Submission	Relief Sought
District Wide				
2.4 COASTAL ENVIRONMENT				
	<p>The coastline that penetrates and borders the district to the west and south is about 165 kilometres in length. It is a highly dynamic entity. In a short period of time (geologically speaking) the district's coast has gone through much change. Change due to coastal processes is expected to continue.</p> <p>The Invercargill city district has a significant area of wild and scenic coastline within its boundaries. These boundaries also nearly surround two large estuarine harbours.</p> <p>The coastal environment is characterised in part by special qualities relating to landscape, landform, intrinsic values and heritage values and by regionally significant development in the Port of Bluff and the Aluminium Smelter at Tiwai Point.</p> <p>Within the coastal environment, there is a diminishing degree of maritime influence as one moves inland from the sea coast. There is an area of coastal dominance that abuts the coastal marine area and is dominated by coastal processes. Moving inland, there is then an area of coastal influence. It may vary from a narrow strip to many metres in depth. The coastal hinterland area is still further inland but shows some geomorphological evidence of coastal processes.</p> <p>The New Zealand Coastal Policy Statement 2010 requires preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development.</p>	Support	South Port considers it appropriate to recognise that the Port activities contribute to the existing character of that part of the coastal environment.	Retain the introductory text.
2.4.1 Issues	<p>The significant resource management issues for the coastal environment are:</p> <ol style="list-style-type: none"> 1. The natural character of much of the coastal environment is at risk from inappropriate subdivision, use and development. 2. There is a need to identify locations where subdivision, use and development are appropriate. 3. Public access to and along the coast is fragmented and in some places non-existent and this needs to 	Oppose in part	South Port considers that this issue statement should be amended to recognise that the Port and associated infrastructure needs to be able to meet the economic and social needs of people and communities. The reference to affecting natural character is unnecessary as the first point already deals with this. It is unnecessary to specify that the Port activities need to be balanced with environmental/conservation values when there are other issue statements that deal with this.	<p>Amend the issue statement as follows:</p> <p><i>4. Sea ports and infrastructure located in the coastal environment have <u>a functional need to locate in the coastal environment in order to meet the economic and social needs of people and communities.</u></i></p>

	<p>be improved.</p> <p>4. Sea ports and infrastructure located within the coastal environment can affect its natural character but also have a functional need of coastal space. In these cases conservation needs to be balanced against development needs.</p> <p>5. The district's coastal water and ecosystems are degraded by discharges from land based activities.</p>			
2.4.2 Objectives				
Objective 1:	The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use, and development.	Support	This objective is consistent with Part 2 of the RMA.	Retain the objective.
Objective 2:	Provision is made for those activities that have a functional need of locating within the coastal environment	Support	It is appropriate to recognise that certain activities (i.e. Port facilities) have a functional need to locate within the coastal environment. This is consistent with the NZCPS 2010.	Retain the objective.
Objective 3:	Bluff is identified as the appropriate location for port facilities and other activities which have a functional need to locate in the port area.	Support in part	It is appropriate to specifically recognise that Bluff is appropriate location for Port related activities. Tiwai Point should also be recognised in the same manner.	Retain the objective. Add a reference to Tiwai Point as also being appropriate for port facilities associated with the NZAS facilities.
Objective 5:	Infrastructure, renewable energy projects and associated development are provided for in the coastal environment, while maintaining and enhancing public access and preserving natural character as far as practicable.	Support	South Port considers this objective to be generally consistent with the RMA and the NZCPS 2010. It is appropriate to provide for certain activities that have a functional need to take place within the coastal environment.	Retain the objective.
Objective 6:	Coastal water quality and ecosystems are maintained or enhanced.	Oppose	<p>South Port submits that the matters covered by this objective fall within the jurisdiction of the regional council and thus it should be deleted.</p> <p>In the alternative, South Port considers that it is not always appropriate or practicable to enhance coastal water quality and ecosystems that may have deteriorated from natural state. There are circumstances, for example in and around the Port where water quality is appropriate for port related activities, but would not be suitable for recreational purposes (i.e. swimming) therefore the objective should seek to where it is appropriate maintain and enhance water quality and ecosystems.</p>	<p>Delete the objective; or</p> <p>Amend the objective as follows:</p> <p><i><u>Where appropriate</u> coastal water quality and ecosystems are maintained or enhanced.</i></p>
2.4.3 Policies				
Policy 2	Locations for use and development: To identify Bluff and Omaui as the appropriate locations for subdivision, use and development in the coastal environment and to give priority to preservation of the natural character of the	Oppose	South Port submits that the explanation to the policy is poorly worded and appears to confuse its function. In areas such as the Port, natural character has already been altered and it would be inappropriate to give	Clarify the explanatory text associated with this policy to meet South Ports concerns.

	<p>coastal environment elsewhere.</p> <p>Explanation: <i>This approach will help avoid cumulative effects of an activity and precedent effects of a decision exceeding the carrying capacity of an area, and help protect natural character, outstanding natural features and landscapes, and other values of the area.</i></p>		<p>preference or priority to preserving natural character in this areas. This should be made very clear in the explanatory text.</p>	
<p>Policy 3</p>	<p>Assessment criteria: To assess proposals for subdivision, use and development, in relation to the natural character of the coast and in particular using the following criteria:</p> <ul style="list-style-type: none"> (A) Natural science factors. (B) Aesthetic values. (C) Expressiveness. (D) Transient values. (E) The extent to which the values are shared or recognised. (F) Value to the tangata whenua. (G) Historical associations. <p>Explanation: <i>The natural character of the Invercargill coastal environment and its natural qualities derive from the following:</i></p> <ul style="list-style-type: none"> (A) <i>Visual values including light.</i> (B) <i>Scenic values with views of the sea and seascape.</i> (C) <i>Intrinsic value of ecosystems.</i> (D) <i>Qualities of expansiveness and remoteness.</i> (E) <i>A predominance of natural noise.</i> (F) <i>Individual sounds of the sea.</i> (G) <i>Dynamics of air, water and sediment.</i> (H) <i>Areas of significant indigenous vegetation.</i> (I) <i>Significant habitats of indigenous fauna.</i> (J) <i>Natural landscapes, seascapes, and landforms.</i> (K) <i>Geology and elevation.</i> (L) <i>Aesthetic coherence.</i> (M) <i>Natural physical processes.</i> 	<p>Oppose in part</p>	<p>South Port considers the matter listed in Policy 3 to be generally appropriate for assessing natural character. However the policy should also recognise the extent to which natural character has already been modified by subdivision, use and/or development.</p>	<p>Add a new (H) which reads: <u>The extent to which natural character has already been modified by subdivision, use and/or development.</u></p>

	<p>(N) <i>Change with the diurnal rhythm of the tides and the rhythm of the weather.</i></p> <p>(O) <i>A distinctive smell and taste characteristic of southern coastal areas.</i></p>			
Policy 4	<p>Protection of values and attributes: To promote the utilisation of adequate measures or methods within the coastal environment when providing for subdivision, use and development to:</p> <p>(A) Protect amenity, social, intrinsic, ecological, cultural, heritage, natural character and landscape and natural features values.</p> <p>(B) Maintain or enhance public access.</p> <p>(C) Avoid or mitigate the effects of natural hazards.</p> <p>(D) Avoid or mitigate the impact of predicted sea level rise and climate change.</p> <p>(E) Take cumulative and precedent effects into account in making decisions affecting the coast.</p> <p>Explanation: <i>The coast has a high level of intrinsic value, including scenic value. Public access to the coast is a treasured New Zealand tradition and expectation. The coastal environment is also hazard-prone. Hazard avoidance or mitigation is an important consideration in deciding how the coastal environment should be used.</i></p>	Oppose	<p>South Port submits that the drafting of this policy is confusing and inconsistent with Part 2 of the RMA. The Act does not require outright provision for the protection of amenity, social, intrinsic, ecological (etc) values. South Port also submits that it is inappropriate to provide for public access to all parts of the coastal environment, particularly where public safety could be compromised, for example in and around the Port operations.</p> <p>South Port also considers (E) to be out of place within the context of this policy and that it should be removed.</p>	<p>Amend the policy as follows:</p> <p><i>To promote the utilisation of adequate measures or methods within the coastal environment when providing for subdivision, use and development to:</i></p> <p>(A) Protect <i>Avoid, remedy or mitigate adverse effects on amenity, social, intrinsic, ecological, cultural, heritage, natural character and landscape and natural features values.</i></p> <p>(B) <i>Maintain or enhance public access where appropriate.</i></p> <p>(C) <i>Avoid or mitigate the effects of natural hazards.</i></p> <p>(D) <i>Avoid or mitigate the impact of predicted sea level rise and climate change.</i></p> <p>(E) Take cumulative and precedent effects into account in making decisions affecting the coast</p>
Policy 5	<p>Functional need: To give priority to infrastructure, port and renewable energy projects that have a functional need of a coastal environment location, and make provision for other facilities and activities that have located in the coastal environment for historical reasons.</p> <p>Explanation: <i>The Port of Bluff straddles the coastal marine area and the landward edges of the coastal environment, as do roads and railways around the district. There are several other important utilities and facilities in the coastal environment around the New River Estuary. These include the Invercargill Airport and Waste Water Treatment Plant at Clifton. Other activities, such as the aluminium smelter at Tiwai Point, located in the coastal environment for historic reasons and have invested heavily in their buildings, plant and equipment. The coastal environment contains significant mineral deposits, and parts have been highly modified by mineral extraction activity. Many of the district's sporting and recreational activities requiring large areas of land are located within</i></p>	Support	<p>South Port supports this policy in so far as it is appropriate to recognise that certain activities have a functional need to locate within the coastal environment.</p>	Retain the policy

	<i>the coastal environment. All these activities are important in enabling development and diversification to occur to meet the changing needs of the Invercargill city district and the Southland region. Many have a functional need of coastal space. For others, it is not practicable to consider relocation.</i>			
2.6 ENERGY				
	<p>As the main urban area of the Southland region, Invercargill is also a major consumer of energy.</p> <p>Historically, readily available and relatively affordable energy has driven economic growth. It is therefore important to ensure that Invercargill has a secure supply of energy in order to be able to maintain economic growth and provide greater resilience to energy supply and price shocks.</p> <p>Changes in behaviour as a result of fluctuations in availability and price of energy needed to be anticipated and planned for.</p> <p>In particular, use of energy associated with urban development needs to be considered. If cities are spread out with inefficient roading patterns, transport energy is wasted. Use of energy within buildings can be substantially reduced by design that makes best possible use of naturally available energy sources, such as the sun.</p> <p>There is potential for renewable energy development within the Invercargill district, particularly a wind resource in the Bluff and Greenhills areas, and options such as solar, tidal and wave energy. The Council recognises the benefits of renewable electricity generation is a matter of national significance.</p> <p>Activities that harness the energy potential of the district's energy resources may generate adverse environmental effects, however, energy must be sourced from its location and any adverse effects considered alongside positive effects at a local, regional and national level. This gives rise to competing values between the energy resource and amenity, landscape and biodiversity values.</p>	Support	South Port considers it appropriate to recognise that the Port has a strategic role in assisting with the development of energy projects in the Region.	Retain the introduction.

	<p>The presence of land suitable for development in close proximity to the port of Bluff provides an opportunity to locate facilities and plants to service and develop energy resources located elsewhere in the Southland region.</p> <p>Note: Issues, objectives and policies relating to the transmission and distribution of energy resources are covered in the Infrastructure and Transportation sections of the Plan.</p>			
2.5.2 Objectives				
Objective 2:	The management of the adverse effects of the use and development of local and regional energy resources recognises and balances the significance of those effects with the benefits that arise at a local, regional and national level.	Support	South Port considers it appropriate to adopt a balanced assessment when considering energy projects in the City this includes wider economic and social benefits such as use of the Port for delivery of components.	Retain the objective.
Objective 3:	Generation and use of renewable energy resources is increased.	Support	South Port considers it appropriate to promote the generation and use of renewable energy resources in the City.	Retain the objective.
Objective 4:	The national significance of renewable electricity generation activities is recognised.	Support in part	While it is entirely appropriate to recognise the national significance of renewable energy generation, South Port also submits that the regional and/or local benefits (both direct and indirect effects) also need to be given adequate recognition within the Plan.	Expand the objective to also recognise the local and regional benefits of renewable energy generation activities.
2.6.3 Policies				
Policy 2	<p>Renewable energy: To recognise the local, regional and national benefits of renewable energy, and provide for the use and development of renewable energy resources while recognising the need to avoid, remedy or mitigate adverse effects on the environment where this is practicable.</p> <p><i>Explanation: Providing for the development and use of renewable energy resources when forming policy and making decisions on resource consents will provide for future generations by not reducing the resources or impacting on the climate. Recognition needs to be given to the fact that there is limited/finite number of sites that are suitable for renewable energy generation.</i></p> <p><i>The National Policy Statement for Renewable Electricity Generation 2011 acknowledges that practical constraints associated with renewable electricity generation activities can limit the ability to avoid, remedy or mitigate adverse</i></p>	Support	South Port submits that this policy properly recognises the relevant provisions within section 7 of the Act insofar as they relate to renewable energy.	Retain the policy.

	effects.			
Policy 4	<p>Non-renewable energy: To provide for investigation into and development and operation of mineral and non-renewable energy resources where adverse effects can be mitigated.</p> <p>Explanation: <i>Because energy has such an important role in our society, consideration needs to be given to all energy sources to ensure the best outcome for people living in Invercargill. It is important to make provision for the development of those mineral resources that are regionally and nationally significant by taking into account the potential benefits to the community and the region and nation as a whole. It is also important that nationally significant resources are protected against future reverse sensitivity issues by managing development and land use to avoid conflict.</i></p>	Support in part	<p>This policy is supported by South Port in part. It is also appropriate to specifically recognise the benefits that can be obtained by the development of mineral and non renewable energy resources including both direct and indirect effects on the region. Similar objectives and policies relating to the investigation, development and benefits of non renewable energy sources need to be included.</p> <p>In addition, South Port does not consider it appropriate to require that all adverse effects be mitigated. The RMA allows effects to be remedied, and in some cases there may be residual adverse effects that cannot be avoided, remedied or mitigated, but that on balance the benefits of the activity will outweigh any such effects. This is an entirely acceptable outcome under the provisions of the Act.</p>	<p>Include an objective(s) and policy(ies) that also specifically recognise and provide for the regional benefits associated with the development of non-renewable energy generation.</p> <p>Amend the policy as follows:</p> <p><i>...where adverse effects can be <u>suitably avoided, remedied or mitigated.</u></i></p>
2.7 HAZARDOUS SUBSTANCES				
	<p>The manufacture, storage, use, disposal and transportation of hazardous substances is an accepted and essential part of many everyday activities in our district. However, the composition of these substances is such that they can be “hazardous” to the environment and pose threats to human health and well-being.</p> <p>Hazardous substances need to be managed to ensure that the district is able to continue to produce high quality output without compromising the health and safety of the public and the district’s sensitive environments, including our rivers, streams and wetlands that are sensitive to contamination from hazardous substance spillage within their catchment.</p> <p>The Hazardous Substances and New Organisms Act 1996 (HSNO) and the RMA complement each other. HSNO provides the framework for developing technical standards for the use, storage, inspection, identification and regulation of hazardous substances. The RMA outlines responsibilities councils have to control the effects of the use or development of land, and to prevent or mitigate any adverse effects that may result from the use, storage, disposal or transportation of hazardous substances. The RMA is focused on site-specific controls on the use of land and on managing the risks to the local environment. It requires councils to take an effects-based</p>	Oppose	<p>South Port submits that this introduction does not adequately recognise that Central government agencies (the EPA), regional and territorial authorities all hold similar responsibilities for the control of adverse effects arising from the storage, transport, use and disposal of hazardous substances. South Port submits that this duplication of roles and legislative requirements has the potential to create inefficiencies and/or uncertainty for resource users and the community. For example the purpose of the HSNO is to protect the environment and human health arising from the adverse effects of hazardous substances and new organisms.</p> <p>South Port submits that it needs to be recognised that the RMA only needs to control hazardous substances where a real risk to human health or the environment is likely and is not otherwise managed by the provisions of the HSNO Act for example.</p>	Amend the introduction to ensure that unnecessary duplication between the roles of agencies managing hazardous substances is avoided.

	<p>approach to managing hazardous facilities.</p> <p>If not managed effectively, the manufacture, storage, use, disposal and transportation of hazardous substances pose significant threats to the environment and the health and well-being of the community. This can be caused by the accidental, unintentional or uncontrolled release of hazardous substances resulting in contamination of water, soil and air, or risk of fire and explosive events. Indirect effects also need to be managed to avoid the accumulation of substances or sediment within sensitive environments.</p>			
2.7.2 Objectives				
Policy 5	<p>Other legislation: To recognise the provisions of other legislation, such as the Hazardous Substances and New Organisms Act 1996, which manage the adverse effects of manufacture, storage, use and disposal of hazardous substances.</p> <p>Explanation: <i>There needs to be congruity between legislation passed at Central Government level, and regional and district plans.</i></p>	Support in part	South Port supports the acknowledgement that there are other provisions in place that also manage the adverse effects arising from hazardous substances. South Port considers that this policy should also seek to explicitly avoid unnecessary duplication in the management of such activities.	<p>Amend the policy as follows:</p> <p><i>To recognise the provisions of other legislation, such as the Hazardous Substances and New Organisms Act 1996, which manage the adverse effects of manufacture, storage, use and disposal of hazardous substances and to avoid the unnecessary duplication of the regulatory control of such substances.</i></p>
2.9 INFRASTRUCTURE				
	<p>Infrastructure includes:</p> <p>(A) Network utility systems such as street lighting, electricity, water supply, stormwater drainage, sewerage and roading.</p> <p>(B) Facilities of public benefit including navigation aids, meteorological facilities, lighting in public places, data recording and monitoring systems.</p> <p>(C) Installations for the receiving and sending of communications.</p> <p>(D) Port and airport facilities and installations.</p> <p>The provision of infrastructure is essential for meeting the economic, social and health and safety needs of individuals and the community and it is appropriate for the District Plan to recognise these benefits. It is also appropriate for the District Plan to provide for these activities and their maintenance and replacement.</p> <p>Where infrastructure is already in existence and has capacity, using existing infrastructure is preferable to</p>	Oppose in part	<p>South Port considers that insufficient regard is had to the significance of the Port in the introductory section of this chapter. The statement relates more to local infrastructure (i.e. stormwater networks etc.) rather than significant regional infrastructure such as the Port facilities. Additional and appropriate recognitions for regionally infrastructure needs to be made in this introductory text.</p> <p>The statement should also better recognise some of the constraints that can affect port facilities if inappropriate adjacent development is allowed to occur over time.</p>	<p>Amend the introduction to include additional text that recognises the significance of infrastructure such as the Port as follows:</p> <p><i>Significant infrastructure including ports and airport facilities are key physical resources of the City which are to be managed sustainably. When developing, modifying, maintaining, and operating such infrastructure, it is not always practicable to internalise all adverse effects on the environment. The presence of such infrastructure influences the quality of the environment surrounding it, which is reflected in the need for specific port and airport related zones. As a result care needs to be taken locating activities that may affect the efficient and effective operation and development of such infrastructure, including noise sensitive activities.</i></p>

	<p>building anew. Invercargill has substantial excess capacity in many areas already reticulated. Restricting extensions of infrastructure keeps the city compact and promotes efficient use of existing infrastructure.</p> <p>Under the Resource Management Act 1991 the providers of infrastructure for public works and network utilities are able to use procedures to designate land for such activities. Any request for such a designation will be assessed having regard to the environmental effects of the activity and any works to be undertaken.</p> <p>Not all infrastructure and its component parts can be undertaken by way of designation. As a result the District Plan must recognise and provide for appropriate infrastructure services and to avoid, remedy or mitigate any adverse environmental effects. Where subdivision and/or land use is undertaken the provisions of infrastructure can be considered as part of that process.</p> <p>The Council has developed the Invercargill City Council Bylaw 2013/1 Code of Practice for Land Development and Subdivision Infrastructure which aims to ensure that infrastructural works undertaken as part of a subdivision or land use development are done to an acceptable means of compliance with Acts and Council requirements. This bylaw sits outside the District Plan but will assist in achieving some of the desired outcomes.</p>			
2.9.1 Issues	<p>The significant resource management issues for infrastructure are:</p> <ol style="list-style-type: none"> 1. Poor integration of land use and development with existing local, regional and national infrastructure can lead to inefficiencies, and can adversely affect the social and economic well-being of the community. 2. If infrastructure is not adequately used, maintained and upgraded it can deteriorate and fail to meet the needs of the community in an efficient way. 3. Infrastructure can have adverse effects on the environment if not designed, developed and utilised in a manner that is consistent with the amenities of the receiving area and the qualities of good urban design. 4. Climate change and natural hazards can have adverse effects on critical infrastructure. 5. Subdivision, use and development can result in adverse effects, including reverse sensitivity effects, on existing or proposed infrastructure. 	Oppose in part.	<p>South Port considers that the issue statement needs to be broadened to also recognise that the provision of infrastructure is critical to the social and economic wellbeing of the community. In this regard, the provision of infrastructure (such as ports) can assist with improving people's quality of life, facilitate additional development and growth in communities, and provide employment opportunities.</p>	<p>Amend the issue so that it recognises that the provision of infrastructure is critical to the economic, social and cultural wellbeing of the community.</p>

2.9.2 Objectives				
Objective 1:	Invercargill's local, regional and national infrastructure is secure and operates efficiently.	Support in part.	South Port considers it appropriate to seek to ensure Invercargill's infrastructure which includes port activities is secure. South Port does however consider the wording of this objective to be somewhat ambiguous. It is not clear what is meant by the term "operates efficiently". It could be interpreted that this relates to the infrastructure itself in terms of its operating regimes and associated efficiencies which would not be appropriate. The objective should therefore seek to protect the operational capacity of such infrastructure.	Amend the objective as follows: <i>Invercargill's local, regional and national infrastructure is secure <u>and its operational capacity is protected.</u></i>
Objective 2:	Infrastructure is developed, operated, maintained and upgraded whilst: (A) Efficiently and effectively meeting the current foreseeable needs within and between districts. (B) Fulfilling functional, locational, technical, and operational requirements and avoiding, remedying or mitigating the effects on the environment. (C) Protecting infrastructure from incompatible subdivision, use and development, providing local, subregional and national benefits.	Support in part.	South Port supports this objective on the basis that it seeks to enable infrastructure to be developed, operated and maintained. However it is not clear what is meant by [c] where it refers to "providing local, subregional and national benefits". South Port submits that this confuses the objective and is not necessary as infrastructure should be protected from incompatible activities. South Port also considers that clause [c] would be best set out as its own objective as it does not sit comfortably within this objective which relates to the development of infrastructure, rather than the effects of other activities on such infrastructure.	Delete reference to local, subregional and national benefits in clause [c], and set clause [c] as a separate objective in the Plan.
2.9.3 Policies				
Policy 1	<p>Existing infrastructure: To recognise and provide for the continued operation, maintenance and upgrading of local, regional and national infrastructure and associated activities.</p> <p>Explanation: <i>It is essential that provision be made for the continued operation, maintenance and minor upgrades of local, regional and national infrastructure services. This should include targeted planning for future needs. Essential infrastructure services include:</i></p> <p>(A) <i>Transmission lines.</i></p> <p>(B) <i>Waste water systems.</i></p> <p>(C) <i>Water supply networks.</i></p> <p>(D) <i>Stormwater networks.</i></p> <p>(E) <i>Drainage networks.</i></p> <p>(F) <i>Telecommunications sites.</i></p> <p>(G) <i>Airports.</i></p> <p>(H) <i>Road and rail networks (as defined in the Southland Regional Land Transport Strategy).</i></p>	Support.	South Port considers it appropriate to provide for the continued operation, maintenance and upgrading of existing infrastructure.	Retain policy.

	(I) Ports. (J) Network utilities.			
Policy 2	<p>Management of effects: To avoid where practical or mitigate impacts of infrastructure on the environment.</p> <p>Explanation: While public infrastructure provides communities with essential services, this infrastructure should not detract from the environment in which it is placed. This is especially important when looking to install new infrastructure. The Council is required to give effect to the National Environmental Standards for Telecommunication Facilities.⁵ Careful consideration of all infrastructure and possible locations should be completed to determine which option will have the least impact to the environment, and ensure that infrastructure is integrated with surrounding land use. Assessments of environmental effects should have regard to all matters of national significance and adverse effects of construction. Infrastructure should be encouraged to co-locate or share facilities where this is feasible and practicable to minimise the cumulative effects of infrastructure on the environment.</p>	Oppose	<p>South Port does not consider it appropriate to require in the first instance the avoidance of the impacts of infrastructure on the environment. The RMA does not require that all adverse effects are avoided where this is practical and in all other cases for such impacts to be mitigated. South Port also considers that because of the essential nature of infrastructure, there may be some residual adverse effects that cannot be completely avoided, mitigated or remedied and as such the policy should seek that the more significant adverse effects are suitably managed.</p>	<p>Amend the policy as follows:</p> <p><u>Where appropriate, to avoid, remedy or mitigate the significant adverse effects of infrastructure on the environment.</u></p>
Policy 3	<p>Reverse sensitivity: To protect local, regional and national infrastructure from new incompatible land uses and activities under, over or adjacent to the infrastructure.</p> <p>Explanation: When managing existing infrastructure activities, the Council should take into account the benefits of the existing infrastructure and the constraints imposed by the technical and operational requirements of infrastructure. The Council is required to give effect to both the National Policy Statement on Electricity Transmission 2008 and the National Environmental Standards for Electricity Transmission Activities⁶ which relate to overhead transmission lines for electricity transmission activities.</p>	Support	<p>South Port considers it appropriate to recognise that infrastructure should be suitably protected from incompatible land uses and activities.</p>	<p>Retain the policy.</p>
Policy 4	<p>Natural hazards: To avoid or mitigate the effects of natural hazard and climate change on infrastructure.</p> <p>Explanation: New infrastructure and upgrades to existing infrastructure should be located to avoid, or designed to mitigate, known natural hazard risks and climate change effects. Planning, where possible, should consider the placement of infrastructure to avoid natural hazards, because of the need for essential services to be as robust as they can be in the face of the uncertainties created by climate change.</p>	Support in part.	<p>South Port agrees that it is appropriate to avoid or mitigate the effects of natural hazards and climate change on infrastructure, however South Port notes that in some circumstances it is not practicable to completely eliminate all risk, particularly with respect to existing infrastructure. Given this this policy should seek to reduce the more significant adverse effects arising from natural hazards and climate change rather than all possible effects.</p>	<p>Amend the policy to read:</p> <p><u>To adopt appropriate risk management strategies to protect essential infrastructure from the adverse effects of natural hazards and climate change.</u></p>

Policy 5	<p>Functional need: To recognise that infrastructure can have a functional, technical or operational need for a particular location.</p> <p>Explanation: Sometimes infrastructure must be located at a particular place for operational reasons, even if that place is subject to hazard or other constraints.</p>	Support.	South Port considers it appropriate to recognise that infrastructure can have functional, technical or operational requirements which therefore result in location constraints.	Retain the policy.
2.10 NATURAL FEATURES, LANDSCAPES AND TOWNSCAPES				
2.10.2 Objectives				
Objective 1:	Invercargill's outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.	Support	South Port considers this objective to be consistent with Part 2 of the RMA.	Retain the objective.
Objective 2:	Invercargill's locally significant natural features and landscapes are identified and protected from inappropriate subdivision, use and development.	Oppose	The RMA does not require the protection of section 7(c) landscapes from inappropriate subdivision, use and development. South Port submits that there needs to be clear distinction between those section 6(a) landscapes and those visual amenity landscapes (section 7(c)).	Amend the objective as follows: <i>Invercargill's locally significant natural features and landscapes are identified and appropriately managed.</i>
2.10.3 Policies				
Policy 1	<p>Criteria for identification: To identify and assess Invercargill's outstanding landscapes and natural features, and locally significant landscapes and natural features, using the following criteria:</p> <ul style="list-style-type: none"> (A) Natural science factors. (B) Aesthetic values. (C) Expressiveness. (D) Transient values. (E) The extent to which the values are shared or recognised. (F) Value to the tangata whenua. (G) Historical associations. <p>Explanation:</p> <ul style="list-style-type: none"> (A) "Natural science factors" include the geological, topographical, ecological and dynamic components of the landscape. (B) "Aesthetic values" includes memorability and naturalness. (C) "Expressiveness" refers to how obviously the landscape demonstrates the formative processes which helped to create it. 	Support	South Port considers the matter listed in Policy 1 to be generally appropriate for assessing outstanding landscapes. However the policy should also recognise the extent to which landscape values have already been modified by subdivision, use and/or development.	Add a new (H) which reads: <u>The extent to which landscape values have already been modified by subdivision, use and/or development.</u>

	<p>(D) <i>“Transient values” includes such features as the occasional presence of wildlife, or its values, at certain times of the day or of the year.</i></p> <p>(E) <i>“The extent to which the values are shared or recognised” refers to the relationship between people and “place” and acknowledges the strong affinity people sometimes have with places that have special significance to them.</i></p> <p>(F) <i>“Value to tangata whenua” refers to the special relationship that the Māori people have with places, often featured in legend.</i></p> <p>(G) <i>“Historical associations” refers to anything of historic significance to any cultural group.</i></p>			
2.13 Soils, Minerals and Earthworks				
	<p>Within the rural areas of the district agriculture and other rural activities occur on a variety of scales, making use of the productive soils of the area. Pressure for a higher density of residential activity and other land use changes in the district’s rural areas can conflict with existing rural land uses and the amenity of these rural areas.</p> <p>The soils of the district are mainly used for pastoral farming, with small areas of arable horticulture. Safeguarding the life-supporting capacity of the soil will assist in meeting the reasonably foreseeable needs of future generations.</p> <p>Soils have been identified in: <i>Classification of Land for Horticulture, Forestry and Urban Use in Invercargill City</i>⁸.</p> <p>The district’s soils range from Class 2 to Class 5. Class 2 arable horticultural soil was the most versatile soil found in the district by the McIntosh study. These soils are delineated on the District Planning Maps.</p> <p>Environment Southland also has an important role particularly in relation to controlling the use of land for the purpose of soil conservation. To this extent, the district’s soils resource should be managed in an integrated manner.</p> <p>Subdivision and land use activities could significantly and adversely affect the soil resource.</p> <p>Some rural areas within the district have a history of problems with on-site wastewater disposal. These areas generally include areas with poor draining soils and a higher density of residential activity than other rural areas. On-site wastewater disposal system failures can have adverse impacts on the amenity of these areas and the public health of residents.</p> <p>There are currently a small number of mineral extraction activities occurring within the district, mainly in the Omaui, Greenhills, Awarua Bay and Otatara/Sandy Point areas.</p>		<p>South Port agrees that there should be a focus on the protection of quality soils within the Invercargill District. However South Port submits that this same level of protection should not be afforded to areas of land where the soil has been highly modified such as reclaimed areas of land such as the Port land. This chapter should recognise that it only applies to areas of high quality soil.</p>	<p>Ensure that this chapter and ensuing objectives, policies and rules do not apply to areas where soil has been highly modified such as reclaimed areas of land such as the Seaport Zone.</p>

	<p>The potential for further mineral extraction activities in the district may give rise to adverse environmental effects.</p> <p>Earthworks activities, including filling activities, have the potential to generate adverse environmental effects that are similar to mineral extraction activities, including noise and dust effects, and effects on the transportation network.</p>			
2.17 TRANSPORTATION				
	<p>The transportation network links the Invercargill city district internally and externally as illustrated on <i>Infogram 1: Transportation Networks of the District</i>.</p> <p>Invercargill city is the main transport hub for Southland. The Invercargill City district is surrounded by agriculture and horticulture land use activities. Planted production forestry is also widespread throughout Southland. There are significant concentrations of large scale industry in and around Invercargill. Raw material for these activities and produce from them, together with minerals, are transported to and through the district.</p> <p>The roading hierarchy, as illustrated on Infogram 2, encourages heavy transport and the associated noise effects away from noise-sensitive areas of the district.</p> <p>The main trunk rail line of the South Island terminates at Invercargill. Branch lines extend from Invercargill to Bluff and Wairoa.</p> <p>The Invercargill Airport provides the means for air transport between Southland, the rest of New Zealand and the world.</p> <p>The commercial port facilities at Bluff and Tiwai are the region's primary focus for commercial maritime activity.</p> <p>The transportation network is a significant physical resource which can affect and be affected by land use activities.</p> <p>The transportation network includes provision made for a variety of personal transport modes, including bicycle, pedestrian, and public transport, as well as private motor vehicle. Invercargill's grid street pattern enables an efficient transport network with good connectivity.</p> <p>Changes in behaviour as a result of fluctuations in availability and price of fuel and changes in technology needed to be anticipated.</p>	Oppose in part	<p>South Port is concerned that the introduction to this chapter limits the activities that are undertaken within the Port to "commercial maritime activities". Such activities could include tourism, aquaculture, fishing, boat storage etc. and are not an entirely accurate representation of the activities and operations of the Port.</p>	<p>Amend the introduction as follows:</p> <p><u><i>The port facilities at Bluff and Tiwai connect Invercargill and the region to the rest of New Zealand and the world and are the primary focus for the regions commercial maritime and port activities.</i></u></p>

2.17.1 Issues	<p>The significant resource management issues for transport are:</p> <ol style="list-style-type: none"> 1. Ineffective integration of land use and transport networks can have adverse effects on the safety, efficiency, effectiveness and accessibility of Invercargill's transport infrastructure. 2. Transport corridors and related transport movements can give rise to adverse public health and environmental effects. 3. There are pressures on Invercargill's transport infrastructure as a result of demographic changes, projections of increased freight, and land use change, and there are limited transportation options available to address these pressures. 4. The efficiency and convenience offered by the city's grid street pattern can be compromised by poor urban design. <p>Note: This section should be read in conjunction with the specific Airport and Seaport Zones.</p>	Oppose	South Port considers that the issue statement should be broadened to recognise that transportation can be adversely affected by urban and rural form and development.	Include within the issue statement recognition that transportation networks can be adversely affected by incompatible urban and rural form and development.
2.17.2 Objectives				
Objective 1:	<p>Development of transport infrastructure and land use takes place in an integrated and planned manner which:</p> <ol style="list-style-type: none"> (A) Integrates transport planning with land use. (B) Protects the function, safety, efficiency and effectiveness of the transport system. (C) Minimises potential for reverse sensitivity effects to arise from changing land uses. (D) Provides for positive, social, recreational, cultural and economic outcomes. (E) Minimises the potential for adverse public health and environmental effects. 	Support in part.	South Port supports this objective as it is appropriate to provide for the general development of transport infrastructure in the manner set out in the objective. However South Port notes that the objective requires that such development seeks to minimise the potential for adverse public health and environment effects. South Port considers it to be more realistic for this to be amended to refer to the management of significant adverse effects, rather than all adverse effects regardless of scale.	<p>Amend clause [E] as follows:</p> <p><i><u>Manages the potential for significant adverse public health and environmental effects.</u></i></p>
2.17.3 Policies				
Policy 1	<p>Infrastructure: To provide for the safe and efficient operation, improvement and protection of transport infrastructure.</p> <p>Explanation: <i>Transport infrastructure is essential to the ongoing viability of most land uses and also to the functioning of the city.</i></p>	Support	South Port supports this policy as it is appropriate to provide for the safe and efficient operation, improvement and protection of transport infrastructure.	Retain this policy.

Policy 2	<p>Noise: To control the impact of noise associated with airport and seaport operations.</p> <p>Explanation: Noise from both the airport and the seaport can significantly affect the amenities of nearby land uses. Appropriate noise controls need to be set to protect the ability to undertake operations whilst also managing the effects of aircraft or port-related noise on surrounding areas.</p>	Oppose in part	It is not clear what is meant by “to control” the impact of noise associated with seaport operations. It is critical that the Port operations remain a 24/7 operation and therefore noise is inevitable. It would be better to recognise that the port environment is noisy and that the management of adverse effects needs to be achieved via preventing incompatible land use activities encroaching on such existing activities.	Amend this policy to read: To <u>appropriately manage</u> the impact....
Policy 5	<p>Adverse Effects: To manage subdivision, use and development adjacent to transport infrastructure in such a way as to avoid, remedy or mitigate potential effects, including reverse sensitivity effects on transportation infrastructure.</p> <p>Explanation: Controls are necessary so that the effects of subdivision and land use activities are not incompatible with the safe and efficient operation of transportation networks.</p>	Support	South Port considers it appropriate to protect transport infrastructure from the adverse effects arising from the establishment of incompatible activities.	Retain this policy.
Policy 8	<p>Public Health: To manage transport activities to protect public health and environmental values.</p> <p>Explanation: Public health can be affected by such issues as noise, emissions, vibration and dust resulting from transport activities. Environmental effects can result from waste discharges from stock trucks, campervans and other vehicles; dust resulting from vehicle movements; increased greenhouse gas levels in the atmosphere associated with vehicle emission; and stormwater discharges from the road surfaces, vehicles and road maintenance and earthworks activities.</p>	Oppose in part	South Port notes that in some cases it is the management of surrounding land uses, rather than the management of the transportation activities that is required in order to protect public health and environmental values. The Port for example cannot be managed in such a way so that it does not make noise, therefore it is the management of the surrounding land uses that is necessary in order to minimise the impact of this noise generation.	Amend the policy as follows: <i>Manage transport activities <u>and surrounding land use activities</u> to protect public health and environmental values.</i>
Policy 9	<p>Integration: To integrate the planning of land use with existing transport infrastructure and provide for future transportation requirements.</p> <p>Explanation: Integrated planning will ensure the safe, efficient and effective use of the existing transport infrastructure is maintained and allow for future transport infrastructure needs where these can be determined. Measures are required to prevent ribbon development along transport infrastructure, avoid the need for additional access points to strategically important roads and to provide or maintain buffer zones between development and existing transport infrastructure so as to prevent reverse sensitivity issues arising.</p>	Oppose in part	The policy requires that the infrastructure is integrated with land use and the environment. Requiring “integration” with the land use and the environment is ambiguous and it is not clear what outcomes will be sought by the Council with respect to this obligation. In some cases the avoidance, rather than the integration, of certain land use activities is required in order to adequately protect transportation networks.	Amend the policy as follows: <i><u>Where appropriate</u> integrate the planning of land use with existing transport infrastructure and provide for future transportation requirements.</i>

2.18 WATER				
Policy 6	Coastal water: To avoid, remedy or mitigate adverse effects of land based activities on coastal water quality and ecosystems.	Oppose	South Port submits that this policy covers matters within the jurisdiction of the regional council.	Delete the policy.

2.42 SEAPORT ZONE				
	<p>The Seaport Zone is located adjacent to and within the Bluff Harbour adjacent to the township of Bluff. It provides the opportunity for a variety of land use activities including seaport activities, fish processing, engineering industries, slipway facilities, cool stores, boat charters and commercial offices. The zone provides for high frequency of visitation from vehicles, ocean going and coastal ships and boats.</p> <p>Although much of the zone is at risk from multiple hazards, there is nowhere else in the Invercargill city district or the Southland region where a general commercial port could be located and the seaport has a functional need to locate in the coastal environment. An area of higher, less hazard-prone land is included within this zone.</p> <p>The zone is a working environment where activities may need to operate 24 hours a day, seven days a week. This can create a number of environmental effects, which may extend into the township of Bluff. Traditionally Bluff has been tolerant of port-related effects, reflecting the strong links between the port and the Bluff community. Bluff is a port town and a moderate level of port-related environmental effects is acceptable and generally accepted. However, experience elsewhere in the country indicates that some port-related effects, such as noise, can become a vexed issue.</p>	Oppose in part	<p>South Port does not consider this be an accurate description of the port activities and sufficient recognition of the significant contribution the port activities and facilities provide to the social, economic and cultural wellbeing of the surrounding community.</p> <p>It is inappropriate to focus this description on coastal hazards – ports by design and nature are located in such environments and are managed to ensure there are appropriate risk management strategies in place to manage such effects. The reference to hazards should be deleted.</p> <p>There should also be recognition that the Bluff area has been influenced by the presence of the Port.</p>	<p>Amend the introduction as follows:</p> <p><i>The Seaport Zone is located adjacent to and within the Bluff Harbour adjacent to the township of Bluff. It provides the opportunity for a variety of land use activities including seaport activities, fish processing, engineering industries, slipway facilities, cool stores, boat charters and commercial offices. The zone provides for high frequency of visitation from vehicles, ocean going and coastal ships and boats.</i></p> <p><u><i>The Port of Bluff has served the sea transport needs of the District and the region for over a century. It is a major gateway to the Southland region for goods transported by sea. Economic activity which is directly or indirectly dependent on trade through the Port makes a significant contribution to the local, regional and national economy.</i></u></p> <p><i>Although much of the zone is at risk from multiple hazards, there is nowhere else in the Invercargill city district or the Southland region where a general commercial port could be located and the seaport has a functional need to locate in the coastal environment. An area of higher, less hazard-prone land is included within this zone.</i></p> <p><i>The zone is a working environment where activities may need to operate 24 hours a day, seven days a week. This can create a number of environmental effects, which may extend into the township of Bluff. Therefore the establishment of sensitive land use activities near the Port has the potential to generate conflicts, which must be carefully managed. Traditionally Bluff has been tolerant of port-related effects, reflecting the strong links between the port and the Bluff community.</i></p>

				Bluff is a port town and a moderate level of port-related environmental effects is acceptable and generally accepted. However, experience elsewhere in the country indicates that some port-related effects, such as noise, can become a vexed issue.
2.42.1 Issues				
	<p>The significant resource management issues for the Seaport Zone are:</p> <ol style="list-style-type: none"> Without appropriate protection the operational requirements of the seaport can be compromised. The environmental effects from activities carried out within the Seaport Zone can have adverse effects on the township of Bluff. 	Support in part	South Port considers it appropriate to identify as an issue that the operational requirements of the seaport need to be adequately protected. South Port agrees that a balance between the requirements of the seaport with achieving an acceptable level of amenity for those residing within adjacent zones needs to be achieved and that this should be reflected in the drafting of the issue.	Amend Issue 2. as follows: <u>Activities within the Seaport Zone must balance the operational requirements of the port with achieving an acceptable level of amenity for those residing within neighbouring zones.</u>
2.42.2 Objectives				
Objective 1:	<p>A viable seaport facility at Bluff which meets the varied needs of the region in terms of:</p> <ol style="list-style-type: none"> The facilities and services available for commercial shipping, the fishing industry, enterprises and activities involved in cargo handling (both export and import), security and biosecurity agencies, and other users of the port. The ability to operate without reverse sensitivity issues or serious operational impediments. The ability to respond quickly to changed demands and market opportunities 	Support	South Port supports this objective as it adequately provides and protects the activities and operations undertaken within the port.	Retain the objective.
Objective 2:	Identification, maintenance and enhancement of the amenity values,	Oppose	There appears to be an error in the drafting of this objective in that it does not seem complete. South Port considers that this objective should be complementary to the amendments being sought with respect to the issue identified above. The objective should seek that the requirements of the Port is balanced with achieving an acceptable level of amenity for those residing on adjacent land.	<p>The objective should be amended as follows:</p> <p><u>Provision for the operational requirements of the Port is appropriately balanced with achieving an acceptable level of amenity for those residing on neighbouring land.</u></p>
2.42.3 Policies				
Policy 1	<p>Seaport Zone: To establish and implement a Seaport Zone at Bluff to enable the construction and operation of services and facilities to meet seaport and cargo handling needs of the Southland region and such other cargoes as may be handled through the Port of Bluff.</p> <p>Explanation: <i>The ability to import and export goods</i></p>	Support	South Port considers this policy to be an accurate description of the activities that are undertaken within the Seaport Zone.	Retain the policy.

	<i>economically is an important factor in maintaining and enhancing the economic critical mass of the Southland region. The region needs efficient seaport facilities and associated cargo handling facilities. There is nowhere else in the Invercargill city district or the Southland region where a general commercial port could be located.</i>			
Policy 2	<p>Noise: To provide for the opportunity to generate levels of noise in keeping with the operation of the seaport, whilst also recognising that residential areas in Bluff are entitled to reasonable residential amenity in terms of freedom from excessive noise.</p> <p>Explanation: Noise is an inevitable by-product of port and cargo handling operations and operational requirements can necessitate that these operations continue 24 hours a day, seven days a week. Traditionally the township of Bluff has been tolerant of port related noise, reflecting the strong links between the port and the Bluff community. Experience elsewhere in the country indicates that port noise can become a vexed issue. Noise standards will need to be imposed, and implemented; recognising that Bluff is a port town and a level of port related noise is acceptable and generally accepted.</p>	Support	South Port considers this policy to be appropriate in that it recognises that the port activities are by nature noisy activities, but that a balance needs to be struck in accordance with managing the effects on amenity values on adjacent land.	Retain the policy.
Policy 3	<p>Odour: To accept moderate levels of odour emissions associated with port operations whilst also ensuring the absence of nuisance from objectionable odour.</p> <p>Explanation: Odour can be an inevitable by-product of seaport activities, including cargo handling operations. However, odours can be excessive or unpleasant and could potentially have adverse effects on the working environment and on the residents of Bluff. Council needs the ability to take enforcement action when necessary.</p>	Support in part	This policy should be clear in that it seeks that nuisance odour is not received on adjacent or neighbouring land uses.	<p>Amend the policy as follows:</p> <p><i>To accept moderate levels of odour emissions associated with port operations whilst also ensuring the absence of nuisance from objectionable odour <u>within sensitive neighbouring zones</u>.</i></p>
Policy 4	<p>Glare: To accept glare within the Seaport Zone associated with large structures, whilst ensuring freedom from nuisance from glare for nearby residential areas.</p> <p>Explanation: Large structures or buildings can normally be coated or treated to mitigate glare nuisance. Consideration should be given to glare effects in designing and locating such structures.</p>	Support in part	South Port considers this policy to be generally appropriate. However it will not always be possible to ensure freedom from nuisance from glare for nearby residential areas.	<p>Amend the policy to read:</p> <p>To accept glare within the Seaport Zone associated with large structures, whilst ensuring freedom from that nuisance from glare for nearby residential areas <u>is appropriately managed</u>.</p>
Policy 5	<p>Electrical Interference: To ensure freedom from electrical interference.</p> <p>Explanation: People expect not to be bothered by electrical interference. Electrical interference may have adverse effects on the efficient operation of the Seaport Zone.</p>	Support	South Port considers this policy to be appropriate.	Retain the policy.

Policy 6	<p>Lightspill: To manage the effects of lightspill from seaport and associated operations on nearby residential areas.</p> <p>Explanation: Floodlighting and security lighting are an essential feature of port and cargo handling facilities, but it is both possible and necessary to avoid nuisance to residential areas.</p>	Support	South Port considers that this policy is worded appropriately in the way that it seeks to manage such effects.	Retain the policy.
Policy 7	<p>Signage: To provide for signage to enable the clear identification and promotion of places of business.</p> <p>Explanation: It is important that transport operators and other users can find their way around the Seaport Zone easily.</p>	Support	South Port considers it appropriate to provide for signage within the Seaport Zone.	Retain the policy.
Policy 8	<p>Hazardous Substances: To provide for the storage and transport of hazardous substances.</p> <p>Explanation: Provision must be made for the storage and transshipment of hazardous substances and the Seaport Zone is the appropriate place to do so.</p>	Support	It is appropriate to recognise that within the port environment there is the storage and management of hazardous substances.	Retain the policy.
Policy 9	<p>Dilapidated structures and ill-maintained lands: To require that buildings and land in the Seaport Zone shall be sound, well-maintained and tidy in appearance.</p> <p>Explanation: Derelict industrial properties and poorly maintained industrial land could significantly detract from the amenities of the neighbouring town.</p>	Support	South Port accepts that the Port is a gateway into the Southland Region and therefore a reasonable level of amenity needs to be upheld.	Retain the policy.
Policy 10	<p>Demolition or removal activities: To manage the adverse effects of demolition or removal activities on amenity values by ensuring the clean-up, screening and maintenance of sites, and the proper management of relocation activities.</p> <p>Explanation: Although normally temporary and localised, demolition activities can create a significant nuisance. There is an obligation to ensure that demolition materials are disposed of responsibly. There is also a need to ensure that the site is made safe, clean and tidy in a timely manner.</p>	Support	Such activities sometimes occur within the Port area and it is appropriate that the demolition and removal of activities is managed appropriately.	Retain the policy.
Policy 11	<p>Connectivity: To promote excellent connectivity between the internal roads and rail lines within the Seaport Zone, and the State Highway and the Bluff Branch Railway.</p> <p>Explanation: Safe, efficient and direct links between transport systems are a priority to enable the safe and efficient transport of goods and also to minimise any side effects or risk on the adjacent town. Identifying and if necessary signposting unambiguous and safe routes for vehicles carrying hazardous substances is an important</p>	Support	South Port considers it appropriate to recognise the strategic importance of transportation links that are involved in the importing and exporting of goods throughout the City and further beyond.	Retain the policy.

	<i>implication of this policy.</i>			
New Policies			<p>South Port submits that in addition to the above policies, those that an additional policy is needed to ensure that reverse sensitivity effects are avoided or minimised as far as is practicable. This would give effect to the Proposed Objective which seeks that this be achieved. South Port submits that such a policy is necessary to also provide for the existing and future growth of the Port facilities.</p>	<p>Insert an additional policy which seeks:</p> <p><i>To enable the efficient and effective operation, use and development of the Port of Bluff by:</i></p> <p>(a) <i>Ensuring that any adverse effects arising from noise sensitive activities located in the adjoining zones are appropriately avoided or mitigated;</i></p> <p>(b) <i>Ensuring that areas which can be used to buffer the Port from activities that may result in reverse sensitivity effects on the Port are utilised;</i></p> <p>(c) <i>Providing for the future expansion of the Port by zoning an appropriate area of land for such purposes.</i></p>

Proposed Provision		South Port's Position	Submission	Relief Sought
Section Three: Rules				
District Wide Rules				
3.3 CONTAMINATED LAND				
3.3.1	<p>Note: 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", are required under the RMA to 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 Appendix XII. The National Environmental Standard sets out what can be undertaken as a permitted activity and where resource consent will be required.</p> <p>Where the need for resource consent is triggered by the National Environmental Standard, any relevant matters should be addressed in the Assessment of Effects.</p>	Support	South Port considers it appropriate to recognise that there is a national standard in place for the assessment and management of contaminated land.	Retain the note.
3.7 HAZARDOUS SUBSTANCES				
3.7.1	<p>The following activities are permitted activities:</p> <p>(A) The storage and use of agrichemicals on farms over four hectares, in accordance with NZS 8409: 2004 Management of Agrichemicals.</p> <p>(B) The storage and use of Class 3 fuels on farms over four hectares in accordance with the Environmental Protection Agency's Approved Practice Guide for Above Ground Fuel Storage on Farms, September 2010.</p> <p>(C) The storage and use of fertiliser within the Group 4: Rural 1, Rural 2 and Airport Protection Zones in accordance with the:</p> <p>(a) Fertiliser (Corrosive) Group Standard HSR002569; and</p> <p>(b) Fertiliser (Oxidising) Group Standard HSR002570; and</p> <p>(c) Fertiliser (Subsidiary Hazard) Group Standard HSR002571; and</p> <p>(d) FertResearch's Code of Practice for Nutrient Management 2007</p> <p>(D) The storage and use of transformer cooling oils in electricity transformers.</p> <p>(E) The transit and two hour storage maximum of</p>	Support in part	<p>South Port considers it appropriate to recognise that if hazardous substances are stored and managed in accordance with a relevant test certificate (or other approval) issued under the HSNO Act, then such activities should be permitted under the District Plan (Clause (F)). This avoids unnecessary duplication in regulatory control with respect to such matters.</p> <p>South Port however considers that clause (C) should be broadened to also include the storage of fertiliser within the Seaport Zone. Fertiliser is imported via the Port facilities and there is also a dedicated storage facility for such purposes.</p>	<p>Retain clause (F).</p> <p>Amend clause (C) to include the storage of fertiliser within the Seaport Zone.</p>

	<p>tracked hazardous substances, and the transit and 72 hour storage maximum of non-tracked hazardous substances within the Smelter, Seaport and Industrial 2, Industrial 3 and Industrial 4 zones. Where this involves the transit and storage of anhydrous ammonia and chlorine gas, an emergency management plan must be supplied to the Council in advance.</p> <p>(F) The storage of hazardous substances (excluding fixed installations) within the Seaport Zone with either a Hazardous Substance Location Certificate or Transit Depot Certificate issued pursuant to the Hazardous Substances (Classes 1 to 5) Regulations 2001 and for Classes 6, 8, 9 in compliance with the Hazardous Substances and New Organisms Act 1996.</p> <p>(G) The storage of sub-class 3.1A-D liquid petroleum fuels (as listed in Schedules 1 to 6 of the Hazardous Substances (Classification) Regulations 2001) in underground storage.</p> <p>Unless provided for by Rules 3.7.1 (A) - (G) above, the manufacture, storage, use and management of hazardous substances not exceeding the quantity limits and other requirements stipulated in Appendix VII Hazardous Substances.</p>									
3.11 LIGHTSPILL										
3.11.2	<p>The generation of lightspill, measured at the boundary of the site, shall not exceed the following:</p> <table><tr><td></td><td>Sunset through midnight to sunrise</td></tr><tr><td>Seaport</td><td>No limit</td></tr><tr><td>Smelter</td><td>No limit</td></tr></table>		Sunset through midnight to sunrise	Seaport	No limit	Smelter	No limit	Support	South Port supports that there is no limit imposed with respect to light spill arising from the port or smelter operations. This will provide for the ongoing effective and efficient operation of the Port.	Retain the rule.
	Sunset through midnight to sunrise									
Seaport	No limit									
Smelter	No limit									

3.13 NOISE						
3.13.8	<p>Seaport Zone</p> <p>(A) Long Term Noise Limit - The night-weighted sound exposure from activities undertaken in the Seaport Zone shall not exceed:</p> <p>(a) An average sound level of 65dBA Ldn beyond the Inner Control Boundary calculated over five consecutive days.</p> <p>(b) An average sound level of 68dBA Ldn beyond the Inner Control Boundary calculated over any continuous 24 hour period.</p> <p>(B) Short Term Noise Limits - Sound from activities undertaken shall not exceed the following noise limits at any point beyond the Inner Control Boundary:</p> <p>(a) 2200 to 0700 the following day 60 dBA Leq(9hr) provided that:</p> <p>(1) No single 15 minute sound measurement shall exceed 65dBA Leq.</p> <p>(2) No single sound measurement shall exceed 85dBA Lmax.</p> <p>(b) For the purpose of this rule:</p> <p>(1) Sound will be measured using a representative 15 minute Leq value when calculating the Ldn or nine hour Leq values.</p> <p>(2) Sound will be measured and assessed in accordance with the provisions of NZS6809:1999 Acoustics – Port Noise: Management and Land Use Planning.</p>	Support	South Port considers the noise limit proposed to be consistent with best practice management of Port noise and should be retained.	Retain the rule.		
3.16 SIGNAGE						
3.16.1	<p>It is a permitted activity to erect signage that complies with the following maximum levels:</p> <table><tr><td>Seaport Zone</td><td>No limit</td></tr></table> <p>Provided that:</p> <p>(A) All signage must relate directly to the activity that is occurring on the site.</p> <p>(B) All signage, other than that attached to verandahs or to a building façade, must be contained within the legal boundaries of the site.</p>	Seaport Zone	No limit	Support	South Port considers this to be appropriate for the port operations.	Retain the rule.
Seaport Zone	No limit					

	<p>(C) Any signage attached under a verandah shall not exceed the width of the verandah and must provide a minimum of 2.6m clearance to the footpath.</p> <p>(D) Any signage attached to a building shall not exceed the height of that building.</p> <p>(E) No signage is to be mobile or rotate.</p> <p>(F) Illuminated signage is permitted within all zones except the following:</p> <ul style="list-style-type: none"> (a) Otatara Zone. (b) Residential 1, 1A, 2 and 3 Zones. (c) Rural 1 and 2 Zones. <p>(G) Flashing signage is permitted only along the pedestrian-friendly frontages identified in the Business 1 Zone.</p> <p>(H) In measuring the area of any signage:</p> <ul style="list-style-type: none"> (a) The area of any double-sided signage with less than 200mm between each face is to be calculated on the basis of a single sided sign. (b) The area of any three-dimensional signage is to be calculated as the sum of up to four visible perpendicular faces. 			
3.17 SOILS, MINERALS AND EARTHWORKS				
3.17.1	This rule does not apply in the Smelter Zone	Oppose	<p>South Port considers that the Seaport Zone should also be exempt from the rules which relate to soil disturbance and earthworks. This is currently the case in terms of the operative District Plan, and should be retained. The limitations with respect to the earthworks would severely limit the ability of the Port to undertake its existing and planned developments.</p> <p>For example, the Port is currently upgrading its container terminal pavement. This is happening in a series of stages over a four – five year period. The work is continuing on an annual basis. Each stage involves the excavation of 5000 to 6000m³ of existing pavement material and replacing it with construction material (crushed rock fill). Such work could not comply with the proposed limitation of earthworks to 1000m³. This is considered inappropriate given that the effects are fully contained within the Seaport Zone.</p> <p>In addition, the land upon which the port is located is reclaimed land. The excavation of reclaimed sand should be exempt from the soils and earthworks rules.</p>	Amend the earthworks rules (3.17) to also exempt the rules from applying to the Seaport Activity.

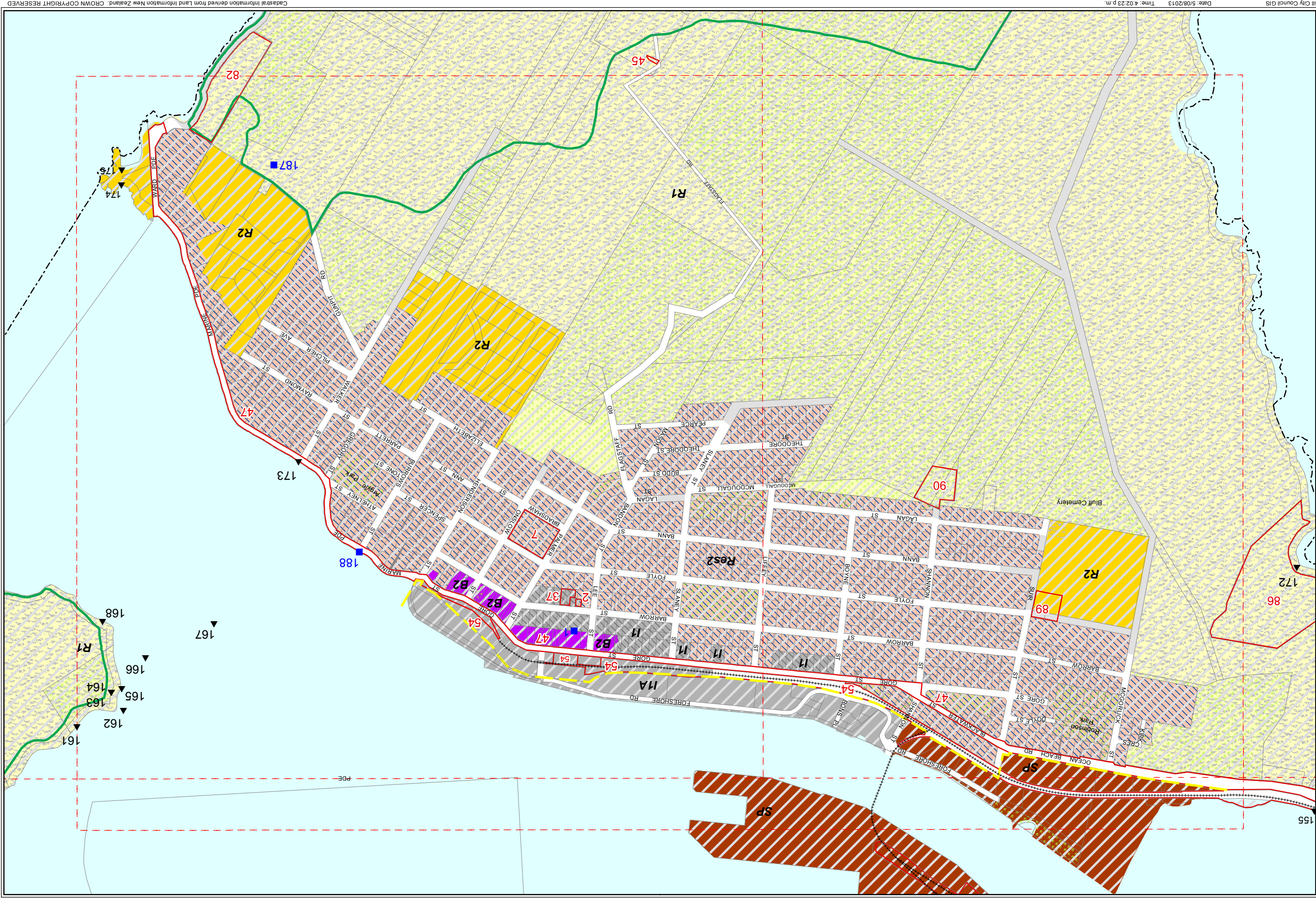
			<p>As noted in South Port's comments on Section 2.13, there should be a focus on the protection of quality soil within the Invercargill District. It is deemed inappropriate to have the same protection on reclaimed sand. Therefore 3.17.1 should not apply to the Seaport Zone.</p> <p>It is not clear why the Smelter Zone is exempt, but that this does not extend into the Seaport Zone.</p>	
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Section Three: Rules				
3.40 SEAPORT ZONE				
3.40.1	<p>Permitted Activities: The following are permitted activities in the Seaport Zone:</p> <p>(A) Seaport activities.</p>	Oppose	<p>South Port notes that this list of permitted activities has been reduced from what is within the operative District Plan for activities permitted within the existing Seaport Zone. South Port submits that certain activities including infrastructure, commercial and industrial activities also need to be provided for within the zone. Such activities currently exist in the zone and are likely to expand in the future. Putting undue constraints on the activities that can be undertaken within the Seaport Zone is likely to severely compromise the operational viability of the Port.</p>	<p>Amend the list of permitted activities as follows:</p> <p>(A) <u>Seaport activities</u></p> <p>(B) <u>Infrastructure</u></p> <p>(C) <u>Commercial Activities</u></p> <p>(D) <u>Commercial Recreational Activities</u></p> <p>(E) <u>Industrial Activities – Both Heavy and Light Industry</u></p> <p>(F) <u>Reserves</u></p>
3.40.2	<p>Discretionary Activities: The following are discretionary activities in the Seaport Zone:</p> <p>(A) Any activity not listed as permitted or non-complying.</p>	Support	<p>South Port submits the default activity status for activities not otherwise provided for in the zone should be discretionary.</p>	Retain the rule.
3.40.3	<p>Non-complying Activities: The following are non-complying activities in the Seaport Zone:</p> <p>(A) Any noise sensitive activity.</p>	Support	<p>South Port submits that noise sensitive activities should be strongly dissuaded in this zone. A non complying activity status is appropriate. This would ensure that the adverse effects from Port noise operations are appropriately avoided in such areas.</p>	Retain the rule.

3.41 SMELTER ZONE				
3.41.1	<p>Permitted Activities: The following are permitted activities in the Smelter Zone:</p> <p>(A) Agriculture other than plantation forestry</p> <p>(B) Aluminium smelting</p>	Oppose in part	<p>South Port considers that Seaport Activities should also be included in the list of activities that are permitted within the Smelter Zone. The Port provides a dedicated wharf and causeway servicing the Smelter and therefore such activities should be appropriately recognised as being permitted within this zone.</p>	<p>Include Seaport Activities as a permitted activity within the Smelter Zone.</p>

ANNEXURE B

Planning Map



SUBMISSION FORM 6

CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991

FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON PUBLICLY NOTIFIED PROPOSED INVERCARGILL CITY DISTRICT PLAN 2013

To: Environmental Planning and Services Directorate
Invercargill City Council
PO Box 90104
INVERCARGILL 9840

Submission on: Proposed Invercargill City District Plan 2013

Name: South Port New Zealand Limited (South Port)

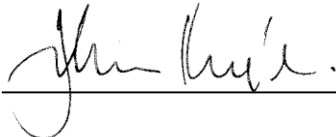
Address: PO Box 1
BLUFF 9842
(note different address for service)

1. These further submissions are in support of or in opposition to submissions on the Proposed Invercargill City District Plan 2013 (the Proposed Plan).
2. South Port is a person who has an interest in the Proposed Plan that is greater than the interest of the general public.
 - As explained in South Port's original submission, South Port is the southern most commercial port in New Zealand and handles in excess of 2.5 million tonnes of cargo annually, including the importing and exporting of aluminium, timber, logs, dairy, meat by products and wood chips. South Port employs approximately 80 full time equivalent staff members and is a major transportation hub that facilitates economic growth for the region and beyond.
 - In light of the above, South Port considers it has an interest in this Proposed Plan that is greater than the interest the greater public has, by virtue of its contribution to the social and economic wellbeing of the Region and District.
 - South Port therefore makes the following further submissions pursuant to clause 8 of the First Schedule to the RMA.
3. South Port will not gain an advantage in trade competition through these further submissions.
4. **Further Submissions**

South Port's further submissions on the Invercargill City Proposed District Plan 2013 are attached as **Attachment 1**.

5. South Port does wish to be heard in relation to this submission.
6. If others make a similar submission South Port will consider presenting a joint case with them at a hearing.

Signature:



By its authorised agent John Kyle, on behalf of
South Port New Zealand Limited

Date: On this 11th day of December 2013

Address for service: South Port New Zealand Limited
C/- Mitchell Partnerships
PO Box 489
DUNEDIN

Attn: Kirsty O'Sullivan

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ATTACHMENT 1

Further Submissions

Rules 3.1 – Biodiversity

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Areas of significant indigenous biodiversity planning maps	48.2 54.2	Forest and Bird Otatara Landcare Group	Support in part	Both submitters consider that areas of significant indigenous biodiversity have not been appropriately identified on the planning maps, including those areas within the Smelter Zone. South Port agrees that it is appropriate to map areas of significant indigenous biodiversity, however such mapping needs to be completed in association with relevant stakeholders, and needs to take into consideration the existing level of development of, and alterations to, the natural environment. It is not appropriate for such mapping to occur in the absence of appropriate consultation with stakeholders, including South Port.

Section 2.4 – Coastal Environment Issues, Objectives and Policies

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Issue 4	71.5	NZAS Ltd	Support	The submitter seeks the inclusion of the Tiwai Point aluminium smelter as recognised infrastructure alongside the Sea Port. South Port agrees that the Tiwai Point aluminium smelter should be included in this issue statement and suggests amended drafting as follows: “Sea ports, <u>the aluminium smelter at Tiwai Point</u> , and infrastructure located in the coastal environment have <u>a functional need to locate in the coastal environment in order to meet the economic and social needs of the City and the wider region</u> ”.
	79.4	KiwiRail Holdings Ltd	Support in part	The submitter supports the recognition that coastal values need to be balanced against the functional need for lifeline infrastructure. While South Port agrees with this in principle, South Port maintains that Issue 4 does not require specific reference to conservation as it is provided for via other issue statements found elsewhere in the Proposed Plan.
	18.33	Environment Southland	Oppose	The submitter considers that sea level rise will become a more significant and widespread issue into the future and seeks the inclusion of a new issue statement to reflect this. South Port considers that this matter has been appropriately addressed via the inclusion of specific natural hazard issue statements outlined in Section 2.11. It is therefore unnecessary to duplicate the issue statement here.
Objective 5	87.4	Transpower NZ Ltd	Support	The submitter seeks greater recognition of the locational and technical constraints of developing nationally important infrastructure.

				<p>The submitter also considers that this recognition is necessary to establish a sound policy framework which supports later policies, particularly those in relation to the functional needs of infrastructure.</p> <p>South Port agrees that it is appropriate to recognise these constraints, and supports the strengthening of the objective and policy framework. South Port submits however, that the proposed amendments should also apply to regionally significant infrastructure (as defined in the Proposed Plan)</p>
New Objective	71.8	NZAS Limited	Support in part	<p>A new objective is proposed by the submitter that specifically recognises Tiwai Point aluminium smelter. South Port agrees that as regionally significant infrastructure, Tiwai Point should be recognised in the objectives. South Port considers that this could be appropriately achieved by an amendment to Objective 3 or via a new objective as proposed by the submitter.</p>
Policy 3 – Assessment Criteria	79.6	KiwiRail Holdings Limited	Oppose in part	<p>The submitter seeks the inclusion of an additional assessment matter that seeks to preserve the operation of strategic infrastructure in coastal areas.</p> <p>While South Port agrees with this matter in principle, South Port opposes its inclusion here as this policy relates to the natural character of the coast. The inclusion of assessment criteria to the effect of that proposed would be better placed as a standalone ‘assessment criteria’ policy for Objectives 2, 3 or 5.</p>
Policy 4 – Protection of values and attributes (or Policy 2 – Locations for use and development)	18.37	Environment Southland	Support in part	<p>It is not clear whether this submitter seeks the inclusion of a new policy 4 or whether this policy has been incorrectly referenced (and should reference Policy 2). The submitter seeks amendments that recognise and protect ONFLS within Bluff and Oamui.</p> <p>South Port supports this amendment as it seeks to appropriately narrow those areas where priority is given to preserving natural character. South Port maintains however, that is inappropriate to give preference or priority to preserving natural character in an environment that has already been significantly altered.</p>
Policy 5 – Functional Need	64.18	Department of Conservation	Oppose	<p>The submitter is concerned that as drafted, Policy 5 gives priority to certain land uses over other coastal uses.</p> <p>South Port disagrees with this submission. To ensure that infrastructure appropriately provides for the foreseeable needs of future generations, priority needs to be afforded to their activities and/or future development opportunities especially where those activities/developments have locational and or functional constraints. This will also ensure that economic</p>

				wellbeing of the Port is provided for in the future, and in turn, the social and economic wellbeing of the region.
	71.10	NZAS Limited	Support	The submitter seeks that the Tiwai Point aluminium smelter be afforded specific recognition in the drafting of this policy. South Port supports this inclusion as it would give effect to Objective 3 (amended by South Port and NZAS Limited).
	87.5 87.6	Transpower NZ Limited	Oppose in part	The submitter seeks that Policy 5 makes reference to 'Technical and Operational Requirements' rather than 'Functional Need' to ensure consistency with the NPSET. South Port submits that the use of 'Functional Need' is consistent with the language adopted in the NZCPS and should be retained given that the policy specifically relates to the coastal environment. Further drafting could also integrate the wording of the NPSET.
Method 6	65.9	ICC Environmental and Planning Services	Oppose in part	The submitter seeks that regulatory and non-regulatory methods for providing access to the coast be included in the Proposed Plan. South Port opposes this in part. Circumstances arise where it may not be appropriate to provide access to the coast for health and safety reasons, particularly around working port facilities. The use of regulatory methods should therefore only be adopted where appropriate.

Section 2.7 – Hazardous Substances Issues, Objectives and Policies

Rules 3.7 – Hazardous Substances

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
General	105.2	ICC – Environmental Health and Compliance Services	Oppose	The submitter supports the objectives, policies and rules contained in the notified Proposed Plan, however recommends the inclusion of additional rules and assessment criteria for hazardous substances. The details of these are not included in the summary of submissions. South Port considers that the relevant HSNO requirements adequately manage hazardous substances. A second tier of control in the Proposed Plan would create unnecessary duplication which should be avoided. South Port submits that the inclusion of additional rules of the nature proposed should have occurred at the outset rather than via the submission process.

Introduction	18.41	Environment Southland	Oppose in Part	<p>The submitter seeks acknowledgement that ICC and Environment Southland share functions under the RMA for land use activities associated with hazardous substances.</p> <p>South Port supports this inclusion in part, however considers that more importantly, the introduction needs to adequately recognise the regulatory role of the EPA and HSNO in managing hazardous substances.</p>
Policy 1 – Environment Policy 2 – Public Health	65.16 65.17	ICC – Environmental and Planning Services	Oppose	<p>The submitter seeks an amendment to this policy to include the transportation of hazardous goods into Policies 1 and 2.</p> <p>South Port opposes this inclusion as it is inappropriate to regulate the transportation hazardous substances through the control of land use consents. South Port considers that HSNO adequately provides for the transportation of hazardous substances and therefore does not require a duplication of management functions.</p>
Rule 3.7.1 (G) and (H)	102.11 104.11 52.7	Chorus NZ Ltd Telecom NZ Ltd NZ Police	Support	<p>All three submitters highlight that the above ground storage limits for diesel are too onerous and submit that the threshold should be increased to 10,000L where HSNO requirements are complied with.</p> <p>South Port supports this approach and considers that greater flexibility should be afforded to other activities that also comply with HSNO requirements.</p>
Rule 3.7.2	71.52	NZAS Ltd	Support	<p>The submitter considers that the control of hazardous substances should be left to HSNO, therefore rules 3.7.2 and the assessment matters outlined in 3.7.3 should be deleted.</p> <p>South Port agrees that HSNO adequately manages the adverse effects of hazardous substances. Unnecessary duplication of roles should therefore be avoided.</p>

Section 2.9 – Infrastructure Issues, Objectives and Policies
Rules 3.9 - Infrastructure

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Introduction	65.21	ICC Environmental and Planning Services	Support in part/Oppose in part	<p>The submitter proposes further clarification around the relevance of this section to Airport and Seaport facilities.</p> <p>South Port agrees that further clarification would be appropriate, however does not consider that the proposed drafting adequately resolves the matter.</p> <p>South Port submits that a new paragraph should be added to the introductory material that reads as follows:</p> <p>“It should be noted that infrastructure associated with Airport and Seaport facilities is also provided for via transportation and zone specific provisions contained within the District Plan”.</p>

Issue 1	103.3	Invercargill Airport Ltd	Support	<p>The submitter seeks the identification of a new issue that recognises that infrastructure can be adversely affected by reverse sensitivity effects arising from the establishment of incompatible land uses.</p> <p>South Port supports the inclusion of a new issue to this effect.</p>
Objective 3	65.24	ICC Environmental and Planning Services	Support	<p>The submitter notes that 'utilities' are not referenced elsewhere in the Proposed Plan, therefore Objective 3 should make reference to 'infrastructure'.</p> <p>South Port supports this amendment in part as it provides consistency in the terminology used in the Proposed Plan. South Port submits however, that this objective should seek to 'avoid, remedy or mitigate' significant adverse effects.</p> <p>South Port also submits that the definition of 'infrastructure' is not consistent with the scope of Policy 1.</p>
Objective 4	53.10	NZ Transport Agency	Support	<p>The submitter queries the rationale behind limiting Objective 4 to electricity transmission networks only. The submitter seeks that Objective 4 be expanded to consider the use and development of infrastructure more generally.</p> <p>South Port support this submission.</p>
Objective 5	53.11	NZ Transport Agency	Support	<p>The submitter queries the rationale behind limiting Objective 5 to electricity transmission networks only. The submitter therefore seeks the Objective be expanded to consider the use and development of infrastructure more generally.</p> <p>South Port supports this approach and considers that infrastructure (not just electricity transmission networks) generally supports the social and economic wellbeing of the region.</p>
Policy 1	18.49	Environment Southland	Oppose	<p>The submitter recommends amendments to Policy 1 to remove the reference to, and the list of, essential infrastructure services.</p> <p>South Port opposes this deletion as it provides clarity around the applicability of the policy in the absence of a comprehensive definition of 'infrastructure'.</p>
	88.71	Federated Farmers	Oppose	<p>The submitter seeks an amendment to Policy 1 to ensure the policy only provides for 'minor' upgrades of existing infrastructure. This amendment is sought to ensure that the effects of an upgrade are adequately assessed by councils.</p> <p>South Port opposes this amendment. The absence of the term 'minor' does not preclude the Council from assessing the effects of an upgrade on the surrounding environment. This would be controlled by the relevant rules contained within the Proposed Plan. The inclusion of the term 'minor' would also be inconsistent with the achievement of sustainable management, as there would be no supporting policies within</p>

				the Proposed Plan that encourage or provide for the major upgrade of existing infrastructure.
	102.2 104.2	Chorus NZ Ltd Telecom NZ Ltd	Support	Both submitters raise issues around the use of infrastructure, utilities and network utilities interchangeably throughout the Proposed Plan and request consistency in its use. South Port support these submissions and consider that the phrase 'infrastructure' should be used, as defined by Policy 1.
Policy 3	53.13	NZ Transport Agency	Oppose in part	The submitter seeks the inclusion of a new policy that protects infrastructure from incompatible subdivision, land use and development. South Port considers that this has already been provided for by proposed Policy 3.
Policy 4	102.4 10.4.4	Chorus Telecom	Support in part	Both submitters consider that natural hazards management should focus on the design rather than location of infrastructure. South Port supports this approach in part as some infrastructure has a functional, operational or historic requirement underpinning its location. South Port seeks the retention of their original drafting in this regard of the policy.
Rule 3.9.1	52.8 102.12 104.12	NZ Police Chorus NZ Ltd Telecom NZ Ltd	Support in part	All three submitters consider that the rules in this chapter should take precedent over all over rules in the Proposed Plan (unless stated otherwise). South Port supports this approach in part, however emphasises the need to include an exemption phrase such as 'unless stated otherwise' to avoid rendering zone specific rules that provide for major infrastructure (such as ports and airports) ineffective.

Section 2.10 – Natural Features, Landscapes and Townscapes Issues, Objectives and Policies

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Introduction	18.54	Environment Southland	Support	The submitter considers that the introductory material should clarify the role of Regional and City Councils in regards to the CMA. South Port supports this inclusion.

Section 2.11 – Natural Hazards Issues, Objectives and Policies

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
General	116.3	Kylie Fowler	Oppose	<p>The submitter would like to see greater consideration of the tsunami risk at Bluff included in the Proposed Plan, including the gradual phase out of activities from this area.</p> <p>South Port's activities have a functional requirement to locate directly adjacent to and within the CMA. Adopting a planning regime that gradually phases out activities potentially exposed to tsunami risk would result in very few circumstances throughout New Zealand where port activities could establish.</p> <p>South Port does oppose the inclusion of provisions to the effect sought by the submitter.</p>
2.11.4 – Methods of implementation	87.33	Transpower NZ Limited	Support	<p>An amendment is sought by this submitter that recognises the need for some activities to locate in at risk areas.</p> <p>South Port agrees with and supports this approach.</p>

Rules 3.17 – Soils, Minerals and Earthworks

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Rule 3.17.1	Rule 71.57	NZAS Ltd	Support	<p>The submitter seeks clarification around the exemption rules that apply to the Smelter Zone.</p> <p>South Port supports this approach, and submits that this exemption should also apply to the Seaport Zone.</p>

Section 2.14 – Subdivision Issues, Objectives policies

Rules 3.18 - Subdivision

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Policy 9	91.4	PowerNet	Support	<p>The submitter seeks the retention of policies that protect existing infrastructure from new incompatible land uses and activities.</p> <p>South Port supports the retention of this policy.</p>
Rule 3.18.4	79.26	KiwiRail	Support in part	<p>The submitter seeks the inclusion of a reverse sensitivity related assessment matter. The submitter proposes that the assessment matter accounts for "... reverse sensitivity noise and vibration effects from adjacent or nearby land transport networks".</p> <p>South Port supports the inclusion of this assessment matter, however considers its scope should be broadened to encompass regionally strategic transportation infrastructure.</p>

Section 2.17 – Transportation Issues, Objectives and Policies

Provision	Submission Reference	Submitter	South Port's Further Submission	Reasons
Introduction	65.39	ICC Environmental and Planning Services	Support	<p>The submitter proposes further clarification around the relevance of this section to Airport and Seaport facilities. The submitter suggests the following statement be included to the introduction:</p> <p><u>“It should be noted that Airport and Seaport facilitates are both infrastructure resources that are addressed elsewhere in the District Plan under the Transportation and Zone Specific Objectives, Policies and Rules.”</u></p> <p>South Port considers that an error may have occurred in the drafting of this statement as it incorrectly references the transportation section.</p> <p>Notwithstanding this, South Port supports this submission in principle, and proposes the following wording:</p> <p>“It should be noted that infrastructure associated with Airport and Seaport facilities is also provided for via the infrastructure, and zone specific provisions contained within the District Plan”.</p>
Issues	65.40	ICC Environmental and Planning Services	Support	<p>The submitter seeks that the infrastructure section of the Proposed Plan be cross referenced in the transportation issue statement.</p> <p>South Port agrees that this inclusion would provide greater clarity for plan uses.</p>
Policy 2 – Noise	71.22	NZAS Ltd	Support in part	<p>The submitters seeks recognition of the importance of airport and seaport operations to the district and the region.</p> <p>South Port supports this in principle.</p>

SUBMISSION FORM 6

CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991

FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON PUBLICLY NOTIFIED PROPOSED INVERCARGILL CITY DISTRICT PLAN 2013

To: Environmental Planning and Services Directorate
Invercargill City Council
PO Box 90104
INVERCARGILL 9840

Submission on: Proposed Invercargill City District Plan 2013

Name: South Port New Zealand Limited (South Port)

Address: PO Box 1
BLUFF 9842
(note different address for service)

1. This is a further submission in opposition to a submission on the Proposed Invercargill City District Plan 2013 (the Proposed Plan).
2. South Port is a person who has an interest in the Proposed Plan that is greater than the interest of the general public.
 - As explained in South Port's original submission, South Port is the southern most commercial port in New Zealand and handles in excess of 2.5 million tonnes of cargo annually, including the importing and exporting of aluminium, timber, logs, dairy, meat by products and wood chips. South Port employs approximately 80 full time equivalent staff members and is a major transportation hub that facilitates economic growth for the region and beyond.
 - In light of the above, South Port considers it has an interest in this Proposed Plan that is greater than the interest the greater public has, by virtue of its contribution to the social and economic wellbeing of the Region and District.
 - South Port therefore makes the following further submissions pursuant to clause 8 of the First Schedule to the RMA.
3. South Port will not gain an advantage in trade competition through these further submissions.

4. Further Submissions

- 4.1 In addition to South Port's further submissions dated 10 December 2013, South Port makes the following further submission on the Proposed Plan.
- 4.2 KiwiRail Holdings Limited (KiwiRail) has submitted that it is concerned with safety, including sight lines, at level crossings. KiwiRail therefore seeks the inclusion of a new provision requiring all existing and new accesses and roads that cross the rail networks via a level crossing to be developed in accordance with a standard diagram setting out sight line requirements (Submission 79.35).
- 4.3 South Port opposes this submission. South Port acknowledges that visibility at level crossings is important to minimise the risk of conflict between the road and rail uses however the proposed rule goes significantly beyond that intent. South Port submits that the sightlines of the proposed rule are excessive and have the potential to seriously impact upon South Port's operations within the Seaport Zone.
- 4.5 South Port also submits that the submission is not sufficiently clear as to properly identify all of the land parcels affected by the proposed method. Because of this, there is nothing to indicate to affected landowners that they are potentially affected by the method.
- 4.4 South Port seeks the following decision from the local authority:
- 1) KiwiRail's submission (Submission 79.35) is rejected; or,
 - 2) The proposed rule is removed insofar that it relates to South Port's landholdings and operations in Bluff (i.e. is not applicable to the Seaport Zone).
5. South Port does wish to be heard in relation to this submission.
6. If others make a similar submission South Port will consider presenting a joint case with them at a hearing.

Signature:



By its authorised agent Kirsty O'Sullivan, on behalf of
South Port New Zealand Limited

Date:

On this 31st day of October 2014

Address for service:

South Port New Zealand Limited
C/- Mitchell Partnerships
PO Box 489
DUNEDIN

Attn: Kirsty O'Sullivan

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Annexure B

Relevant Parts of Respondent's Decision

SECTION TWO ISSUES, OBJECTIVES AND POLICIES

2.4 Coastal Environment

~~The coastline that penetrates and borders the district to the west and south is about 165 kilometres in length. The Invercargill City District contains about 165 kilometres of coastline around harbours, estuaries or tidal rivers and along the open coast.~~¹ It is a highly dynamic entity. In a short period of time (geologically speaking) the district's coast has gone through much change. Change due to coastal processes is expected to continue especially if sea level continues to rise as much as predicted.²

...
The natural character of the Invercargill coastal environment is analysed in Appendix 4 of the Regional Coastal Plan for Southland (2013).³

2.4.1 Issues

The significant resource management issues for the coastal environment:

4. ~~SA range of activities, including sea ports and infrastructure, located within the coastal environment can affect its natural character but also have a functional need of coastal space. In these cases conservation needs to be balanced against development needs.~~⁴

2.4.2 Objectives

Objective 3: Provide for existing infrastructure and development within the coastal environment, including the port of Bluff and Tiwai Smelter and recognise the functional need for some activities to locate within the coastal environment. Bluff is identified as the appropriate location for port facilities, and other activities which have a functional need to locate in the port area.⁵

Objective 5: Infrastructure, renewable energy projects and associated development are provided for in the coastal environment, recognising that such developments may have specific locational and technical constraints,⁶ while maintaining and enhancing public access and preserving natural character as far as practicable.

Objective 6: ~~CAvoid adverse effects of land use and development on coastal water quality and ecosystems are maintained or enhanced.~~⁷

¹ Decision 17/2

² Decision 17/2

³ Decision 17/13

⁴ Decision 17/4

⁵ Decision 17/8

⁶ Decision 17/9

⁷ Decision 17/10

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

2.4.3 Policies

Policy 1 Identification and delineation: To identify the coastal environment and to delineate it on the District Planning Maps.

Explanation:⁸ ~~The District Planning Maps delineate the coastal environment within the Invercargill City District to enable easy identification provide clarity as to when district plan provisions apply. The criteria used to identify areas within the coastal environment are:~~

~~(A) Topography.~~

~~(B) Height above mean sea level (used to identify areas which may be susceptible to sea level rise/storm surge).~~

~~(C) Geology.~~

~~(D) Amenity values.~~

~~(E) Botany.~~

~~(F) Landscape values.~~

Policy 2⁹ Locations for use and development: To identify the Bluff area, and the hamlet of Omaui as the appropriate locations for subdivision, use and development in the coastal environment and, subject to providing for activities with a functional need to locate in the coastal environment, to give priority to preservation of the natural character of the coastal environment elsewhere.

Explanation: This approach will encourage development to locate in areas that are already modified and ~~This approach will help avoid cumulative effects, of an activity and precedent effects of a decision exceeding the carrying capacity of an area, and help protect natural character, outstanding natural features and landscapes, and other values of the area~~ coastal environment.

Policy 3¹⁰ Assessment criteria: When assessing natural character in relation to proposals for subdivision, use and development, the following criteria will be considered:

1. In areas of the coastal environment with outstanding natural character, the extent to which the proposal avoids adverse effects on natural character; and

2. In all other areas of the coastal environment, the extent to which significant adverse effects on natural character are avoided, and other adverse effects are avoided, remedied or mitigated.

Explanation: Natural character may include matters such as:

(a) Natural elements, processes and patterns;

(b) Biophysical, ecological, geological and geomorphic aspects

(c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks

(d) The natural movement of water and sediment

(e) The natural darkness of the night sky

⁸ Decision 17/11

⁹ Decision 17/12

¹⁰ Decision 17/13

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

- ~~(f) Places or areas that are wild or scenic~~
- ~~(g) A range of natural character from pristine to modified, and~~
- ~~(h) Experiential attributes, including the sounds and smell of the sea, and their context or setting.~~

~~To assess proposals for subdivision, use and development, in relation to the natural character of the coast and in particular using the following criteria:~~

- ~~(A) Natural science factors.~~
- ~~(B) Aesthetic values.~~
- ~~(C) Expressiveness.~~
- ~~(D) Transient values.~~
- ~~(E) The extent to which the values are shared or recognised.~~
- ~~(F) Value to the tangata whenua.~~
- ~~(G) Historical associations.~~

~~**Explanation:** The natural character of the Invercargill coastal environment and its natural qualities derive from the following:~~

- ~~(A) Visual values including light.~~
- ~~(B) Scenic values with views of the sea and seascape.~~
- ~~(C) Intrinsic value of ecosystems.~~
- ~~(D) Qualities of expansiveness and remoteness.~~
- ~~(E) A predominance of natural noise.~~
- ~~(F) Individual sounds of the sea.~~
- ~~(G) Dynamics of air, water and sediment.~~
- ~~(H) Areas of significant indigenous vegetation.~~
- ~~(I) Significant habitats of indigenous fauna.~~
- ~~(J) Natural landscapes, seascapes, and landforms.~~
- ~~(K) Geology and elevation.~~
- ~~(L) Aesthetic coherence.~~
- ~~(M) Natural physical processes.~~
- ~~(N) Change with the diurnal rhythm of the tides and the rhythm of the weather.~~
- ~~(O) A distinctive smell and taste characteristic of southern coastal areas.~~

Policy 4¹¹ To seek the maintenance and enhancement of public access within the coastal environment through regulatory and non-regulatory means where it:

- (a) Is practical to do so;
- (b) Will not give rise to health and safety issues; and
- (c) Will not interfere with the reasonable use of the land by the occupier.

Explanation: The Objectives and Policies of the NZCPS and Regional Policy Statement for Southland require provision of public access along the margins of the coast in certain circumstances and the Council will seek to implement that by a range of regulatory and non-regulatory techniques while recognising potential effects and impacts of such access.

Policy 5¹² Avoid, remedy or mitigate adverse effects on amenity, social, intrinsic,

¹¹ Decision 17/14

¹² Decision 17/14

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

ecological, cultural, heritage, natural character and landscape and natural features values within the coastal environment.

Explanation: The coastal environment contains a multitude of values and it is appropriate to manage activities to avoid, remedy or mitigate any adverse effects of activities on those values. Such action is consistent with the NZCPS and Regional Policy Statement for Southland.

~~¹³**Protection of values and attributes:** To promote the utilisation of adequate measures or methods within the coastal environment when providing for subdivision, use and development to:~~

- ~~(A) — Protect amenity, social, intrinsic, ecological, cultural, heritage, natural character and landscape and natural features values.~~
- ~~(B) — Maintain or enhance public access.~~
- ~~(C) — Avoid or mitigate the effects of natural hazards.~~
- ~~(D) — Avoid or mitigate the impact of predicted sea level rise and climate change.~~
- ~~(E) — Take cumulative and precedent effects into account in making decisions affecting the coast.~~

~~**Explanation:** The coast has a high level of intrinsic value, including scenic value. Public access to the coast is a treasured New Zealand tradition and expectation. The coastal environment is also hazard-prone. Hazard avoidance or mitigation is an important consideration in deciding how the coastal environment should be used.~~

Policy 56 Functional need: To give priority to infrastructure, port and renewable energy projects that have a functional need of a coastal environment location, and make provision for other facilities and activities that have located in the coastal environment for historical reasons.

~~**Explanation:**¹⁴ The Port of Bluff and wharf facilities at Tiwai Point straddles the coastal marine area and the landward edges of the coastal environment and they have a functional need for such a location, as do mineral extraction activities. and parts have been highly modified by mineral extraction activity. Infrastructure including roads, and railways, and communication and power lines can also have a need to be located within the coastal environment in order to provide essential services. around the district. There are several other important utilities and facilities in the coastal environment around the New River Estuary. These include the Invercargill Airport and Waste Water Treatment Plant at Clifton.~~

~~Other activities, such as the aluminium smelter at Tiwai Point, are located in the coastal environment for historic reasons and have invested heavily in their buildings, plant and equipment. The coastal environment contains significant mineral deposits, and parts have been highly modified by mineral extraction activity. Many Much of the district's sporting and recreational activities¹⁵ requiringrequire large areas of land are located within the coastal environment. All these activities are~~

¹³ Decision 17/14

¹⁴ Decision 17/15

¹⁵ Decision 29/7

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

important in enabling development and diversification to occur to meet the changing needs of the Invercargill City District and the Southland region. ~~Many have a functional need of coastal space. For others, it is not practicable to consider relocation.~~

Where new activities are being established, notwithstanding this policy, regard must be given to the suitability of any site and, together with any expansion of existing activities, the extent to which adverse effects can be avoided, remedied or mitigated, having regard to the provisions of the Resource Management Act 1991.

2.4.4 Methods of Implementation

Method 4¹⁶ Facilitation of information dissemination, ~~and~~

Method 5¹⁷ ~~e~~Co-operating with other organisations and landowners.

Method 6¹⁸ Facilitation of the provision of access to the coast with landowner permission through non-regulatory means, and through conditions on resource consents and creation of esplanade reserves.

¹⁶ Decision 17/18

¹⁷ Decision 17/18

¹⁸ Decision 17/19

Note: Underline indicates additions, strikethrough indicates deletions.

SECTION TWO – ISSUES, OBJECTIVES AND POLICIES

2.6 Energy

As the main urban area of the Southland region, Invercargill is ~~also~~¹ a major consumer of energy.

Historically, readily available and relatively affordable energy has driven economic growth. It is therefore important to ensure that Invercargill has a secure supply of energy in order to be able to maintain economic growth and provide greater resilience to energy supply and price shocks.

Changes in behaviour as a result of fluctuations in availability and price of energy needed to be anticipated and planned for.

In particular, use of energy associated with urban development needs to be considered. If cities are spread out with inefficient roading patterns, transport energy is wasted. Use of energy within buildings can be substantially reduced by design that makes best possible use of naturally available energy sources, such as the sun.

There is potential for renewable energy development within the Invercargill District, particularly a wind resource in the Bluff and Greenhills areas, and options such as solar, tidal and wave energy. The Council recognises the benefits of renewable electricity generation is a matter of national significance.

Activities that harness the energy potential of the District's energy resources may generate adverse environmental effects, however, energy must be sourced from its location and any adverse effects considered alongside positive effects at a local, regional and national level. This gives rise to competing values between the energy resource and amenity, landscape and biodiversity values.

The presence of land suitable for development in close proximity to the port of Bluff provides an opportunity to locate facilities and plants to service and develop energy resources located elsewhere in the Southland region.

Note: Issues, objectives and policies relating to the transmission and distribution of energy resources are covered in the Infrastructure and Transportation sections of the Plan.

2.6.1 Issues

The significant resource management issues for energy:

1. Energy can be lost through inefficiency in building design and urban design resulting in adverse effects on people, communities and the environment.
2. Development and use of Invercargill's energy resources gives rise to competing values, with adverse environmental impacts arising at the same time as benefits at a local, regional and national level.
3. There are energy resources available for use in Invercargill that are under utilised and capable of being developed at a small scale for individual use, and at a large scale for transmission or transportation throughout the city and beyond.

¹ Minor amendment made under Clause 16(2) of the RMA First Schedule

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

4. Land use and development has the potential to adversely impact on the existing and future utilisation of energy resources and associated infrastructure including the National Grid.²

2.6.2 Objectives

Objective 1: Energy resources are used efficiently.

Objective 2: An integrated planning approach is taken to ~~the management of the adverse effects resulting from~~ the use and development of local and regional energy resources, recognising and balancing the significance of those effects with the benefits that arise at a local, regional, and national level.³

Objective 3: Generation and use of renewable energy resources is increased.

Objective 4: The national significance of renewable electricity generation activities is recognised.

Objective 5: Maintenance and, where possible, strengthening of the security of electricity supply is enabled.

Objective 6: Building design and development takes into consideration energy efficiency and conservation.

2.6.3 Policies

Policy 1 Efficiency and conservation: To promote energy efficiency and conservation through subdivision and building design and development.

***Explanation:** Energy, in all its different forms, is a core part of everything we do, so it is extremely important that we continue to have a secure supply in the future. Improving energy efficiency can reduce pressure on existing energy production and infrastructure. The active promotion of the conservation and efficient use of energy is important when considering subdivision design, building design, and site layout. Energy conservation and efficiency also needs to be promoted in domestic, residential, commercial, transport and industrial planning.*

Policy 2 Renewable energy: To recognise the local, regional and national benefits of renewable energy, and provide for the use and development of renewable energy resources while recognising the need to avoid, remedy or mitigate adverse effects on the environment and public health, where this is practicable.⁴

***Explanation:** Providing for the development and use of renewable energy resources when forming policy and making decisions on resource consents will provide for future generations by not reducing the resources or impacting on the climate. Recognition needs to be given to the fact that there is limited/finite number of sites that are suitable for renewable energy generation.*

The National Policy Statement for Renewable Electricity Generation 2011 acknowledges that practical constraints associated with renewable electricity

² Decision 12/5

³ Decision 12/8

⁴ Decision 12/12

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

generation activities can limit the ability to avoid, remedy or mitigate adverse effects.

- Policy 3 Small and community-scale⁵ renewable electricity:** To provide for investigation into and development and operation of renewable electricity resources for use by individuals, businesses and local communities.⁶

Explanation: *Small scale renewable⁷ distributed generation has the benefit of increasing reliability of energy supply and reducing risk of energy supply failure for individuals and communities. There are real opportunities for individuals, businesses and community groups to provide for their own needs through small scale distributed generation. Council encourages the use of small scale energy production for individual domestic use where proven to be suitable, i.e. solar hot water systems for homes. However, there are adverse effects created by these systems, such as glare and noise generation. These effects on the expected amenities of the area should also be considered, avoided, remedied or mitigated.*

- Policy 4 Non-renewable energy:** To provide for investigation into and development and operation of mineral and non-renewable energy resources where adverse effects can be avoided, remedied or mitigated.⁸

Explanation: *Because energy has such an important role in our society, consideration needs to be given to all energy sources to ensure the best outcome for people living in Invercargill. It is important to make provision for the development of those mineral resources that are regionally and nationally significant by taking into account the potential benefits to the community and the region and nation as a whole. It is also important that nationally significant resources are protected against future reverse sensitivity issues by managing development and land use to avoid conflict.*

- Policy 5 Priority:** To promote the use and development of renewable energy resources ahead of non-renewable energy resources.

Explanation: *While the use of renewable energy resources can impact on the environment, ~~P~~preferring the development and use of renewable energy resource over non-renewable energy resource when forming policy and making decisions on resource consents will provide for future generations by not reducing the resource or impacting on the climate.*⁹

- Policy 6 Reverse sensitivity:** To avoid reverse sensitivity effects on consented and existing energy facilities and associated infrastructure, and on undeveloped energy resources.

Explanation: *Energy facilities which have already been consented are entitled to freedom from complaints from adjacent land uses which have established subsequently.*

⁵ Decision 12/23

⁶ Decision 12/13

⁷ Minor amendment made under Clause 16(2) of the RMA First Schedule

⁸ Decision 12/14

⁹ Decision 12/15

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

Policy 7 Management of effects: To ensure adverse effects of energy facilities, any associated traffic movements and any associated earthworks are appropriately managed.

***Explanation:** Energy facilities, like any other land use, need to manage their effects on the environment.*

Policy 8 Maintenance and upgrading: To provide for the maintenance and upgrading of existing renewable electricity generation activities.

***Explanation:** Once established, the maintenance and upgrading of infrastructure for existing renewable electricity generation will enable the efficient use of existing resources.*

2.6.4 Methods of Implementation

Method 1 Zoning to delineate areas for urban expansion to promote energy efficient urban form.

Method 2 Rules providing for the investigation and development of renewable energy resources as priority over non-renewable energy resources.

Method 3 Rules to maximise passive solar gain in new subdivision and land use design.

Method 4 Consider energy efficiency as part of subdivision consents.¹⁰

Method 45 Recognise innovative and energy efficient design through environmental awards.

Method 56 ~~Guidelines for energy efficient subdivision design and consider energy efficiency as part of subdivision consents.~~ Promoting energy efficiency and conservation through education – guidelines, brochures and leaflets, consultation, and facilitation.¹¹

SECTION 3 RULES

3.6 Energy¹²

3.6.1 Any activity associated with the investigation into renewable energy generation is a permitted activity, provided that such activities comply with all other Rules and standards in this Plan.¹³

3.6.12 ~~Small and community-scale¹⁴ renewable energy generation and distribution¹⁵ with an installed electricity generation capacity of less than 10 up to 20¹⁶ kilowatts (kW) is a permitted activity~~ provided that where the energy generation facility is not located:

¹⁰ Decision 12/6

¹¹ Decision 12/6

¹² Variation 6 replaced section 3.6

¹³ Decision 12/21

¹⁴ Decision 12/23

¹⁵ Decision 12/18

¹⁶ Decision 12/19

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APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

- ~~(A) In an identified area of significant indigenous biodiversity.~~
- ~~(B) On the site of an identified building, structure, place or area identified in Appendix II – Sites of Heritage Value in this District Plan, or~~
- ~~(C) Within an identified outstanding natural feature or landscape.~~
- (A) The energy generation facility is not located:
 - (a) In an area of significant indigenous biodiversity identified on the District Planning Maps
 - (b) On the site of an identified building, structure, place or area identified in Appendix II – Sites of Heritage Value in this District Plan, or
 - (c) Within an outstanding natural feature or landscape identified on the District Planning Maps.¹⁷
- (B) No more than three wind electricity generation turbines or masts are located on any site.¹⁸

3.6.23 Any activity associated with the investigation, development and operation of renewable energy generation ~~and/or distribution~~¹⁹ in the Industrial 4 Zone is a permitted activity.

3.6.34 The following activities are discretionary activities:

- (A) Small and community-scale²⁰ renewable energy generation ~~and distribution~~²¹ that does not comply with Rules ~~3.6.1 or 3.6.2~~ or 3.6.3 above.
- ~~(B) Except as provided for in Rule 3.6.2 above, any activity associated with the investigation into the development of renewable energy generation and/or distribution not permitted by Rule 3.6.1 above.~~²²
- ~~(C)~~ Any activity associated with the investigation, development and operation of non-renewable energy generation ~~and/or distribution~~²³ in the Industrial 4 Zone.

3.6.45 The following activities are non-complying activities:

- (A) Any activity associated with the investigation into the development of non-renewable energy generation ~~and/or distribution~~²⁴, except as provided for in Rule 3.6.4 ~~(B)~~ 3(C) above.
- (B) Any energy generation ~~and/or distribution~~²⁵ activity not provided for in Rules 3.6.1 – 3.6.4 5(A) above is a non-complying activity.

¹⁷ Decision 12/18 and 12/19

¹⁸ Decision 12/18 and 12/19

¹⁹ Decision 12/18

²⁰ Decision 12/23

²¹ Decision 12/18

²² Decision 12/21

²³ Decision 12/18

²⁴ Decision 12/18

²⁵ Decision 12/18

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3.6.56 Applications under Rules ~~3.6.3~~ and 3.6.4 and 3.6.5 above shall address the following matters, which will be among those taken into account by the Council:

- (A) Any adverse effects on:
 - (a) The natural character of the coastal environment, wetlands, lakes and rivers and their margins.
 - (b) The protection of outstanding natural features and landscapes.
 - (c) Areas of significant indigenous biodiversity.
 - (d) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
 - (e) The safe and efficient movement of traffic.
 - (f) Amenity values of any surrounding commercial, residential or rural areas and/or activities.
 - (g) The safety and integrity of any high pressure gas line, high voltage electricity line or other significant network utility, infrastructure or service.
 - (h) Heritage.
 - (i) Any significant geological or archaeological values.
 - (j) The visual character and amenity of the area, including:
 - (1) The extent to which the proposal will adversely impact on residences, key public places including roads, and recreation areas.
 - (2) The proximity of the proposal to any significant ridgelines.
 - (3) The visibility of the proposal with particular regard to any highly visible landscapes.
 - (4) Glare and light flicker.
- (B) The nature and location of the ~~renewable~~²⁶ energy source.
- (C) Logistical or technical practicalities associated with developing, operating or maintaining the proposed ~~renewable~~²⁷ electricity generation activity.
- (D) The nature and location of existing ~~renewable~~²⁸ electricity generation ~~and distribution~~²⁹ activities.

²⁶ Minor amendment made under Clause 16(2) of the RMA First Schedule

²⁷ Minor amendment made under Clause 16(2) of the RMA First Schedule

²⁸ Minor amendment made under Clause 16(2) of the RMA First Schedule

²⁹ Decision 12/18

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- (E) Any effects of connecting to existing infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, and the local electricity distribution network.~~and the national grid.~~³⁰
- (F) Effects of any associated earthworks.
- (G) Any adverse effects on communities and the environment through the ongoing operation and subsequent closure of energy facilities.
- (H) The ability to connect to existing National Grid transmission lines.³¹
- (I) The need for feasibility and effects of providing additional lines/connections to the National Grid including substations.³²

SECTION 4 DEFINITIONS

Investigation into Energy Generation: Means activities undertaken for the identification and assessment of potential sites and sources for energy generation, including:

- (A) The installation of instruments and devices, including the erection of masts and telemetry stations, required to investigate the extent of an energy resource and/or to assess the suitability of a site for energy generation into drill holes for monitoring groundwater levels and land movement
- (B) Digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions
- (C) Erection of signs or notices giving warning of danger
- (D) Construction and maintenance of access tracks and roads to any investigation and assessment sites and facilities³³

Renewable Energy: Means energy that comes from a resource that is continually replenished such as sunlight, wind, rain, tides, waves, geothermal heat and other ground sourced heat.

Small and Community-Scale³⁴ Renewable Energy Generation and Distribution: 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.

³⁰ Decision 12/18

³¹ Decision 12/18

³² Decision 12/18

³³ Decision 12/22

³⁴ Decision 12/23

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

SECTION TWO – ISSUES, OBJECTIVES AND POLICIES

2.7 HAZARDOUS SUBSTANCES¹

The manufacture, storage, use, disposal and transportation of hazardous substances is an accepted and essential part of many everyday activities in our District. However, the composition of these substances is such that they can be “hazardous” to the environment and pose threats to human health and well-being.

Hazardous substances need to be managed to ensure that the District is able to continue to produce high quality output without compromising the health and safety of the public and the District’s sensitive environments, including our rivers, streams and wetlands that are sensitive to contamination from hazardous substance spillage within their catchment.

If not managed effectively, the manufacture, storage, use, disposal and transportation of hazardous substances may pose significant threats to the environment and the health and well-being of the community. This can be caused by the accidental, unintentional or uncontrolled release of hazardous substances resulting in contamination of water, soil and air, or risk of fire and explosive events. Indirect effects also need to be managed to avoid the accumulation of substances or sediment within sensitive environments.

To manage these risks, facilities and/or sites involved in such activities are subject to controls under a variety of legislation. The Hazardous Substances and New Organisms Act 1996 (HSNO) is the main legislation that controls the lifecycle of hazardous substances.

~~The Hazardous Substances and New Organisms Act 1996 (HSNO)~~ HSNO and the RMA complement each other. The HSNO Act 1996 provides the framework for developing technical standards for the use, storage, transportation, inspection, identification and regulation of hazardous substances. The RMA outlines responsibilities councils have to control the effects of the use or development of land, and to prevent or mitigate any adverse effects that may result from the use, storage, disposal or transportation of hazardous substances. The RMA is focused on site-specific controls on the use of land and on managing the risks to the local environment. It requires councils to take an effects-based approach to managing hazardous facilities.

The Invercargill City Council and Environment Southland also share functions under the RMA for the control of the use of land with the purpose of preventing or mitigating any adverse effects of the storage, use, transportation or disposal of hazardous substances. Environment Southland controls the use of land to manage the effects of hazardous substances in the beds of lakes and rivers, and in the coastal marine area. The Council is responsible for managing the effects of hazardous substances on all other land.

The transportation of hazardous substances is controlled through the HSNO Act 1996 and the Land Transport Act 1998. It is beyond the scope of the RMA for the Council to direct the use of particular routes for transporting hazardous

¹ Decision 25/4

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

substances, however the Council is able to have input into processes and approvals under these Acts. The Council can also use education, promotion and advocacy as a means to influence the routes over which hazardous substances are transported.

~~If not managed effectively, the manufacture, storage, use, disposal and transportation of hazardous substances pose significant threats to the environment and the health and well-being of the community. This can be caused by the accidental, unintentional or uncontrolled release of hazardous substances resulting in contamination of water, soil and air, or risk of fire and explosive events. Indirect effects also need to be managed to avoid the accumulation of substances or sediment within sensitive environments.~~

2.7.1 Issues

The significant resource management issue for hazardous substances:

1. If not managed effectively ~~The~~² manufacture, storage, use, disposal and transportation and disposal³ of hazardous substances can have adverse effects on the environment and on public health and safety.

2.7.3 Policies

Policy 1 Environment: Ensure that hazardous substances are manufactured, stored, used and disposed of in a manner that avoids, remedies or mitigates adverse effects on the environment.

Explanation: *If not manufactured, stored, used, transported or disposed of appropriately, hazardous substances can give rise to a range of adverse environmental effects. These effects can be reduced through appropriate manufacture, storage, use, ~~transportation~~⁴ and disposal practices. 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. 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.*

Policy 2 Public health: Ensure that hazardous substances are manufactured, stored, used and disposed of in a manner that avoids adverse effects on public health.

Explanation: *Hazardous facilities should be designed, located, developed and operated to ensure that any adverse effects on the health and well-being of people and communities are avoided. This can be done through appropriate manufacture, storage, use, ~~transportation~~⁵ and disposal practices.*

Policy 3 Accidents: To require the establishment of facilities, systems and procedures which will ~~ensure avoidance, remediation, or mitigation~~ minimise the risk of pollution of soil, groundwater, water courses and air in the event of accidents involving hazardous substances.⁶

² Decision 25/5

³ Minor amendment made under Clause 16(2) of the RMA First Schedule

⁴ Decision 25/8

⁵ Decision 25/8

⁶ Decision 25/10

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

Explanation: *The manufacture, storage, use, transportation and disposal of hazardous substances can result in accidental discharges of the substances. It is important that systems are in place should this occur and that facilities are available to store or dispose of the hazardous substances in such a manner that will ~~not manage the potential for adversely affect effects on the environment.~~ The Council will also need to collaborate with other Local Authorities and industries and public organisations to develop and implement systems and procedures in the event of accidents involving hazardous substances.*⁷

Policy 4 Transportation: ~~To encourage~~ promote transportation of hazardous substances including ~~wastes to be undertaken~~ by modes and along transport routes which ~~prevent or~~ minimise the risk of adverse effects on people, the community and the wider environment, natural and physical resources, and on other transport users, and which ~~prevent the risk of adverse effects on human health.~~⁸

Explanation: *The Council through resource management processes cannot direct the modes or routes used for the transportation of hazardous substances. However, this can be influenced by the location of zones within which activities producing, storing and using hazardous substances are provided for, and by controls available through other legislation, for example, the Land Transport Act 1998. Co-locating industrial zones with access to heavy traffic routes and key transportation networks will encourage the transportation of hazardous substances on routes that do not pass through more sensitive urban environments.*⁹

Policy 5 Other legislation:
To recognise the provisions of other legislation, such as the Hazardous Substances and New Organisms Act 1996, which manages the adverse effects of manufacture, storage, use, transportation and disposal of hazardous substances.¹⁰

Explanation: *Aspects of the manufacture, storage, use, transportation and disposal of hazardous substances are subject to management or control through various Acts, for example the Hazardous Substances and New Organisms Act 1996 and the Land Transport Act 1998, each for a different purpose. There needs to be District Plan provides congruity between these and sets out the matters to which it is required to have regard under the Resource Management Act 1991. legislation passed at Central Government level, and regional and district plans.*¹¹

Policy 7 Collaboration: To develop and maintain an integrated and collaborative approach amongst Central Government, Regional and Territorial Authorities, stakeholders and landowners to the management of hazardous substances.

Explanation: *Working collaboratively with Central Government, Environment Southland, stakeholders and landowners will assist in managing hazardous*

⁷ Decision 25/10

⁸ Decision 25/11

⁹ Decision 25/11

¹⁰ Decision 25/11

¹¹ Decision 25/11

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

substances appropriately, minimise risks, and avoid unnecessary duplication of controls.¹²

2.7.3 Methods of Implementation

Method 6 Develop and disseminate information on good practice in storing, handling, transporting¹³ and using hazardous substances.

2.20 AIRPORT PROTECTION ZONE

Policy 14 Hazardous substances: ~~To protect the public from the effects of storage and use of excessive amounts of hazardous substances.~~ To provide for the storage and use of moderate amounts of hazardous substances, whilst protecting the public from the effects of the storage and use of excessive amounts of hazardous substances.¹⁴

Explanation: Some substances used in normal domestic living and rural activities are potentially hazardous. Neighbours, including the airport, are entitled to protection from hazard from the storage and use of more than domestic quantities of hazardous material.

SECTION THREE - RULES

3.7 HAZARDOUS SUBSTANCES

3.7.1 The following activities are permitted activities:

- (B) The storage and use of Class 3 fuels on farms over four hectares in accordance with the Environmental Protection Agency's Approved Practice Guide for Above Ground Fuel Storage on Farms, ~~September 2010~~ January 2012 EPA 0135¹⁵
- (C) The storage and use of fertiliser within the Group 4: Rural 1, Rural 2 and Airport Protection Zones and Group 6: Seaport 1 Zone 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) ~~Fertiliser~~ Research's Code of Practice for Nutrient Management 2007¹⁶

¹² Decision 25/15

¹³ Decision 25/11

¹⁴ Decision 25/19

¹⁵ Decision 25/25

¹⁶ Decision 25/25

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

SECTION FOUR - DEFINITIONS

Hazardous Substance: Means

(A) any substance, or waste generated by the use of hazardous substances, with one or more of the following intrinsic properties which meets the Hazardous Substance (Minimum Degrees of Hazard) Regulations 2001¹⁷:

- (a) explosiveness
- (b) flammability
- (c) a capability to oxidise
- (d) corrosiveness
- (e) toxicity (including chronic toxicity)
- (f) ecotoxicity, with or without bio-accumulation; or

(B) any substance 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 or waste, generated by the use of hazardous substances, with any one or more of the properties specified in paragraph (A) of this definition.

¹⁷ Decision 25/31

Note: Underline indicates additions, strikethrough indicates deletions.

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Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX VII – HAZARDOUS SUBSTANCES

HSNO SUB-CLASS AND HAZARD CLASSIFICATION	SUBSTANCE	GROUP 1: RESIDENTIAL 1, 1A, 2, 3, AND OTATARA ZONES AND RESIDENTIAL ACTIVITIES IN ALL OTHER ZONES	GROUP 2: INDUSTRIAL 1, 4A, BUSINESS 1, 2, 3, 4, AND 5 AND 6 ZONES EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 3 : INDUSTRIAL 2, 2A, 3, AND 4 AND SEAPORT 2 SMELTER ZONES, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 4 HOSPITAL ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 5: RURAL 4, 2, AIRPORT PROTECTION ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 6: SEAPORT 1 ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 7: AIRPORT OPERATIONS ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 8 : SMELTER ZONE ¹⁸ , EXCLUDING RESIDENTIAL ACTIVITIES
Explosives									
1.1A – G, J, L Mass explosion hazard	Gunpowder and black powder	15kg	No threshold	15kg	0	15kg	No threshold	No threshold	<u>No threshold</u>
	Display fireworks	0	0	0	0	0	0	0	<u>0</u>
	Industrial explosives (eg TNT) and all other	0	25kg	25kg	0	25kg	No threshold	0	<u>25kg</u>
1.2B – L Projection hazard	All	No threshold							
1.3C, F – L Fire and minor blast hazard	Smokeless ammunition reloading powder	15kg	50kg	50kg	0	15kg	No threshold	15kg	<u>50kg</u>
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	25kg	50kg	50kg	5kg	25kg	50kg	25kg	<u>50kg</u>
	Retail fireworks	No thresholds (refer to Hazardous Substance (Fireworks) Regulations 2001							
	Sodium Azide	0	0	0	0	0	0	0	<u>0</u>
	All other 1.4	No thresholds							
Gases and Aerosols									
1.5 D Very insensitive, with mass explosion hazard	All	No thresholds							
1.6N Extremely insensitive, no mass explosion hazard	All	No thresholds							
2NH (Non-hazardous)	All	10m ³	200 m ³	200 m ³	200 m ³	200 m ³	200 m ³	200 m ³	<u>7500m³</u>
2.1.1A High hazard gases	LPG (inc. propane-based refrigerant) in cylinders <u>For Service Stations refer also to Note 11</u> ¹⁹	300kg Total Storage Quantity providing indoor storage is no more than 20kg per dwelling (except for multi-storey attached dwellings of over 3 storeys where no more than 10kg per dwelling)	300kg Total Storage Quantity providing indoor storage is no more than four 45kg cylinders	300kg Total Storage Quantity providing indoor storage is no more than four 45kg cylinders	300kg Total Storage Quantity providing indoor storage is no more than four 45kg cylinders	300kg Total Storage Quantity providing indoor storage is no more than four 45kg cylinders	No threshold	300kg Total Storage Quantity providing indoor storage is no more than four 45kg cylinders	<u>1500kg Total Storage Quantity providing indoor storage is no more than four 45kg cylinders</u>
	LPG propane-based refrigerant in commercial refrigeration receivers	0	50kg	50kg	50kg	50kg	50kg	50kg	<u>500kg</u>

¹⁸ Decision 25/24

¹⁹ Decision 25/24

Note: Underline indicates additions, strikethrough indicates deletions.

HSNO SUB-CLASS AND HAZARD CLASSIFICATION	SUBSTANCE	GROUP 1: RESIDENTIAL 1, 1A, 2, 3, AND OTATARA ZONES AND RESIDENTIAL ACTIVITIES IN ALL OTHER ZONES	GROUP 2: INDUSTRIAL 1, 1A, BUSINESS 1, 2, 3, 4, AND 5 AND 6 ZONES EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 3 : INDUSTRIAL 2, 2A, 3, AND 4 AND SEAPORT 2 SMELTER ZONES, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 4 HOSPITAL ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 5: RURAL 4, 2, AIRPORT PROTECTION ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 6: SEAPORT 1 ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 7: AIRPORT OPERATIONS ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 8 : SMELTER ZONE ¹⁸ , EXCLUDING RESIDENTIAL ACTIVITIES
2.1.1A High hazard flammable gases	LPG in single vessel tanks	0	0	0	0	0	0	0	<u>80 tonnes</u>
	LPG in multi-vessel tanks	0	0	0	0	0	0	0	<u>80 tonnes</u>
	Acetylene	1 m ³	30m ³	30m ³	30m ³	30m ³	No threshold	30m ³	<u>400m³</u>
	Hydrogen, and all other permanent gases	0	30m ³	30m ³	30m ³	30m ³	No threshold	30m ³	<u>30m³</u>
	Methane	0	30m ³	100m ³	30m ³	100m ³	No threshold	30m ³	<u>30m³</u>
2.1.1B Medium hazard <u>flammable</u> gases	Anhydrous ammonia refrigerant	0	0	0	0	0	0	0	<u>0</u>
	All other 2.1.1B	No thresholds							
2.1.2A Flammable aerosols	All	20 litres	450 litres	450 litres	450 litres	450 litres	450 litres	450 litres	<u>450 litres</u>
Flammable liquids (stored above ground in containers with individual capacity ≤450litres)									
3.1A – Liquid: Very high hazard (flash point <23°C, initial boiling point ≤35°C	Petrol	<ul style="list-style-type: none"> • 10 litres inside dwelling • 50 litres outside dwelling (No storage in metal drums) 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. 	<ul style="list-style-type: none"> • <u>50 litres any storage except metal drums</u> • <u>250 litres in Dangerous Goods cabinet approved to AS1940</u> • <u>450 litres in approved HSNO 'Type' stores.</u>
	All other	0	50 litres	50 litres	50 litres	50 litres	50 litres	50 litres	<u>50 litres</u>
3.1B Liquid: High hazard (FP <23°C, IBP >35°C	All e.g. acetone, paint spray thinners, pure alcohol	10 litres	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. • Retail activities only – 1500 litres in containers of up to 5 litres each 						<ul style="list-style-type: none"> • <u>50 litres any storage except metal drums</u> • <u>250 litres in Dangerous Goods cabinet approved to AS1940</u> • <u>4000 litres in approved HSNO 'Type' stores in containers up to 20L each.</u>
3.1A Petrol plus 3.1B	Petrol plus any 3.1B substance– cumulative total limit	<ul style="list-style-type: none"> • 10 litres inside dwelling • 50 litres outside dwelling • (no storage in metal drums) 	<ul style="list-style-type: none"> • 50 litres any storage except metal drums • 250 litres in Dangerous Goods cabinet approved to AS1940 • 450 litres in approved HSNO 'Type' stores. • Retail activities only – 1500 litres in containers of up to 5 litres each 						<ul style="list-style-type: none"> • <u>50 litres any storage except metal drums</u> • <u>250 litres in Dangerous Goods cabinet approved to AS1940</u> • <u>4000 litres in approved HSNO 'Type' stores in containers up to 20L each.</u>

Note: Underline indicates additions, strikethrough indicates deletions.

HSNO SUB-CLASS AND HAZARD CLASSIFICATION	SUBSTANCE	GROUP 1: RESIDENTIAL 1, 1A, 2, 3, AND OTATARA ZONES AND RESIDENTIAL ACTIVITIES IN ALL OTHER ZONES	GROUP 2: INDUSTRIAL 1, 1A, BUSINESS 1, 2, 3, 4, AND 5 AND 6 ZONES EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 3 : INDUSTRIAL 2, 2A, 3, AND 4 AND SEAPORT 2 SMELTER ZONES, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 4 HOSPITAL ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 5: RURAL 1, 2, AIRPORT PROTECTION ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 6: SEAPORT 1 ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 7: AIRPORT OPERATIONS ZONE, EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 8 : SMELTER ZONE ¹⁸ , EXCLUDING RESIDENTIAL ACTIVITIES
Flammable Liquids (stored above ground in containers with individual capacity ≤450litres)									
3.1C Liquid: Medium Hazard (FP≥23°C, but ≤61°C)	All – e.g. kerosene, aviation kerosene	<ul style="list-style-type: none">• 20litres inside dwelling• 50 litres outside dwelling	<ul style="list-style-type: none">• 50 litres any storage except metal drums• 250 litres in Dangerous Goods cabinet approved to AS1940• 450 litres in approved HSNO 'Type' stores.• Retail activities only – 1500 litres in containers of up to 5 litres each						<ul style="list-style-type: none">• 50 litres any storage except metal drums• 250 litres in Dangerous Goods cabinet approved to AS1940• 4000 litres in approved HSNO 'Type' stores in containers up to 210L each.
Liquid Low Hazard (FP>60°C but ≤93°C)	All – e.g. diesel, petroleum fuel oils	<ul style="list-style-type: none">• 20 Litres inside dwelling• 50 litres outside dwelling	<ul style="list-style-type: none">• 50 litres any storage except metal drums• 250 litres in Dangerous Goods cabinet approved to AS1940• 450 litres in approved HSNO 'Type' stores.• Retail activities only – 1500 litres in containers of up to 5 litres each						<ul style="list-style-type: none">• 50 litres any storage except metal drums• 250 litres in Dangerous Goods cabinet approved to AS1940• 4000 litres in approved HSNO 'Type' stores in containers up to 210L each.
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 tanks: 600 litres						
	All others	0	0	0	0	0	0	0	0
3.1B Liquid: High hazard ((flash point <23°C initial boiling point ≤35°C)	All – e.g. acetone, paint spray thinners, pure alcohol	0	• Certified tanks: 600 litres						
3.1C Liquid: Medium hazard (flash point <23°C initial boiling point ≤61°C)	All – e.g. kerosene, aviation kerosene	0	• Certified tanks:2000 litres						
Flammable liquids (stored above-ground in containers with individual capacity > 450 litres)									
3.1D Liquid: Low Hazard ((flash point >60°C initial boiling point ≤93°C)	All – e.g. diesel, petroleum fuel oils	<ul style="list-style-type: none">• Certified tanks: 600 litres• Certified super vault tanks constructed to South Western Research Institute (SWRI) standards: 10,000 litres	<ul style="list-style-type: none">• Certified tanks: 600 litres• Certified super vault tanks constructed to South Western Research Institute (SWRI) standards: 10,000 litres	<ul style="list-style-type: none">• Certified tanks: 2000 litres• Certified super vault tanks constructed to South Western Research Institute (SWRI) standards: 10,000 litres	<ul style="list-style-type: none">• Certified tanks: 2000 litres• Certified super vault tanks constructed to South Western Research Institute (SWRI) standards: 10,000 litres	<ul style="list-style-type: none">• Certified tanks: 5000 litres• Certified super vault tanks constructed to South Western Research Institute (SWRI) standards: 10,000 litres	<ul style="list-style-type: none">• No threshold	<ul style="list-style-type: none">• No threshold	<u>No threshold</u>
Flammable liquids (stored below-ground)									
3.1A, 3.1B, 3.1C, 3.1D	Petroleum or alcohol blend fuels	No threshold							
Flammable liquids (any storage)									
3.2A, 3.2B & 3.2C Liquid desensitised explosive: High,	All	0	0	0	0	0	0	0	

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medium & low hazard									
Flammable solids									
4.1.1A Readily combustible solids that may cause fire through friction: Medium hazard	All	0	50kg	50kg	50kg	50kg	No threshold	No threshold	<u>No threshold</u>
4.1.1B Readily combustible solids and solids that may cause fire through friction: low hazard	All	0	500kg	500kg	500kg	500kg	No threshold	No threshold	<u>500kg</u>
4.1.2A&B Self-reactive: Types A & B	All	0	50kg	50kg	50kg	50kg	No threshold	No threshold	<u>50kg</u>
4.1.2C-G Self-reactive: Types C-G	All	0	500kg	500kg	500kg	500kg	No threshold	No threshold	<u>500kg</u>
4.1.3A-C Solid desensitised explosives	All	0	0	0	0	0	0	0	<u>0</u>
Flammable solids									
4.2A&B Spontaneously combustible – pyrophoric substances: High hazard and self-heating substances: Medium hazard	All	0	50kg	50kg	50kg	50kg	50kg	50kg	<u>50kg</u>
4.2C Spontaneously combustible – Self-heating substances: Low hazard	All	0	500kg	500kg	500kg	500kg	500kg	500kg	<u>500kg</u>
4.3A&B Solids that emit flammable gas when wet: High and medium hazard	All	0	50kg	50kg	50kg	50kg	50kg	50kg	<u>50,000 tonnes</u>
4.3C Solids that emit flammable gas when wet: Low hazard	All	0	500kg	500kg	500kg	500kg	500kg	500kg	<u>250,000 tonnes</u>
Oxidising substances									
5.1.1A –C Liquids & Solids	All	10 litres if liquid, 10kg if solid	200 litres if liquid, 200kg if solid	200 litres if liquid, 200kg if solid	200 litres if liquid, 200kg if solid	No threshold	No threshold	No threshold	<u>200 litres if liquid, 200kg if solid</u>
5.1.2A Gases	Oxygen (Except as stored and used in accordance with HSNO requirements within medical facilities)	5.5m ³	200m ³	1000m ³	No threshold	200m ³	No threshold	No threshold	<u>No threshold</u>
	Nitrous Oxide (except as stored and used in accordance with HSNO requirements within medical facilities)	0	0	0	No threshold	0	No threshold	No threshold	<u>No threshold</u>
	Chlorine	0	0	0	0	0	No threshold	No threshold	<u>2000kg</u>

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5.2A – G Organic Peroxide Types A-G	All – e.g. MEKP Polyester resin catalyst	0.5litres	0.5 litres	16 Litres	0.5 litres	0.5 litres	No threshold	No threshold	<u>16 litres</u>
Toxic substances									
6.1A – C Acutely toxic	Anhydrous ammonia refrigerant	0	0	0	0	0	No threshold	No threshold	0
	Chlorine	0	0	0	0	0	No threshold	No threshold	<u>No threshold</u>
	All other substances	0	20 litres if liquid, 20kg if solid	20 litres if liquid, 20kg if solid	20 litres if liquid, 20kg if solid	20 litres if liquid, 20kg if solid	No threshold	No threshold	<u>No threshold</u>
6.1D&E	All	1kg	100kg	200kg	200kg	200kg	No threshold	No threshold	<u>No threshold</u>
Toxic Substances									
6.3A&B Skin irritant	All	1kg	1000kg	2000kg	1000kg	2000kg	No threshold	No threshold	<u>No threshold</u>
6.4A Eye irritant	Cement, Hydrated Lime and Burnt Lime	80kg	30 tonne	50 tonne	30 tonne	30 tonne	No threshold	No threshold	<u>No threshold</u>
	All others	1kg	1000kg	2000kg	1000kg	2000kg	No threshold	No threshold	<u>No threshold</u>
6.5A&B Respiratory and contact sensitisers	Cement, Hydrated Lime and Burnt Lime	80kg	30 tonne	50 tonne	30 tonne	30 tonne	No threshold	No threshold	<u>No threshold</u>
	All others	1kg	1000kg	2000kg	1000kg	2000kg	No threshold	No threshold	<u>No threshold</u>
6.6A&B Human mutagens	All	1kg	1000kg	2000kg	1000kg	2000kg	No threshold	No threshold	<u>No threshold</u>
6.7A&B Carcinogens	All	1kg	1000kg	<u>2000kg</u> ²⁰	1000kg	<u>2000kg</u>	No threshold	No threshold	<u>No threshold</u>
6.8A-C Human reproductive or developmental toxicants	All	0	0	0	0	0	0	0	<u>No threshold</u>
6.9A&B Substances affecting human target organs or systems	All	0	0	0	0	0	0	0	<u>No threshold</u>
Radioactive materials									
Class 7 These substances are controlled through the Radiation Protection Act 1965 rather than through HSNO	All	Quantities specified in the 'Type A' transport package limit as identified in the International Atomic Energy Agency (IAEA) Regulations for the Safe Transport of Radioactive Material. Examples: Domestic smoke detectors, demonstration radioactive sources in school laboratories.							
Corrosives									
8.1A Substances corrosive to metals	All	1 litres	1000 litres	1000 litres	1000 litres	1000 litres	1000 litres	1000 litres	<u>1000 litres</u>

²⁰ Decision 25/24

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8.2A-C Substances corrosive to skin	Cement, Hydrated Lime and Burnt Lime	80kg	30 tonne	50 tonne	30 tonne	30 tonne	No threshold	No threshold	<u>No threshold</u>
	All	1 litres	1000 litres	1000 litres	1000 litres	1000 litres	1000 litres	1000 litres	<u>3000 litres</u>
8.3A Substances corrosive to the eye	Cement, Hydrated Lime and Burnt Lime	80kg	30 tonne	50 tonne	30 tonne	30 tonne	No threshold	No threshold	<u>No threshold</u>
	All	1 litres	1000 litres	1000 litres	1000 litres	1000 litres	1000 litres	1000 litres	<u>3000 litres</u>
Ecotoxics									
9.1A-D Aquatic ecotoxics and 9.2A-D Soil ecotoxics	All	See base Class thresholds NB : Where a substances 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 substances 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 invertebrate ecotoxics	All	See base Class thresholds NB: Where a substances requires resource consent and also has an ecotoxic class, the ecotoxicity shall be taken into consideration as part of Assessment Matter							

Notes:

- The above table 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 Rule 3.7.2 of the District Plan.
- Unless otherwise stated, if a hazardous substance falls into more than one HSNO sub-class and is therefore controlled by more than one maximum permitted quantity threshold, the base or primary class shall determine the maximum permitted quantity threshold. The base or primary class of a substance is the first classification listed beside any substance within New Zealand Gazette Notice No. 35, as well as in all HSNO required labelling and signage. Where the requirements set out in this table are not met, resource consent will be required under Rule 3.7.2 of the District Plan.
- The permitted quantity thresholds in the above table apply per site, except for in Group 2, 3, 6 and 7 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 the above table, otherwise resource consent will be required under Rule 3.7.2 of the District Plan.
- 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 101.3kPa otherwise resource consent will be required under Rule 3.7.2 of the District Plan.
- Waste hazardous substances and waste generated by hazardous substances shall be treated as if it were the original hazardous substance The disposal of hazardous substances is adequately controlled by the Hazardous Substances and New Organisms Act 1996 and by Environment Southland and is not controlled by the District Plan.
- Where any site contains residential activity then the Residential 1, 2 and 3 Zone thresholds detailed in the table shall exclusively apply, regardless of any other activity occurring on the site except for within the Rural 1 and Rural 2 Zones, where the Residential 1, 2 and 3 Zone thresholds apply to the residential dwelling and cartilage only.
- 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 veranda but not a deck or patio unless roofed over.
- “Approved” means test certified as compliant with HSNO, or in some cases approved by the EPA.
- “Certified” means tanks that are issues with a Design Verification Test Certificate under HSNO by a Test Certifier if they are of a standard design e.g. 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, tanks slab and seismic restraint. Both construction methods are then subject to Stationary Container Systems Certificates on site by another Test Certifier.
- In addition to these District Plan rules, the provisions of other legislation may also be applicable to activities involving hazardous substances. Separate approvals may be required under the provisions of different legislation.
- Notwithstanding the volumes set for LPG (inc. propane-based refrigerant) in cylinders in Class 2.1.1A High hazard gases the following quantity of LPG stored in cylinders up to a maximum size of 45 kg is permitted at duly authorised services stations selling fuel and associated products:

Seaport 1 and Smelter Zones No limit

Note: Underline indicates additions, strikethrough indicates deletions.

All other Zones 450 kg²¹

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 dwelling up to three storeys	20kg per dwelling	10kg cylinder
Multi-storey attached dwellings over three storeys	10kg per dwelling	10kg cylinder
Hotels, bars, restaurants, public buildings, places of worship, shops, offices and laboratories not attached to a dwelling	10kg per 10m ² of the indoor floor area, up to a maximum total quantity of 100kg	10kg cylinder
Hotels, bars, restaurants, public buildings, places of worship, shops, offices and laboratories that are attached to a dwelling	20kg per premises	10kg cylinder
Factories and warehouses	45kg per 50m ² of the indoor floor area, up to a maximum total quantity of 180kg per occupancy	45kg 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.

²¹ Decision 25/24

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SECTION TWO – ISSUES, OBJECTIVES AND POLICIES

2.9 Infrastructure

The infrastructure of the Invercargill City District is an important physical resource. Infrastructure includes a range of facilities, services and installations that enable a community to function including:²

- (A) ~~Network utility systems~~ Utilities such as street lighting, electricity, water supply, stormwater drainage, sewerage and roading.³
- (B) Facilities of public benefit including navigation aids, meteorological facilities, lighting in public places, data recording and monitoring systems.
- (C) Installations for the receiving and sending of communications.
- (D) Land transport networks including rail, p~~Port~~ and airport facilities and installations.⁴

The provision of infrastructure is essential for meeting the economic, social and health and safety needs of individuals and the community locally, regionally and nationally and it is appropriate for the District Plan to recognise these benefits. It is also appropriate for the District Plan to provide for these activities and their operation, upgrading, maintenance and replacement.⁵

Where infrastructure is already in existence and has capacity, using existing infrastructure is preferable to building anew. Invercargill has substantial excess capacity in many areas already reticulated. Restricting extensions of infrastructure keeps the city compact and promotes efficient use of existing infrastructure. The potential adverse effects, including the benefits of the development of infrastructure, need to be carefully considered.⁶

Under the Resource Management Act 1991 the providers of infrastructure for public works and network utilities are able to use procedures to designate land for such activities. Any request for such a designation will be assessed having regard to the provisions of the Resource Management Act 1991 applicable to the designation process, including having regard to the environmental effects of the proposal and associated works.~~Any request for such a designation will be assessed having regard to the environmental effects of the activity and any works to be undertaken.~~⁷

Not all infrastructure and its component parts can be undertaken by way of designation. As a result the District Plan must recognise and provide for appropriate infrastructure services and to avoid, remedy or mitigate any adverse environmental effects. Where subdivision and/or land use is undertaken, the provisions of infrastructure can be considered as part of that process.

The presence of infrastructure can influence the quality of the environment surrounding it, which is reflected in the need for specific port and airport related

² Decision 19/16

³ Decision 19/16

⁴ Decision 19/16

⁵ Decision 19/18

⁶ Decision 19/18

⁷ Decision 19/13

Note: Underline indicates additions, strikethrough indicates deletions.

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zones, and for the recognition of network corridors around infrastructure such as roads, the railway and the National Grid. Care needs to be taken locating activities that may affect the efficient and effective operation and development of infrastructure in order to avoid reverse sensitivity effects.⁸

⁹Where subdivision and/or land use is undertaken, the provision of infrastructure, and/or any requirement to expand or upgrade existing infrastructure, is considered as part of the consenting process. The Council has also developed the Invercargill City Council Bylaw 2013/4–2016/1 Code of Practice for Land Development and Subdivision Infrastructure which aims to ensure that infrastructural works undertaken as part of a subdivision or land use development are done to an acceptable means of compliance with Acts and Council requirements. This bylaw sits outside the District Plan but will assist in achieving some of the desired outcomes.

Transportation infrastructure is also considered under the Transportation provisions within the District Plan. Infrastructure associated with the Airport and Seaport is also provided for in the Transportation and Zone Specific provisions within the District Plan.¹⁰

2.9.1 Issues

The significant resource management issues for infrastructure:

1. Poor integration of subdivision, land use and development with existing local, regional and national infrastructure can ~~lead to inefficiencies, and can~~ adversely affect the social and economic well-being of the community, as well as the safe and efficient functioning of infrastructure.¹¹
2. If infrastructure is not adequately developed, operated, used, maintained and upgraded it can deteriorate and fail to meet the needs of the community in an efficient way.¹²
6. The provision of well integrated and planned infrastructure is important for meeting the economic, social, cultural and health and safety needs of individuals and the community.¹³

2.9.2 Objectives

Objective 2: Infrastructure is developed, operated, maintained and upgraded whilst:

- (C) ~~Protecting infrastructure from incompatible subdivision, use and development, providing local, subregional and national benefits.~~¹⁴

Objective 3: Existing infrastructure is protected from incompatible subdivision, use and development.¹⁵

Objective 43: To ensure that the location and design of ~~utilities~~ infrastructure avoids significant adverse effects on:¹⁶

⁸ Decision 19/12

⁹ Decision 19/14

¹⁰ Decision 19/15

¹¹ Decision 19/22

¹² Decision 19/26

¹³ Decision 19/25

¹⁴ Decision 19/29

¹⁵ Decision 19/29

¹⁶ Decision 19/30

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Objective 54: To provide for the sustainable, secure and efficient ~~use~~ operation, maintenance, upgrading and development of infrastructure ~~the electricity transmission network~~ while seeking to avoid, remedy or mitigate adverse effects on the environment to the extent practicable, and while recognising the technical and operational requirements and constraints of the networks.¹⁷

Objective 65: To recognise the importance of ~~infrastructure the electricity transmission network~~ to the social and economic well-being of the city, the Southland region and the nation.¹⁸

2.9.3 Policies

Policy 1 Existing infrastructure:

Explanation: *It is essential that provision be made for the continued operation, maintenance and minor upgrades of local, regional and national infrastructure services. This should include targeted planning for future needs. ~~Essential infrastructure services include:~~*

- ~~(A) — Transmission lines.~~
- ~~(B) — Waste water systems.~~
- ~~(C) — Water supply networks.~~
- ~~(D) — Stormwater networks.~~
- ~~(E) — Drainage networks.~~
- ~~(F) — Telecommunications sites.~~
- ~~(G) — Airports.~~
- ~~(H) — Road and rail networks (as defined in the Southland Regional Land Transport Strategy).~~
- ~~(I) — Ports.~~
- ~~(J) — Network utilities.~~¹⁹

Policy 2 ²⁰**Management of effects:** To avoid where practical, remedy or mitigate impacts adverse environmental effects arising from the development, construction, operation, maintenance and upgrading of infrastructure on the environment.

Explanation: *While ~~public~~ infrastructure provides communities with essential services, this infrastructure should avoid, remedy or mitigate ~~not detract from~~ adverse effects on the environment in which it is placed. This is especially important when looking to install new infrastructure. ~~The Council is required to give effect to the National Environmental Standards for Telecommunication Facilities.~~ Careful consideration of all infrastructure types and possible ~~locations~~ routes and sites should be completed to determine which option will avoid, remedy or mitigate adverse effects ~~have the least impact to on~~ the environment, enable the development of sustainable, secure and efficient infrastructure and ensure that infrastructure is integrated with surrounding land use. Such consideration should also recognise any locational, technical and operational constraints of the infrastructure. Assessments of environmental effects should have regard to all matters of national significance and adverse effects of construction. Consideration shall also be had to the relevant national policy statements and national environmental standards. Infrastructural providers should be encouraged to consider all options to address adverse environmental effects. These options may include consideration of alternatives and/or opportunities ~~Infrastructure should be encouraged to co-locate or share facilities~~*

¹⁷ Decision 19/31

¹⁸ Decision 19/34

¹⁹ Decision 19/38

²⁰ Decision 19/10

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where this is feasible and practicable to minimise the cumulative effects of infrastructure on the environment.²¹

Policy 3 Reverse sensitivity: To protect local, regional and national infrastructure from new incompatible subdivision, land uses and development activities under, over or adjacent to the infrastructure.²²

Explanation: ~~When managing existing infrastructure activities, the Council should take into account the benefits of the existing infrastructure and the constraints imposed by the technical and operational requirements of infrastructure. The Council is required to give effect to both the National Policy Statement on Electricity Transmission 2008 and the National Environmental Standards for Electricity Transmission Activities which relate to overhead transmission lines for electricity transmission activities.~~

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 it where subdivision, land use and development is to be located in the vicinity of existing infrastructure and within network corridors.²³

Policy 4 Natural hazards: ~~To avoid or mitigate the effects of natural hazard and climate change on infrastructure.~~

Explanation: ~~New infrastructure and upgrades to existing infrastructure should be located to avoid, or designed to mitigate, known natural hazard risks and climate change effects. Planning, where possible, should consider the placement of infrastructure to avoid natural hazards, because of the need for essential services to be as robust as they can be in the face of the uncertainties created by climate change.~~²⁴

Policy 4 Natural Hazards: To consider and adopt appropriate risk management strategies to protect essential infrastructure from the adverse effects of natural hazards and climate change and to ensure that the design and location of infrastructure does not exacerbate the adverse effects of natural hazards and climate change.²⁵

Explanation: The design and location of new infrastructure and upgrades to existing infrastructure should take into account known natural hazard risks and climate change effects. Essential services must be resilient so as to provide for people and communities, particularly during natural hazard events.²⁶

Policy 5a6~~To discourage the location of telecommunications facilities in or adjacent to residential properties.~~To encourage radiocommunication and telecommunication facilities to be located outside residential areas unless there is a functional need to locate there.²⁷

Explanation: In order to maintain, enhance or protect amenity values, where a radiocommunication or telecommunication facility can be located outside residential areas, this will be the preferred option. For example, where the

²¹ Decision 19/41

²² Decision 19/43

²³ Decision 19/43

²⁴ Decision 19/46

²⁵ Decision 19/46

²⁶ Decision 19/46

²⁷ Decision 19/48

Note: Underline indicates additions, strikethrough indicates deletions.

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facilities can be located in an industrial area with a similar coverage rate, then this location would be preferred over a residential location. There can be widespread concern at the prospect of the erection of radiocommunication and telecommunications facilities in residential areas. Despite the provisions of the National Environmental Standard for Telecommunications Facilities, many people believe that emissions from these facilities can be harmful. Careful consideration of alternate locations and full consultation with affected parties can be helpful in alleviating people's concerns.²⁸

Policy ~~76~~ **Undergrounding:** ~~To require the underground placement of network utilities where this is economically viable and technically feasible.²⁹~~

~~(A) To require the underground placement of utilities in areas where existing networks are underground or extensions to networks are proposed, where this is economically viable and technically feasible.~~

~~(B) To encourage the underground placement of utilities where they are currently above ground, particularly when those utilities are being upgraded or replaced, where this is economically viable and technically feasible.³⁰~~

Explanation: ~~Network u~~Utilities can significantly affect the landscape and local amenity values and therefore should be designed, located and managed in a manner that avoids remedies or mitigates their impact on the environment. Undergrounding, utility corridors, co-location and sharing of facilities are all methods that can minimise the visual effects of ~~network~~ utilities, and should, wherever economically viable and practicable be adopted. Having regard to existing use rights, the Council is limited as to the extent that it can direct the undergrounding of utilities where they are presently underground, but it will promote and encourage that to occur.³¹

Policy ~~87~~ **Co-location:**

Explanation: ~~Network u~~Utilities can significantly affect the landscape and local amenity values and therefore should be designed, located and managed in a manner that avoids, remedies or mitigates their impact on the environment. Undergrounding, utility corridors, co-location and sharing of facilities are all methods that can minimise the visual effects of ~~network~~ utilities, and should, wherever practicable and economic, be encouraged when planning new infrastructure.

Note: ~~Policies 8—149-14~~ apply to the National Electricity Grid, being assets used or owned by Transpower NZ Limited.

Policy ~~98~~ **Constraints:**

Policy ~~109~~ **Benefits:**

Policy ~~1140~~ **Route, site and method: ...**

Policy ~~1244~~ **Existing Effects:** To consider reducing existing adverse effects of ~~transmission~~ National Grid infrastructure, including such effects on ~~noise~~ National Grid sensitive activities where appropriate, when substantial upgrades of transmission infrastructure are taking place.³²

²⁸ Decision 19/48

²⁹ Decision 19/50

³⁰ Decision 19/50

³¹ Decision 19/50

³² Decision 19/54

Note: Underline indicates additions, strikethrough indicates deletions.

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Explanation: Works to substantially upgrade transmission ~~National Grid~~ infrastructure may provide the opportunity for reducing existing adverse effects created by the infrastructure. ~~Transpower NZ Limited should~~ The operator of the National Grid will be encouraged to consider such reductions when planning substantial infrastructure upgrades.³³

Policy 1312 Urban: To minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreation value or amenity and existing ~~noise~~ National Grid sensitive activities when planning and developing the National Grid network ~~electricity transmission system~~.³⁴

Explanation: The urban environment contains high amenity areas and a high density of ~~noise~~ National Grid sensitive activities. The planning and development of the National Grid network ~~electricity transmission system~~ should ensure that any adverse effects on these areas are avoided or minimised.³⁵

Policy 1413 Rural: To seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and existing ~~noise~~ National Grid sensitive activities in rural environments when planning and developing the ~~electricity transmission system~~ National Grid network.³⁶

Explanation: Throughout the rural area, there are areas that are significant because of their landscapes or high natural character. The rural environment also contains various existing ~~noise~~ National Grid sensitive activities, including residential activity and educational activity. The planning and development of the ~~electricity transmission system~~ National Grid should seek to ensure that these areas are protected from adverse effects on these areas are avoided.³⁷

³⁸**Policy 14 Relevant Standards:** ~~To refer to the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz) (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph Environment Health Criteria (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards when dealing with and assessing electric and magnetic fields associated with the electricity transmission network.~~

Explanation: ~~In considering the effects of electricity transmission network activities the most up to date best practice guidelines and standards available will be referred to when assessing the impact of electric and magnetic fields associated with the activity.~~

2.9.4 Methods of Implementation

Method 5 Have regard to International Commission on Non-Ionizing Radiation Protection guidelines on exposure to time varying electric magnetic fields, recommendations from the World Health Organisation and any applicable NZ standards or national

³³ Decision 19/54

³⁴ Decision 19/55

³⁵ Decision 19/55

³⁶ Decision 19/56

³⁷ Decision 19/56

³⁸ Decision 19/57

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environmental standards when dealing with and assessing electric and magnetic fields and radiofrequency fields associated with utilities.³⁹

Method 6 Facilitation of information dissemination and consultation between infrastructural providers and the community.⁴⁰

Method 7 Advise Transpower NZ Ltd of any resource consents and building consents received for subdivision and development to be undertaken within the National Grid Corridors and National Grid Yard, and any other area where there could be an adverse effect on the National Grid.⁴¹

2.14 SUBDIVISION

2.14.1 Issues

9. Subdivision and development can have adverse effects, including reverse sensitivity effects, on existing infrastructure, which can result in restricting the operation, upgrading and development of infrastructure.⁴²

2.14.2 Objectives

Objective 5: Subdivision and development is managed so that it avoids, remedies or mitigates adverse effects on the safe, efficient and effective operation, maintenance, upgrading and development of existing infrastructure.⁴³

2.14.3 Policies

Policy 9 Infrastructure: To respect the operational, maintenance, upgrading and development requirements and reverse sensitivity issues associated with infrastructure including the National Grid, electricity lines, State Highways, railways and the airport.⁴⁴

Explanation: *Subdivision and development activities can have adverse effects on the operation, maintenance, upgrading and development of nearby infrastructure. Potential reverse sensitivity issues resulting from new subdivisions need to be managed to allow the infrastructure to continue to operate.*⁴⁵

³⁹ Decision 19/57

⁴⁰ Decision 19/9

⁴¹ Decision 19/66

⁴² Decision 19/72

⁴³ Decision 19/74

⁴⁴ Decision 19/75

⁴⁵ Decision 19/75

Note: Underline indicates additions, strikethrough indicates deletions.

SECTION THREE - RULES

3.9 INFRASTRUCTURE UTILITIES

General

- 3.9.1** ~~Except as provided for in Rules 3.9.2 to 3.9.24 below, infrastructure is a permitted activity. Utilities are a permitted activity subject to the standards set out in 3.9.2 - 3.9.22 below.~~⁴⁶

Note 1: The development, operation, maintenance, upgrading and replacement of infrastructure is provided for in the Invercargill City Council Bylaw 2013/4 2016/1 Code of Practice for Land Development and Subdivision Infrastructure and may require authorisation pursuant to that bylaw. Infrastructure intended to be vested in Council ownership unless otherwise approved is required to be designed and constructed to meet the requirements of the Bylaw.⁴⁷

Note 2: Works undertaken within the legal boundaries of State highways and other roads require the written approval of the NZ Transport Agency and the Invercargill City Council respectively.⁴⁸

Maintenance

- 3.9.2** The operation, maintenance and replacement⁴⁹, and upgrading ~~and replacement~~ of existing ~~infrastructure~~ utilities⁵⁰ is a permitted activity and is not required to comply with any other Rules or standards in this Plan.

Extensions

- ~~**3.9.3** Any extension to the Council's reticulated services existing as at 30 July 2013 and shown in Appendix XI is a non-complying activity.~~

- 3.9.3** Any extension to
- (A) the Council's reticulated water system outside the Water Supply Area shown in Appendix XI; and/or
 - (B) the Council's reticulated sewerage system to properties that do not have a Certificate of Title boundary within the Sewerage Reticulation Area shown in Appendix XI
- is a non-complying activity within the Otatara and Rural Zones.⁵¹

National Grid ~~Electricity~~ Transmission Line Corridors

- ⁵²~~**3.9.4** It is a restricted discretionary activity to erect buildings and structures other than farm fences between 12 and 32 metres of the centre line of any National Grid electricity transmission line.~~

⁴⁶ Decision 19/61

⁴⁷ Decision 19/59

⁴⁸ Decision 19/63

⁴⁹ Minor amendment made under Clause 16(2) of the RMA First Schedule

⁵⁰ Decision 19/79

⁵¹ Decision 19/65

Note: Underline indicates additions, strikethrough indicates deletions.

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The matters over which the Council shall exercise its discretion are:

- ~~(A) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34 2001).~~
- ~~(B) The location, height, scale, orientation and use of buildings and structures.~~
- ~~(C) The risk to structural integrity of the transmission line.~~
- ~~(D) The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network.~~
- ~~(E) The risk of electrical hazards affecting public or individual safety and risk of property damage.~~
- ~~(F) The extent of earthworks required and use of mobile machinery near the transmission line which may be put at risk.~~
- ~~(G) Minimising the visual effects of transmission line.~~
- ~~(H) The written approval of the relevant line owner shall be supplied.~~
- ~~(I) If the proposed infrastructure is to be located in land identified on the Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.~~
- ~~(J) The functional need of the infrastructure to be located in the area and built in the manner proposed.~~

⁵³~~**3.9.5** It is a discretionary activity to undertake earthworks within an area measured 12 metres from either side of the centre line of any National Grid electricity transmission line.~~

⁵⁴~~**3.9.6** The following activities are exempt from Rule 3.9.5 above:~~

- ~~(A) Earthworks undertaken in the course of constructing or maintaining utilities.~~
- ~~(B) Normal agricultural activities or domestic gardening.~~
- ~~(C) Repair, sealing resealing of an existing road, footpath or driveway.~~

⁵⁵~~**3.9.7** It is a non-complying activity to erect buildings and structures other than farm fences within 12 metres either side of the centre line of any National Grid electricity transmission line.~~

⁵⁶~~**3.9.8** Applications under Rules 3.9.5 and 3.9.7 above shall address the following matters, which will be among those taken into account by Council:~~

- ~~(A) The location, height, scale, orientation and use of buildings and structures.~~
- ~~(B) Any effects on the integrity of the transmission line.~~
- ~~(C) The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network.~~
- ~~(D) The risk of electrical hazards affecting public or individual safety and risk of property damage.~~
- ~~(E) The extent of earthworks required and use of mobile machinery near the transmission line which may be put at risk.~~
- ~~(F) Volume, area and location of the earthworks, including temporary activities such as stockpiles.~~
- ~~(G) Site reinstatement.~~

⁵² Decision 19/66

⁵³ Decision 19/66

⁵⁴ Decision 19/66

⁵⁵ Decision 19/66

⁵⁶ Decision 19/66

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- ~~(H) The use of mobile machinery near transmission lines which may put the line at risk.~~
- ~~(I) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001).~~
- ~~(J) The written approval of the relevant line owner shall be supplied.~~
- ~~(K) If the proposed infrastructure is to be located in land identified on the Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.~~
- ~~(L) The functional need of the infrastructure to be located in the area and built in the manner proposed.~~

3.9.4 The following buildings and structures are permitted within the National Grid Corridor:

- (A) Any utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid
- (B) Any new non-habitable building less than 2.5 metres high and 10 square metres in floor area
- (C) Any non-habitable building or structure used for agricultural activities provided it is:
 - (a) Located at least 12 metres from a National Grid Support Structure
 - (b) Not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), or a commercial greenhouse
- (D) Alterations and extensions to existing buildings, provided that any extension does not occur closer to:
 - (a) the centreline of the National Grid Corridor; or
 - (b) any structure part of the National Grid.

3.9.5 The following activities are non-complying within the National Grid Yard

- (A) Any new building or structure, or addition to any building or structure, not provided for above
- (B) Any change of use to a National Grid Sensitive activity, or the establishment of a new National Grid Sensitive activity

3.9.6 Applications under Rule 3.9.5 shall address the following matters, which will be among those taken into account by Council:

- (A) The location, height, scale, orientation and use of buildings and structures.
- (B) Any effects on the integrity of the transmission line.
- (C) The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network.
- (D) The risk of electrical hazards affecting public or individual safety and risk of property damage.
- (E) The use of mobile machinery near transmission lines which may put the line at risk.

Note: Underline indicates additions, strikethrough indicates deletions.

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- (F) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34:2001).
- (G) Whether the written approval of the relevant line owner has been supplied.
- (H) If the proposed utility is to be located in land identified on the District Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.
- (I) The functional need of the utility to be located in the area and built in the manner proposed.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP34:2001) contains restrictions on the location of structures and activities in relation to the lines and needs to be met. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP 34: 2001).

Note: Vegetation to be planted within the National Grid Corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Electricity lines

3.9.79 It is a permitted activity to operate, maintain, upgrade, relocate, or remove an existing transmission line, including any of the following activities that relate to those things:

- (A) A construction activity.
- (B) A use of land.
- (C) An activity relating to an access track to an existing transmission line.
- (D) Undergrounding an existing transmission line.

Subject to the provisions of the National Environmental Standards for Electricity Transmission Activities (refer to Appendix XIV).

3.9.840 It is a permitted activity to erect new electricity lines up to (and including) 110kV in all Zones of the District, subject to the following standards:

- (A) Other than where existing support structures are used, new lines are to be located underground in the Residential 1, 1A, 2 and 3, Business 1, 2, 3, 4 and 46, Industrial 1, 1A and 2, Otatara and Hospital Zones.
- (B) Any lines crossing a navigable water body are located more than 10 metres above the level of the water body.

3.9.944 For the purposes of Rule 3.9.840 above, lines supported on poles are exempt from the height and recession plane standards of the Plan.

3.9.1042 It is a restricted discretionary activity to erect any electricity lines up to (and including) 110kV that do not comply with Rules 3.9.79 and 3.9.840 above and/or any applicable District wide Rule and/or Zone standard.

Note: Underline indicates additions, strikethrough indicates deletions.

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The matters over which the Council shall exercise its discretion are:

- (A) The effect of the proposed electricity lines and associated structures on the amenities of the immediate neighbourhood.
- (B) If the proposed infrastructure is to be located in land identified on the District Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.
- (C) The functional need of the infrastructure to be located in the area and built in the manner proposed.

3.9.1143 Except in the Smelter Zone and provided for in Rule 3.9.840, it is a discretionary activity to erect electricity lines greater than 110kV.

3.9.1244 Applications under Rule 3.9.1143 above shall address the following matters, which will be among those taken into account by Council:

- (A) The effect of the proposed electricity lines and associated structures on the amenities of the immediate neighbourhood.
- (B) If the proposed infrastructure is to be located in land identified on the District Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.
- (C) The functional need of the infrastructure to be located in the area and built in the manner proposed.

Electricity Substations

3.9.1315 ~~It is a permitted activity to erect electricity substations subject to the following standards:~~

- ~~(A) Except in the Rural 1 and 2, Seaport, Industrial 2, 3 and 4, and Smelter Zones, no ground-mounted structure shall exceed six square metres in area or two metres in height.⁵⁷~~

It is a permitted activity to erect ground-mounted electricity substations in the Rural, Seaport 1 and 2, Industrial 2, 2A, 3 and 4, and Smelter Zones.⁵⁸

3.9.14 Other than provided for in Rule 3.9.13, it is a permitted activity to erect ground-mounted electricity substations in any other Zone, provided that no ground-mounted structure exceeds six square metres in area or two metres in height.⁵⁹

3.9.15 ~~(B) No pole mounted electricity substation structure shall exceed a volume of 0.6m3.~~

3.9.16 It is a discretionary activity to erect any electricity substation that does not comply with any part of Rules ~~3.9.1345~~ to 3.9.15 above.⁶⁰

⁵⁷ Decision 19/68

⁵⁸ Decision 19/68

⁵⁹ Decision 19/68

⁶⁰ Consequential to Decision 19/66

Note: Underline indicates additions, strikethrough indicates deletions.

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3.9.17 Applications under Rule 3.9.16 above shall address the following matters, which will be among those taken into account by the Council:

- (A) The effect of the proposed substation on the amenities of the immediate neighbourhood.
- (B) If the proposed infrastructure is to be located in land identified on the District Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.
- (C) The functional need of the infrastructure to be located in the area and built in the manner proposed

Communications – Line reticulation

3.9.18 Lines used for the conveying of telecommunications, television, electronic data and other such communications are a permitted activity in all zones of the District, subject to the following standard:

- (A) Other than where existing support structures are used, such lines are located underground in the Residential 1, 1A, 2 and 3, Business 1, 2, 3, 4 and 4-6, Industrial 1, 1A and 2, Otatara and Hospital Zones.⁶¹

3.9.19⁶² Where an activity does not comply with Rule 3.9.18 above, the activity shall be a restricted discretionary activity.

The matters over which the Council shall exercise its discretion are:

- (A) The effect of the proposed electricity lines and associated structures on the amenity values of the immediate neighbourhood.
- (B) If the proposed infrastructure is to be located in land identified on the District Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.
- (C) The functional need of the infrastructure to be located in the area and built in the manner proposed.

3.9.20⁶³ For the purposes of Rule 3.9.18 above, lines supported on poles ~~not exceeding 0.6m in diameter~~, are exempt from: (A) ~~the~~ height and recession standards of the Plan.

Telecommunication and Radiocommunication Facilities

~~⁶⁴3.9.21 The electronic sending and receiving of communications and associated structures, including (but limited to) telecommunications facilities is a permitted activity where it is to be located in the Airport Operations, Industrial 2, 3 and 4, Seaport and Smelter Zones, or where the facility is permitted, designed, built and operated in accordance with the Resource Management (National Environmental~~

⁶¹ Decision 19/69

⁶² Decision 19/69

⁶³ Decision 19/69

⁶⁴ Decision 19/70

Note: Underline indicates additions, strikethrough indicates deletions.

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~~Standards for Telecommunications Facilities) Regulations 2008 (Refer to Appendix XIII).~~

⁶⁵~~3.9.22~~ ~~Where an activity cannot meet or is not covered by the standards set out in 3.9.21 and it is to be located in the Airport Protection, Business 1, 2, 3, 4 and 5, Hospital, Industrial 1 and 1A, and Rural 1 and 2 Zones, the activity is a discretionary activity where it is located at least 50 metres from the boundary with the Residential 1, 1A, 2 and 3 and Otatara Zones.~~

⁶⁶~~3.9.23~~ ~~Where an activity cannot meet or is not covered by the standards set out in 3.9.21 and 3.9.22 above, the activity is a non-complying activity.~~

⁶⁷~~3.9.24~~ ~~Applications under Rule 3.9.22 and 3.9.23 above shall address the following matters, which will be among those taken into account by the Council:~~

- ~~(A) The degree of non-compliance with the National Environmental Standard for Telecommunications Facilities and the effects of that non-compliance.~~
- ~~(B) The size and height of the antennae and their supporting structures.~~
- ~~(C) The proximity of the proposal to existing telecommunications facilities and the effects of that proximity, including the feasibility of co-location.~~
- ~~(D) The effects on any heritage values, indigenous biodiversity, outstanding or locally significant landscapes, and the coastal environment.~~
- ~~(E) If the proposed infrastructure is to be located in land identified on the Planning Maps as subject to natural hazard, the extent to which the proposal addresses the natural hazard to which the site is subject.~~
- ~~(F) The functional need of the infrastructure to be located in the area and built in the manner proposed.~~

3.9.21 Telecommunication and radiocommunication facilities are permitted activities subject to the following standards:

- (A) All facilities shall be planned and operated in accordance with NZS 2772: Part 1:1999 Radiofrequency Fields Part 1 – Maximum Exposure Levels – 3kHz to 300kHz.
- (B) Any facilities located in the road reserve shall be designed, built and operated as permitted in the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008 (Refer to Appendix XIII).
- (C) No antenna dish shall be greater than:
 - (a) 1.2 metres in diameter in the Residential 1, 1A, 2 and 3 Zones and the Otatara Zone; or
 - (b) 3 metres in diameter in all other zones.
- (D) No antenna attached to a building or mast shall extend above the building or mast more than:
 - (a) 5 metres in the Industrial 2, 2A, 3 and 4 Zones, Seaport 1 and 2 Zones, or Rural Zone or
 - (b) 3.5 metres in the Airport Protection Zone, Business Zones, Hospital Zone, Industrial 1 Zone, Otatara Zone and Residential Zones.

⁶⁵ Decision 19/70

⁶⁶ Decision 19/70

⁶⁷ Decision 19/70

Note: Underline indicates additions, strikethrough indicates deletions.

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- (E) No masts for telecommunication or radiocommunication facilities shall exceed a height above ground level of:
- (a) 10 metres in the Airport Protection Zone, Residential Zones, Otatara Zone and Business 2 and 4 Zones
 - (b) 15 metres in the Business 6 Zone and Industrial 1 Zone
 - (c) 20 metres in the Business 1, 3 and 5 Zones
 - (d) 25 metres in the Industrial 2, 2A, 3 and 4 Zones, Rural and Hospital Zone

- (E) No masts, poles, or towers for telecommunication or radiocommunication facilities shall exceed 600 mm in diameter at a point 4.0 metres or more above ground level in the Residential Zones, Otatara Zone and Business 2 and 4 Zones, or be sited within 25 metres of the boundary of those zones.

- (F) Telecommunication cabinets and radiocommunication equipment cabinets outside of the road reserve shall not exceed: 2.5 metres in height; or have a total floor area exceeding 1.8 square metres in floor area.

Note: Invercargill Airport Limited Designation 74 limits the allowable height of structures, including masts and antenna, on various height planes associated with Invercargill Airport.

3.9.22 Telecommunication and radiocommunication facilities are discretionary activities where:

- (A) The standards set out in Rule 3.9.21 are not met; or
- (B) Any facilities are located within a site identified in the District Plan as containing significant indigenous biodiversity, an outstanding natural feature or landscape, or an item of heritage value identified in Appendix II; or
- (C) Any facilities are located within the road reserve that is on the same side of the road as and next to land or sites that are identified in the District Plan as containing significant indigenous biodiversity, an outstanding natural feature or landscape, or an item of heritage value identified in Appendix II.

Assessment Matters

3.9.23 Applications under Rule 3.9.22 shall address the following matters, which will be among those taken into account by the Council:

- (A) The degree of non-compliance with the National Environmental Standard for Telecommunications Facilities and the effects of that non-compliance.
- (B) The size and height of the antennae and their supporting structures.
- (C) The proximity of the proposal to existing telecommunication facilities and the effects of that proximity, including the feasibility of co-location.
- (D) The effects on any heritage values, indigenous biodiversity, outstanding or locally distinctive and valued landscapes, and the coastal environment.
- (E) If the proposed infrastructure is to be located in land identified on the District Planning Maps as subject to natural hazard, the extent to which

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the proposal addresses the natural hazard to which the site is subject.

(F) The functional need of the infrastructure to be located in the area and built in the manner proposed.

(G) The benefits for the wider community.

3.17 Soils, Minerals and Earthworks

3.17.10 National Grid Yard⁶⁸

(A) No earthworks shall be undertaken that result in a reduction in the ground to conductor clearance distance of:

(a) 6.5 metres where the conductor voltage does not exceed 110 kV; and

(b) 7.5 metres where the conductor voltage exceeds 110 kV

(B) The following activities are exempt from (A) above:

(a) Earthworks undertaken in the course of constructing or maintaining utilities

(b) Normal agricultural activities or domestic gardening.

(c) Repair, sealing/resealing of an existing road, footpath, farm track or driveway.

(C) Any earthworks that do not comply with (A) above shall be a restricted discretionary activity.

The matters over which the Council will exercise its discretion are:

(a) Any effects on the integrity of the transmission line;

(b) Volume, area and location of the works, including temporary activities such as stockpiles;

(c) Time of the works;

(d) Site remediation;

(e) The use of mobile machinery near transmission line which may put the line at risk;

(f) Compliance with NZECP 34: 2001; and

(g) The outcome of any consultation with Transpower New Zealand Limited.

⁶⁸ Decision 19/66

Note: Underline indicates additions, strikethrough indicates deletions.

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3.18 Subdivision

3.18.1 The following subdivision activities are controlled activities:

- (A) Subdivision of land to provide for a ~~network~~-utility.⁶⁹

3.18.4 Applications under Rule 3.18.3 above shall address the following matters which will be among those taken into account by the Council:

- (B) Integration with and effects on the operation, maintenance, upgrading and development of existing infrastructure.⁷⁰

3.18.5⁷¹ Where subdivision of land creates new boundaries within an area measured ~~3225~~ metres from either side of the centre line of an electrical transmission line designed to operate at or above 110kV, the following matters will be taken into account by the Council in exercising its discretion.

- (A) The extent to which the subdivision design avoids, remedies or mitigates conflicts with existing lines, for example through the location and design of roads, reserves, landscaping, earthworks and building platforms.

- (B) The ability for maintenance and inspection of transmission lines including ensuring access.

- ~~(C) The ability to provide a complying building platform.~~

- ~~(D) Compliance with the NZ Electrical Code of Practice for Electrical Safe Distances.~~

- ~~(E) Whether any affected utility operator has provided written approval.~~

- (C) The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply with the safe separation distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 34 2001).

- (D) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid.

- (E) The results of consultation undertaken, including any written advice obtained, from the owner of the electricity transmission line.

3.38 Rural 1 Zone

Residential Density

3.38.11 Applications under Rules 3.38.9 and 3.38.10 above shall address the following matters, which will be among those taken into account by the Council:

⁶⁹ Decision 19/79

⁷⁰ Decision 19/75

⁷¹ Decision 19/81

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- (I) the ability to provide for on-site sewage treatment and disposal on the site⁷²

SECTION FOUR – DEFINITIONS

Antenna: Means, for the purposes of Rules 3.9.21 - 23, communications apparatus, being metal rod, wire or other structure, by which signals are transmitted or received, including any bracket or attachment but not any support mast or similar structure.⁷³

⁷⁴**Infrastructure:** Means the systems, services, structures and networks associated with necessary for operating and supplying essential utilities and services to the community including but not limited to:

- (A) the supply and distribution of electricity
- (B) water supply
- (C) stormwater
- (D) street lighting and lighting of public land
- (E) the receiving and sending of communications, including telecommunication and radiocommunication
- (F) navigation aids for aircraft, boats and other such water craft
- (G) data recording and monitoring systems, including but not restricted to meteorological facilities
- (H) roading and street furniture
- (H) sewage collection, treatment and disposal
- (I) the distribution or transmission of natural or manufactured gas, petroleum, biofuel or geothermal energy
- (J) the transportation network, including the roads, cycleways, walkways, airport, seaport and railway
- (K) Flood alleviation works managed by the Council and/or Environment Southland
- (L) anything described as a network utility operation in s166 of the Resource Management Act 1991

Mast: Means, for the purposes of Rules 3.9.21 - 23, any pole, tower or similar structure designed to carry antenna or dish antenna or otherwise to facilitate communications⁷⁵

National Grid Corridor: Means the area measured 25 metres either side of the centreline of above ground National Grid line. Note: The National Grid Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.⁷⁶

⁷⁷**National Grid Sensitive Activities** - Means buildings or parts of buildings used for, or able to be used for the following purposes:

- (A) Caretakers Accommodation
- (B) Day Care activity;
- (C) Educational activity, except training related to the National Grid;
- (D) Home Stay;
- (E) Hospital activity;
- (F) Residential activity;
- (G) Residential Care Activity; or
- (H) Visitor accommodation

⁷² Decision 19/65

⁷³ Decision 19/70

⁷⁴ Decision 19/2

⁷⁵ Decision 19/70

⁷⁶ Decision 19/84

⁷⁷ Decision 19/85

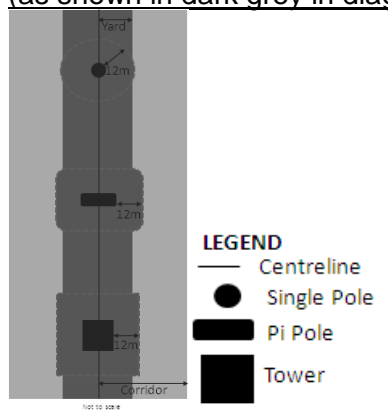
Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - Amended District Plan Provisions

⁷⁸**National Grid Yard:** Means:

- (A) the area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- (B) the area located 12 metres either side of the centreline of any overhead National Grid line;

(as shown in dark grey in diagram below)



⁷⁹**Utilities:** Means any activity or structure relating to —

- (A) The supply or distribution of electricity
- (B) Water supply
- (C) Stormwater
- (D) Street lighting and lighting of public land
- (E) The receiving and sending of communications, including telecommunication or radiocommunication
- (F) Navigation aids for aircraft, boats and other such water craft
- (G) Data recording and monitoring systems, including but not restricted to meteorological facilities
- (H) Roading and street furniture
- (I) The railway network
- (J) Sewage collection, treatment and disposal
- (K) The distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy;
- (L) Flood Alleviation, including but not restricted to stopbanks, detention dams and associated drainage works managed by the Council and/or Environment Southland

⁷⁸ Decision 19/84

⁷⁹ Decision 19/2

Note: Underline indicates additions, strikethrough indicates deletions.

SECTION FIVE – APPENDICES

Appendix XI – Amend the maps in Appendix XI to show the Invercargill City Council Sewerage Reticulation Area and the Invercargill City Council Water Reticulation Area – (as shown on Appendix 3 attached).⁸⁰

Amend the title of Appendix XI to “Council’s Reticulated Services”.⁸¹

DISTRICT PLANNING MAPS

Amend District Planning Maps by updating Transpower Overhead Lines (110Kv or above) and Transpower Structures data on District Planning Maps to show most up-to-date information.⁸²

⁸³Amend the legend reference in the District Planning Maps from

- (a) Transpower Overhead Lines (110Kv or above) to National Grid Electricity Transmission lines (110Kv or above).
- (b) Transpower Structures to National Grid Structures.

GLOBAL CHANGES

Where appropriate, replace references as follows:

“Network Utilities” with “Utilities”⁸⁴

“electricity transmission” with “National Grid”⁸⁵

“National Electricity Grid” with “National Grid”⁸⁶

⁸⁰ Decision 19/65

⁸¹ Decision 19/65

⁸² Decision 19/8

⁸³ Decision 19/8

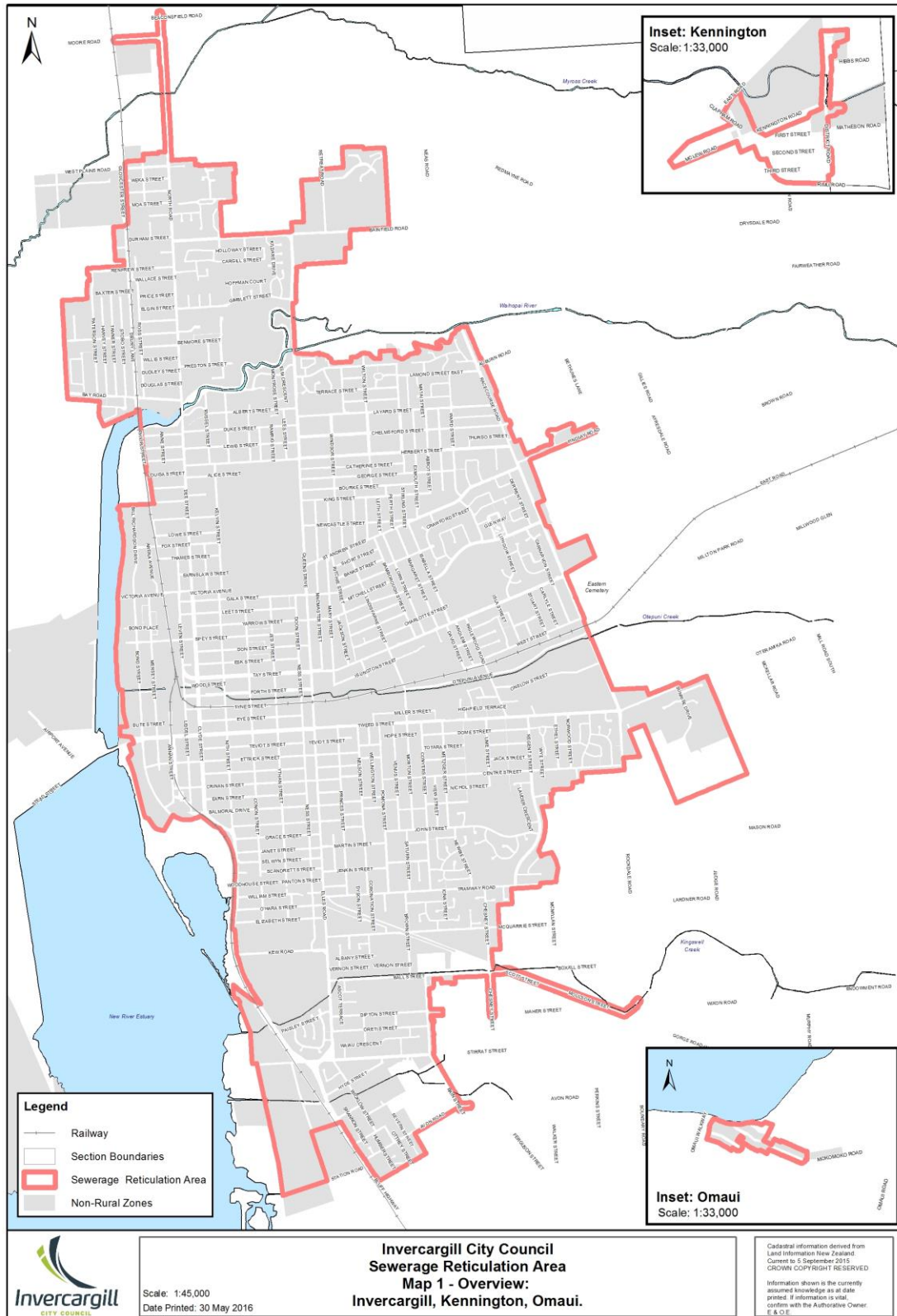
⁸⁴ Decision 19/2

⁸⁵ Decision 19/3

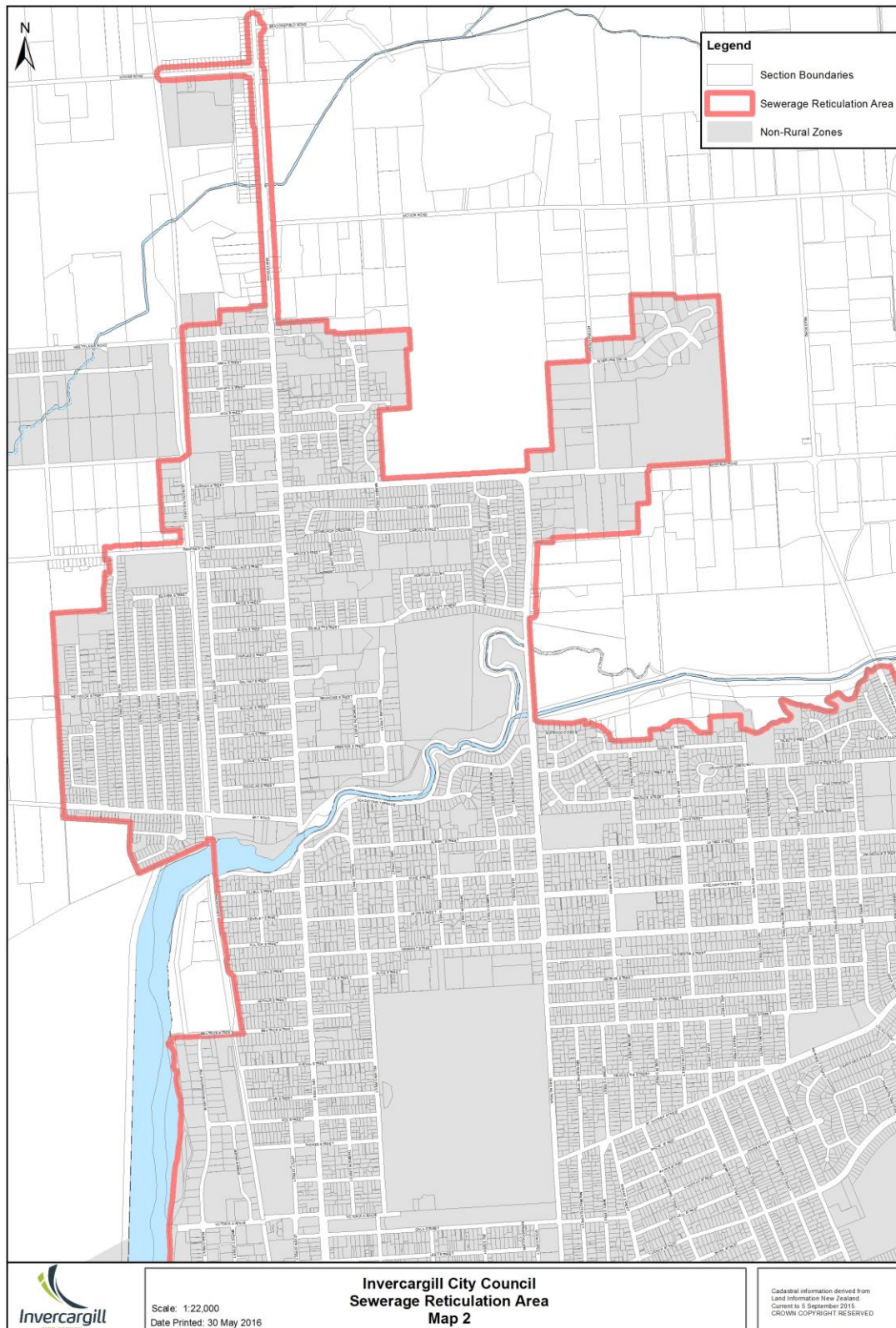
⁸⁶ Decision 19/3

Note: Underline indicates additions, strikethrough indicates deletions.

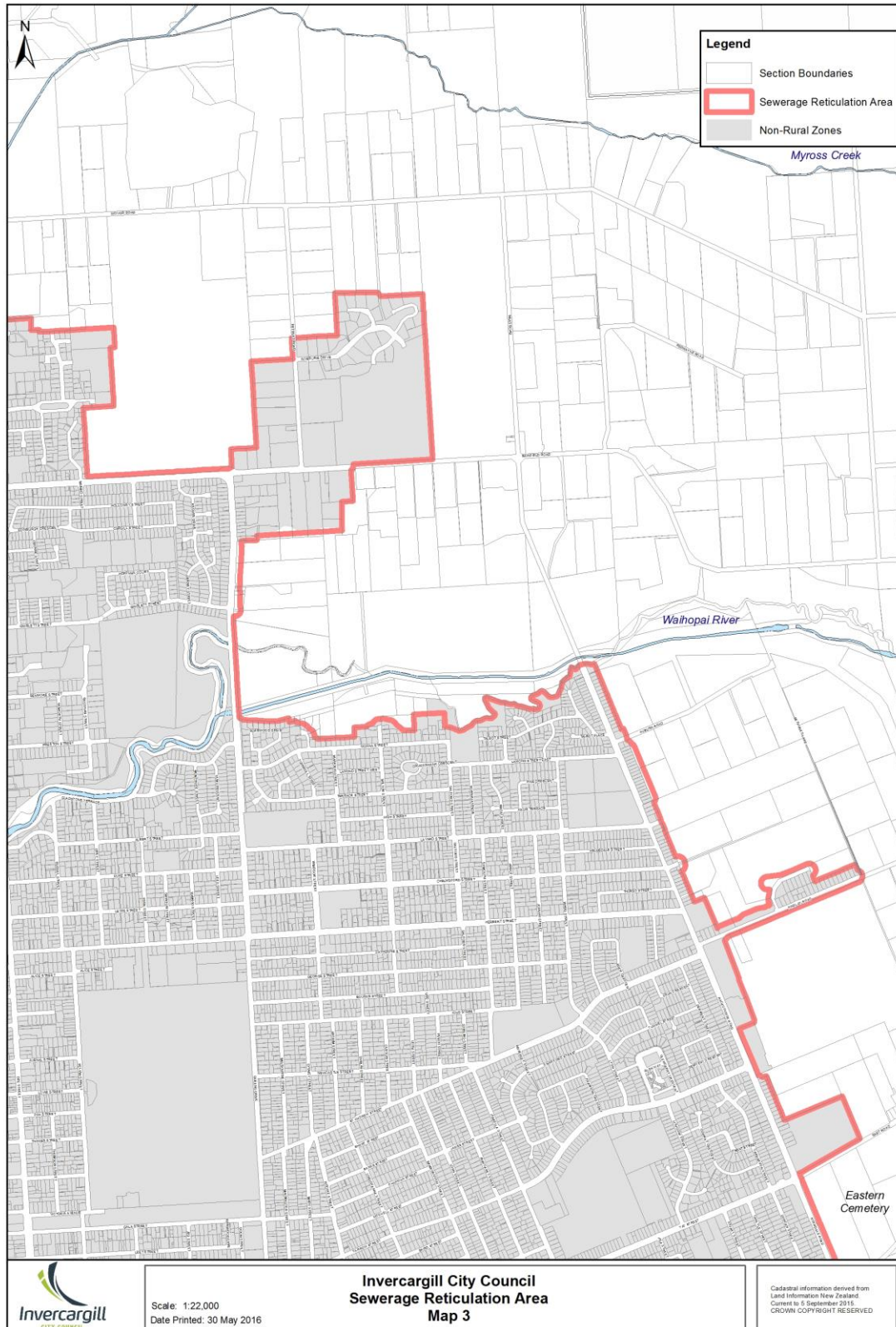
APPENDIX 3



APPENDIX 3



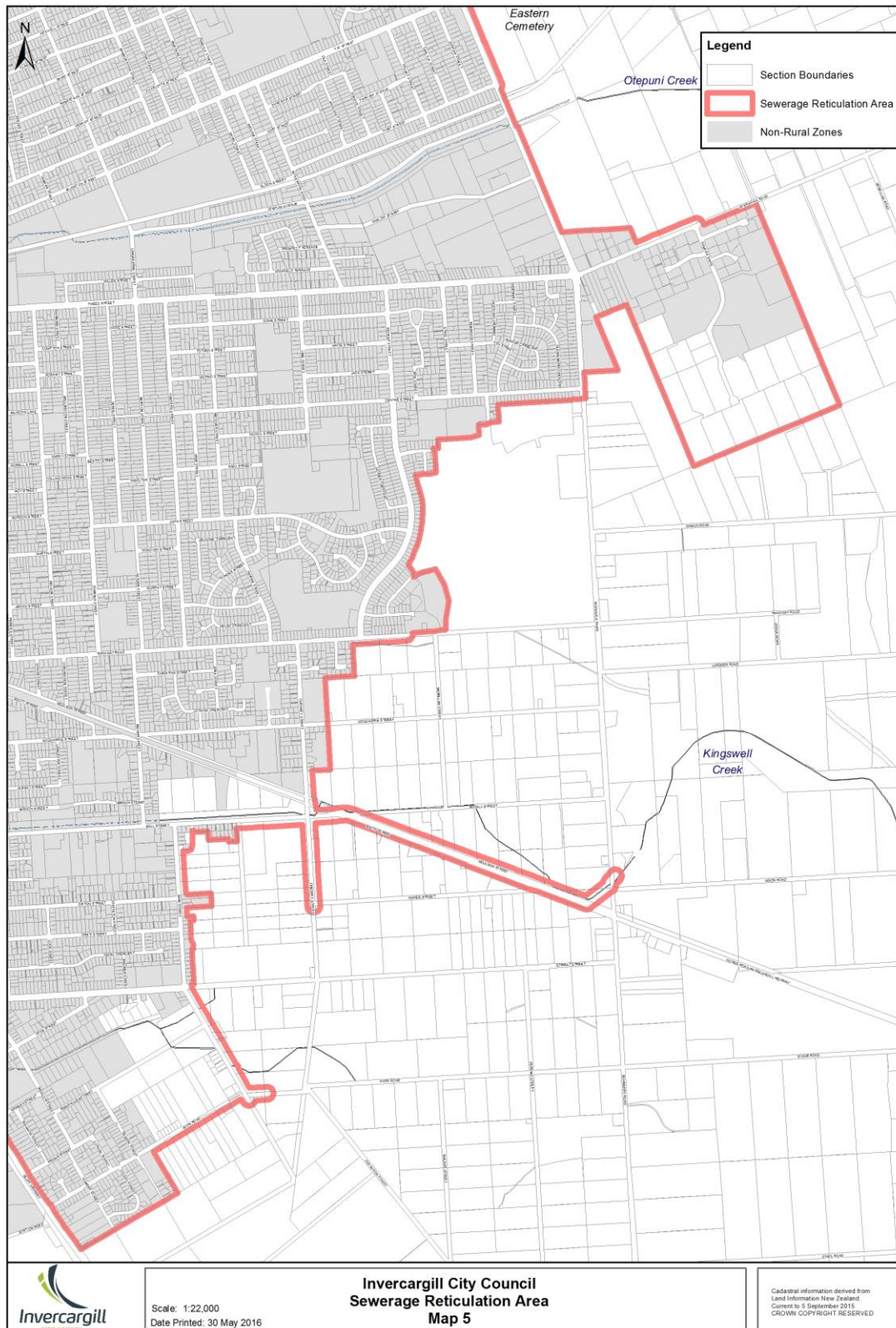
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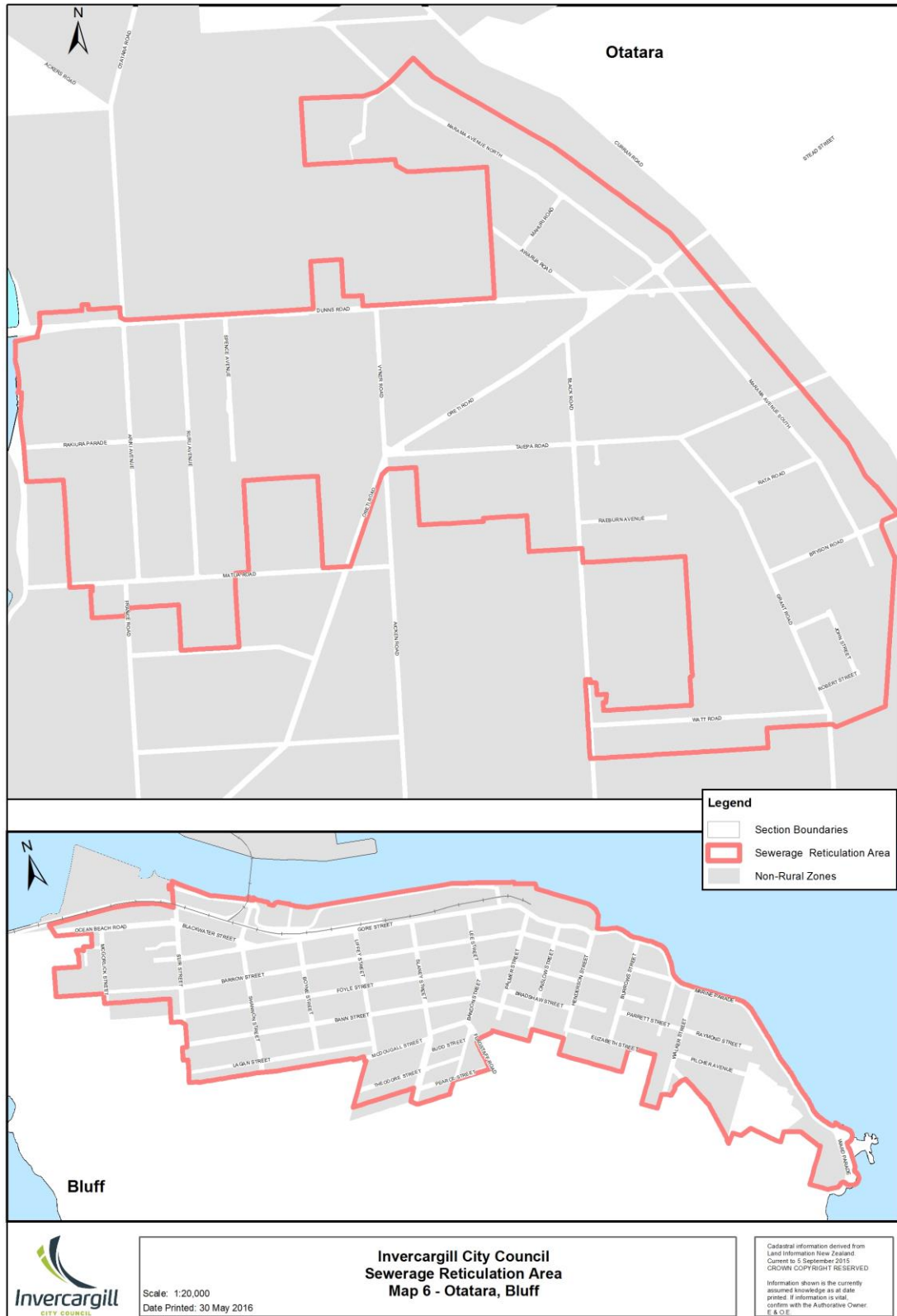
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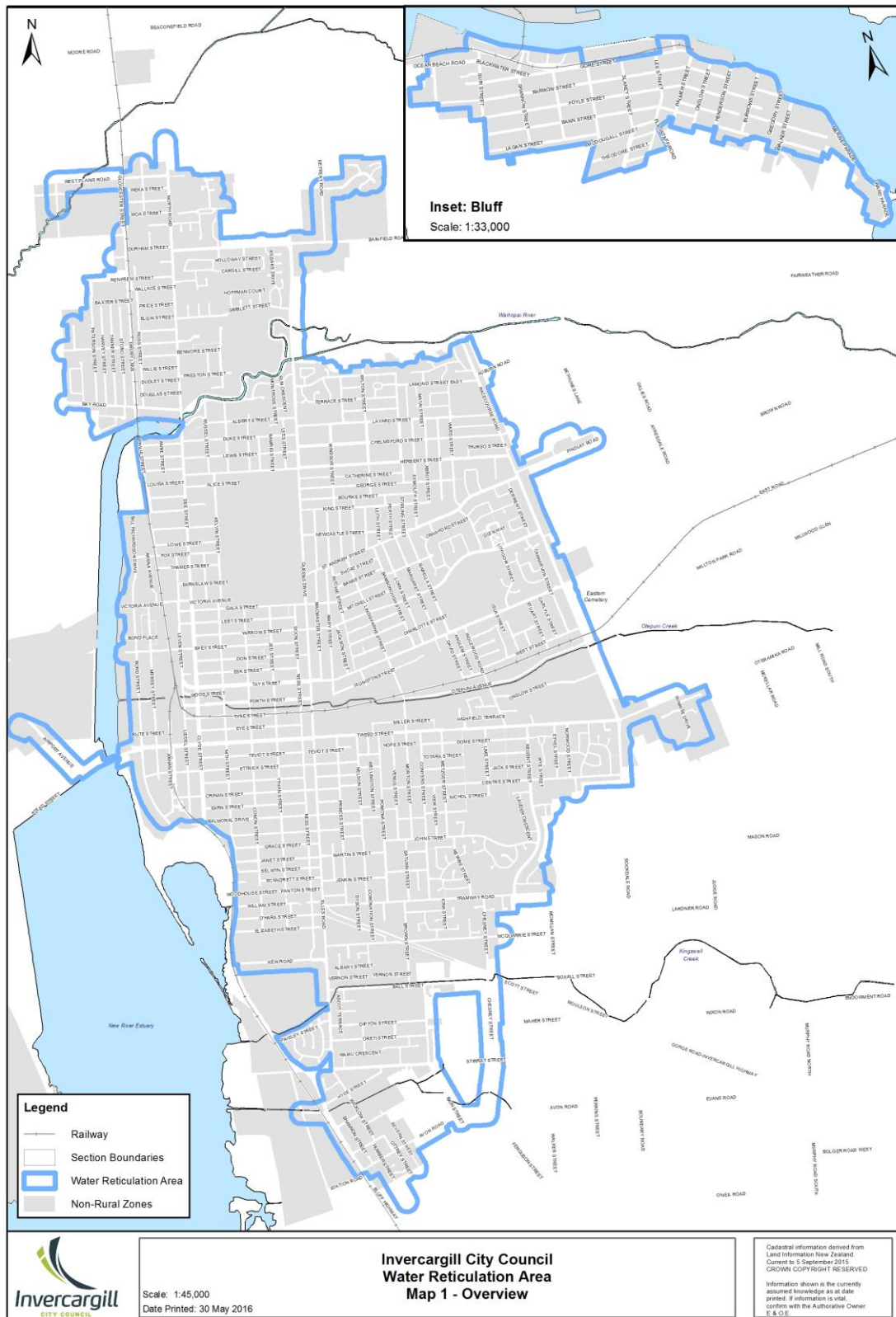
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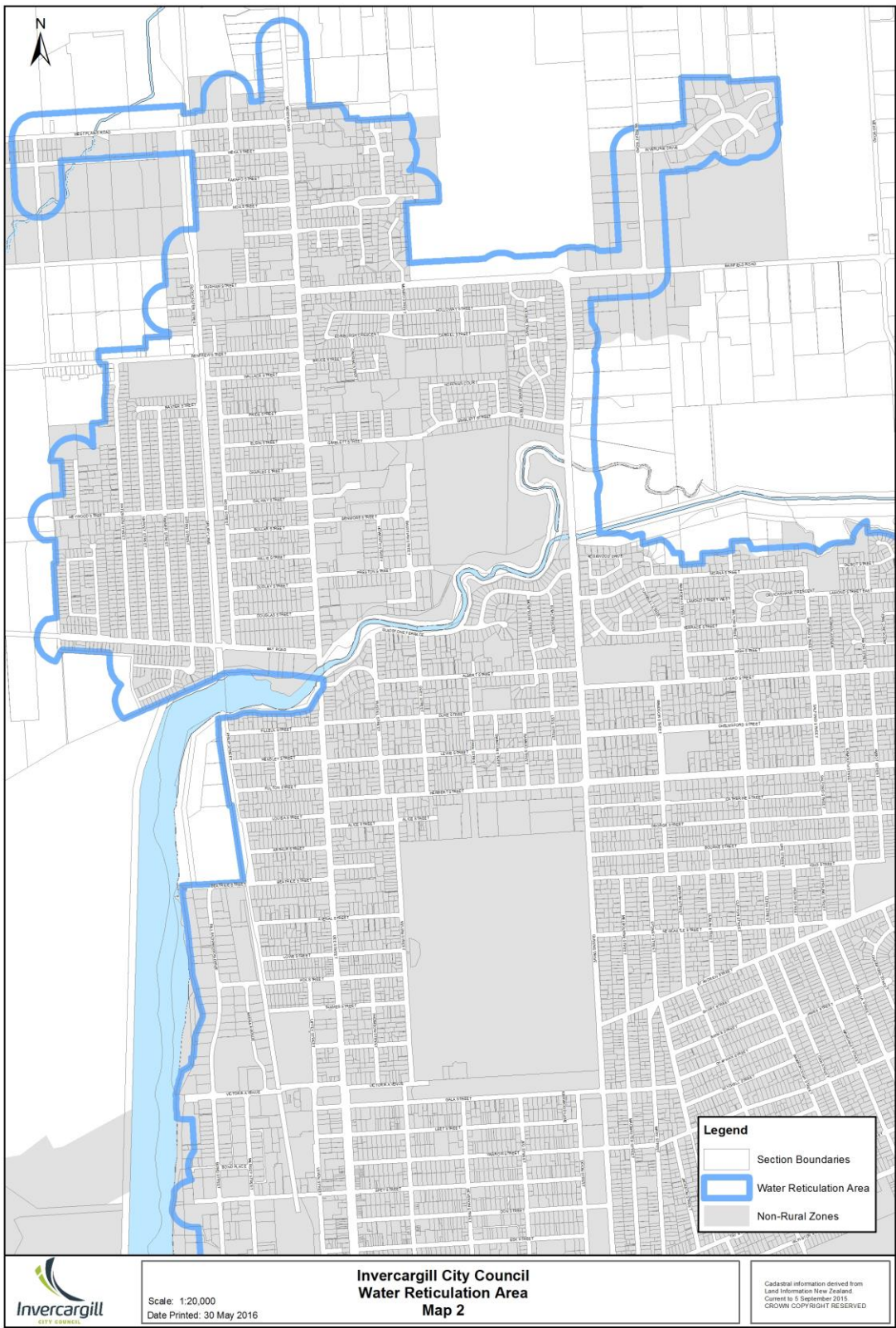
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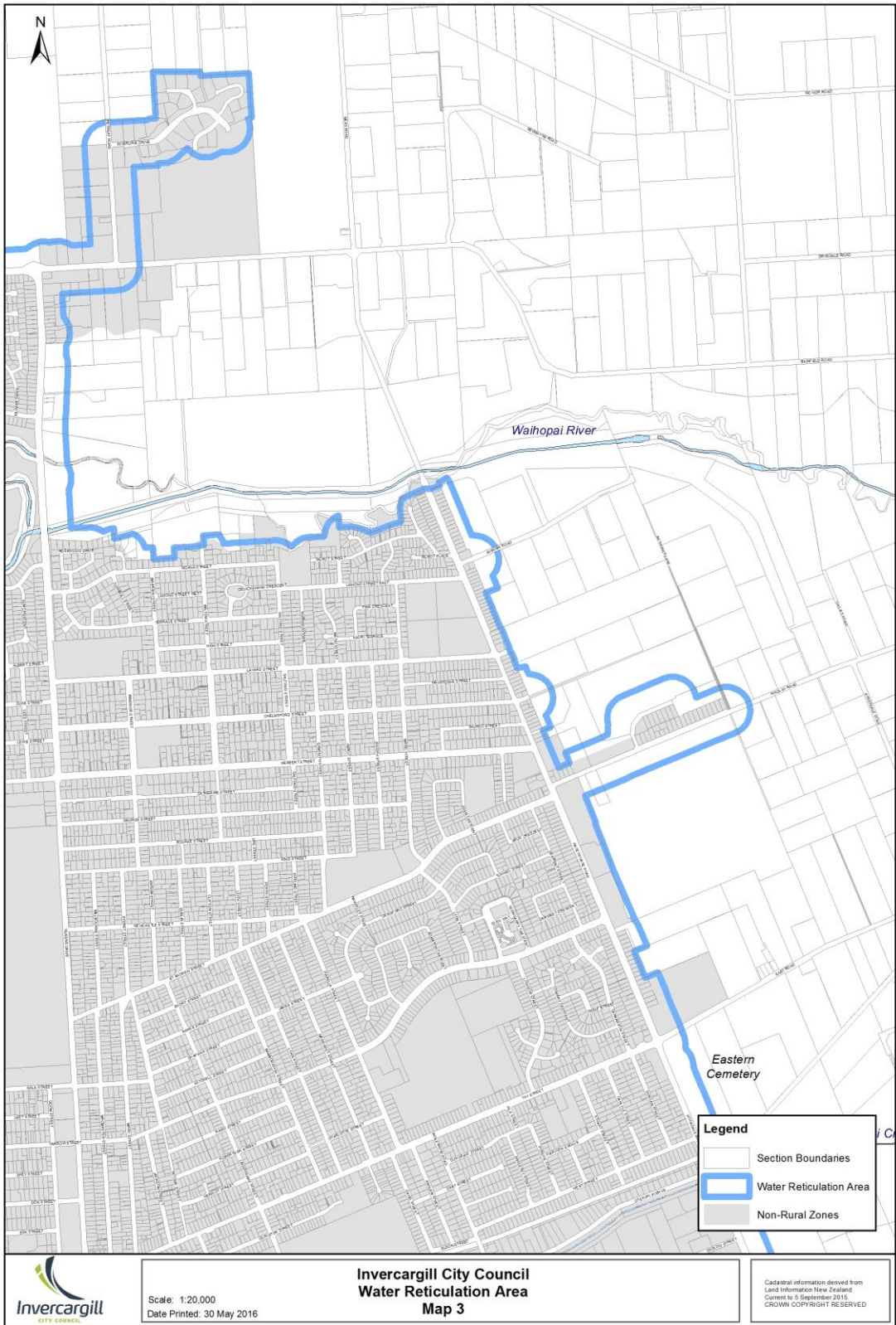
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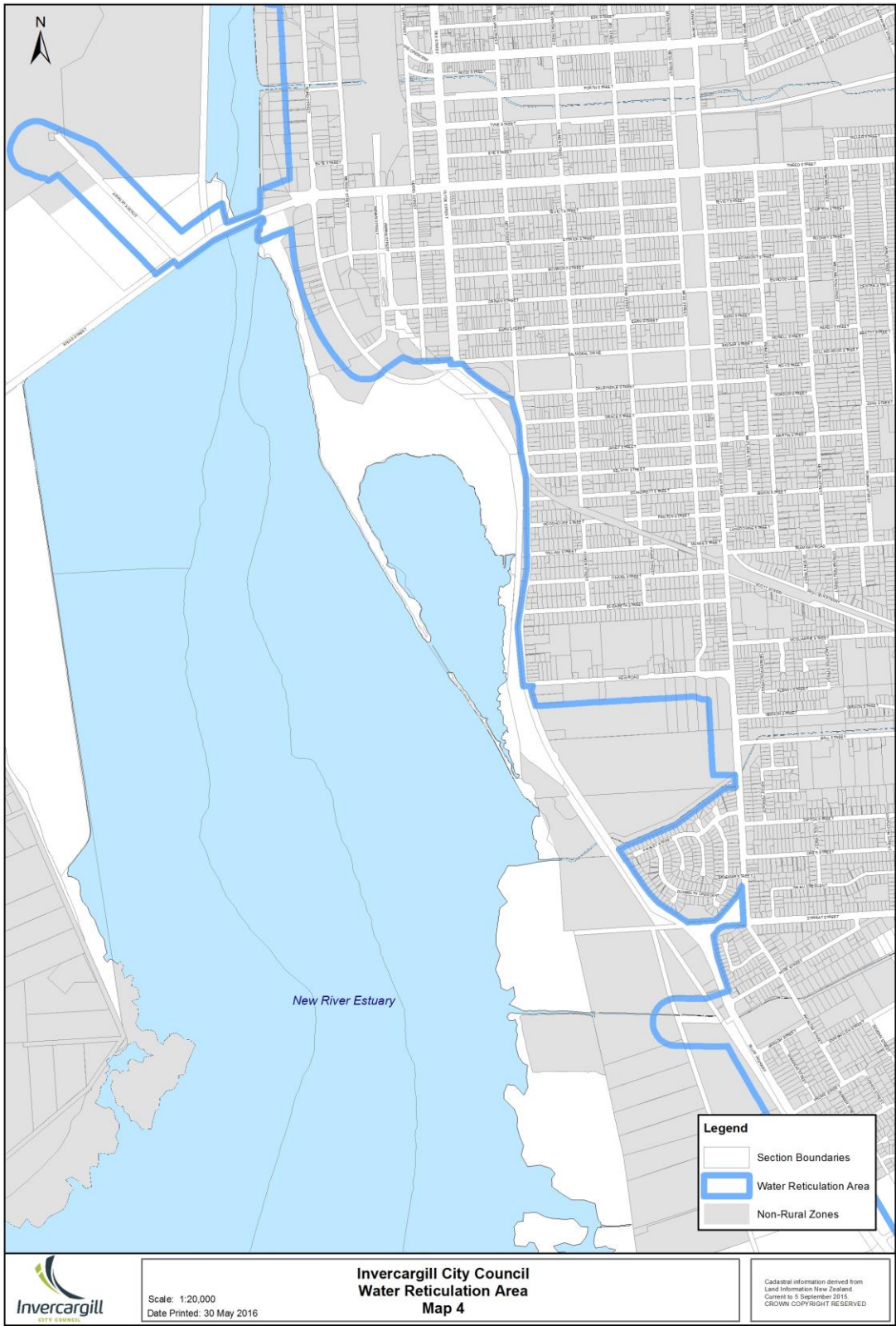
APPENDIX 3



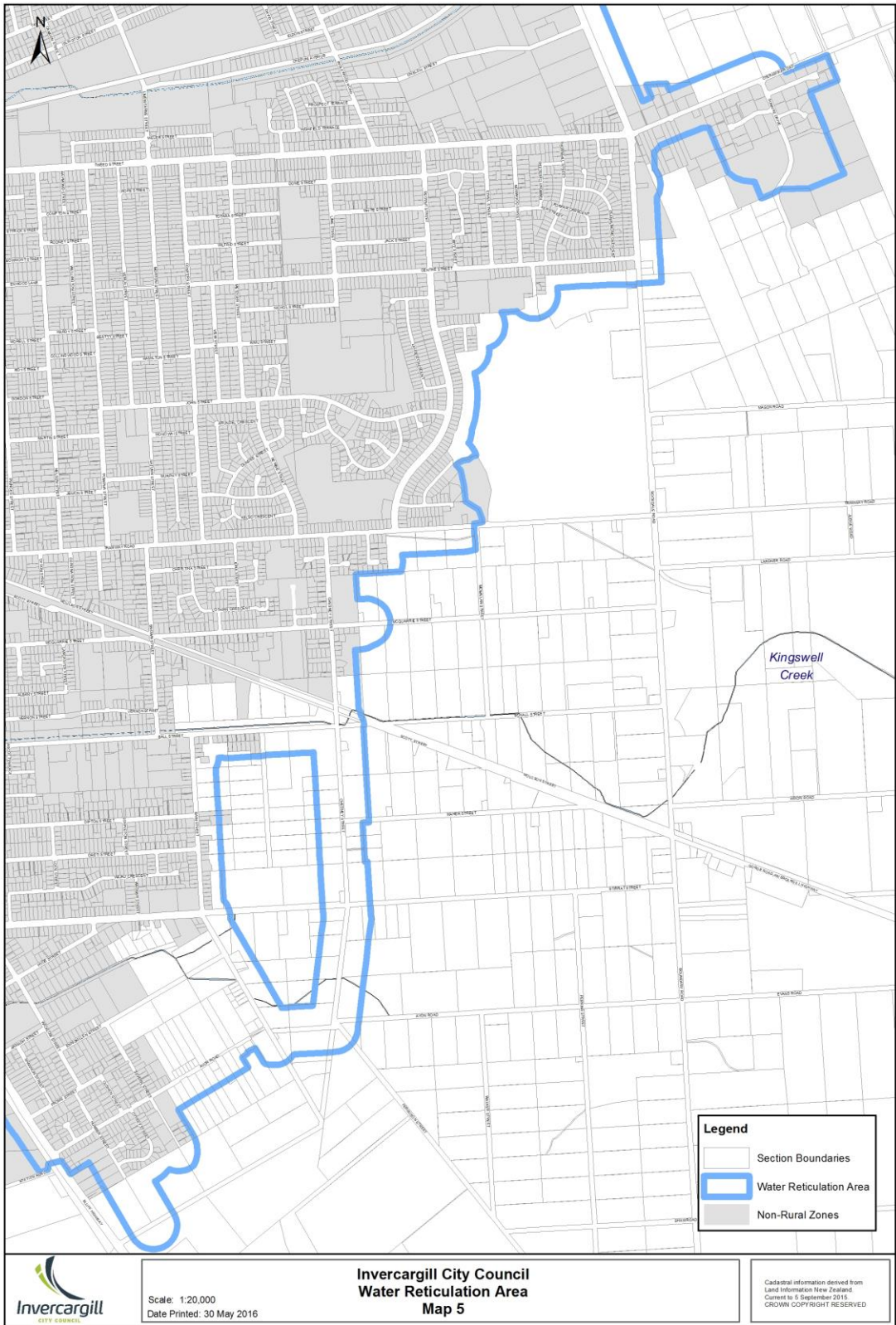
APPENDIX 3



APPENDIX 3



APPENDIX 3



APPENDIX 3



APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

SECTION TWO ISSUES, OBJECTIVES AND POLICIES

2.17 Transportation

The transportation network links the Invercargill City District internally and externally as illustrated on *Infogram 1: Transportation Networks of the District*.

Invercargill City is the main transport hub for Southland. The Invercargill City District is surrounded by agriculture and horticulture land use activities. Planted production forestry is also widespread throughout Southland. There are significant concentrations of large scale industry in and around Invercargill. Raw material for these activities and produce from them, together with minerals, are transported to and through the District.

The roading hierarchy, ~~as illustrated on Infogram 2~~ which forms part of the Council's Roding Asset Management Plan, encourages heavy transport and the associated noise effects away from noise-sensitive areas of the District.²

The main trunk rail line of the South Island terminates at Invercargill. Branch lines extend from Invercargill to Bluff and Wairoa.

~~The Invercargill Airport provides the means for services the air transport needs of the business, tourist and local people in the Southland region. It provides a key linkage between Southland, the rest of New Zealand and the world.~~³

~~The commercial port facilities at Bluff and Tiwai connect Invercargill and the region to the rest of New Zealand and the world and are the region's primary focus for the region's commercial maritime activity and port activities.~~⁴

The transportation network is a significant physical resource which can affect and be affected by land use activities.

The transportation network includes provision made for a variety of personal transport modes, including bicycle, pedestrian, and public transport, as well as private motor vehicle. Invercargill's grid street pattern enables an efficient transport network with good connectivity.

Changes in behaviour as a result of fluctuations in availability and price of fuel and changes in technology need to be anticipated.

Note: The Airport and Seaport facilities are both infrastructure resources that are also addressed under the Infrastructure and Zone Specific Objectives, Policies and Rules for the Airport Operation, Airport Protection, and Seaport 1 and 2 Zones. This section should be read in conjunction with these sections of the Plan.⁵

² Decision 20/4

³ Decision 20/14

⁴ Decision 20/11

⁵ Decision 20/12

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

2.17.1 Issues

The significant resource management issues for transport:

5. Incompatible urban and rural development can adversely affect the transportation network.⁶

~~**Note:** This section should be read in conjunction with the specific Airport and Seaport Zones.~~⁷

2.17.2 Objectives

Objective 1: Development of transport infrastructure and land use takes place in an integrated and planned manner which:

- (B) Protects the function, safety, efficiency and effectiveness of the transport ~~system~~network.⁸
- (E) Minimises where practical the ~~potential for~~ adverse public health and environmental effects.⁹

2.17.3 Policies

Policy 2 Noise: To ~~control~~manage the impact of noise associated with the airport and seaport operations, State Highway and railway network.¹⁰

Explanation: ~~Noise from both the airport, and the seaport, State Highway, and railway can significantly affect the amenities of nearby land uses. Appropriate~~In some cases appropriate noise controls need to be set to protect the ability to undertake operations whilst also managing the effects of aircraft or port-related noise on surrounding areas. In other instances, District Plan rules and zonings are employed to manage the location and design of land use activities in relation to transport networks so as to reduce the chance of reverse sensitivity effects.¹¹

Policy 3 Roding Hierarchy: To ~~adopt a hierarchy for the roading network based on frequency of vehicle movements. To have regard to the Council's Roding Hierarchy when considering subdivision, use and development of land.~~¹²

Explanation: ~~Infogram 2 delineates the Council's roading hierarchy. The Council's Roding Hierarchy is part of the Roding Asset Management Plan and can be found on the Council's website. The frequency and nature of vehicle movements along a road determines how that road must be managed and how adjacent land uses activities can use the road. The roading hierarchy also encourages heavy transport and the associated noise effects away from noise-sensitive areas of the District.~~¹³

Policy 4 Standards: To set development standards for ~~road design~~, vehicle

⁶ Decision 20/16

⁷ Decision 20/12

⁸ Decision 20/17

⁹ Decision 20/18

¹⁰ Decision 20/22

¹¹ Decision 20/22

¹² Decision 20/4

¹³ Decision 20/4

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

access, loading, parking and manoeuvring facilities, ~~public transport, and walking and cycling networks.~~¹⁴

Policy x Public transport, walking and cycling: Promote the use of public transport, and walking and cycling networks.¹⁵

Explanation: Public transport, walking and cycling networks have a significant role in the transportation of people. Walking and cycling also reduces the carbon footprint of the urban area and is a positive contributor to the health and wellbeing of people and communities.¹⁶

Policy 5 Adverse Effects:

Explanation: Controls are necessary so that the effects of subdivision and land use activities are not incompatible with the safe and efficient operation of transportation networks. There is a range of activities that can affect the transportation network including land practices which encourage the congregation of birds near flight paths, land modification which creates wind shear affecting aircraft, and obstruction of sightlines along intersections and level railway crossings¹⁷

Policy 6 State Highways: To have regard to any New Zealand Transport Agency ~~Guidelines standards when considering~~ regarding the location of new accesses onto, and egresses from, State Highways where the speed limit exceeds 50 kph.¹⁸

Explanation: It is important not to compromise the efficiency of the State Highway network. Under Section 51 of the Government Roading Powers Act 1989, works on State Highways cannot be undertaken without the written permission of the New Zealand Transport Agency.¹⁹

Policy 8 Public Health: To manage transport activities and surrounding land use activities to protect public health and environmental values.²⁰

Policy (x) Significant transportation networks: To recognise that the Invercargill Airport, Seaport, Railway, State Highway, and the arterial roads which link this infrastructure are regionally significant transportation networks and are essential to the ongoing viability and functioning of the District.²¹

Explanation: It is important for these regionally significant transportation networks to be maintained and protected to ensure efficient ongoing land uses of the District and the functioning of the City.²²

2.17.4 Methods of Implementation

Method 4 Including ~~Identification of the roading hierarchy of the District in the~~

¹⁴ Decision 20/25

¹⁵ Decision 20/25

¹⁶ Decision 20/25

¹⁷ Decision 20/31

¹⁸ Decision 20/27

¹⁹ Decision 20/27

²⁰ Decision 20/29

²¹ Decision 20/9

²² Decision 20/9

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

~~Plan in the Council's Road Asset Management Plan.~~²³

Method 12 Collaborating with key stakeholders during decision making processes and when developing strategic transportation documents.²⁴

Method 13 Initiate advocacy for on-site vehicle manoeuvring on residential allotments fronting the street.²⁵

ZONE SPECIFIC

2.22 Business 1 Zone

Policy 21 Parking and vehicle manoeuvring²⁶

2.24 Business 3 (Specialist Commercial) Zone

Policy 16 ~~Connectivity and circulation~~Car parking and service vehicles²⁷

- (A) To require the provision of adequate off-street car parking and efficient and convenient provision for service vehicles.
- (B) ~~To recognise and maintain the functionality of the State Highway.~~²⁸

Policy (x) State Highways: To recognise and maintain the functionality of the State Highway.²⁹

Explanation: The State Highway is one of the major transportation networks of the District. It is important that land use and development does not compromise the efficiency of the State Highway.³⁰

2.25 Business 4 (Neighbourhood Shop) Zone

Policy 13 Car parking and service vehicles³¹

- (A) To require the provision of adequate off-street car parking and efficient and convenient provision for service vehicles.
- (B) ~~To recognise and maintain the functionality of the State Highway.~~³²

Policy (x) State Highways: To recognise and maintain the functionality of the State Highway.³³

²³ Decision 20/4

²⁴ Decision 20/33

²⁵ Decision 20/66

²⁶ Decision 20/44

²⁷ Decision 20/39

²⁸ Decision 20/39

²⁹ Decision 20/39

³⁰ Decision 20/39

³¹ Decision 20/40

³² Decision 20/40

³³ Decision 20/40

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

Explanation: The State Highway is one of the major transportation networks of the District. It is important that land use and development does not compromise the efficiency of the State Highway.³⁴

2.26 Business 5 (Rural Service) Zone

Policy 17 ~~Connectivity~~ Car parking and vehicle manoeuvring³⁵

2.27 Hospital Zone

Policy 11 Car parking and vehicle manoeuvring³⁶

2.29 Industrial 1 (Light) Zone

Policy 16 ~~Connectivity and Circulation~~ Car parking and service vehicles³⁷

Policy 17 ~~Connectivity and Circulation~~ State Highway³⁸

2.31 Industrial 2 (Urban) Zone

Policy 13 ~~Connectivity and circulation~~ Car parking and vehicle manoeuvring service vehicles³⁹

2.32 Industrial 3 (Large) Zone

Policy 14 Car parking and vehicle manoeuvring service vehicles⁴⁰

2.33 Industrial 4 (Awarua) Zone

Policy 14 ~~22 Road safety~~ To restrict all access to and egress from the Industrial 4 Zone by industrial traffic to Colyer Road and to require the upgrade of the Colyer Road/State Highway 1 intersection to a standard commensurate with the volume of traffic using it.⁴¹

2.34 Otatara Zone

Policy 16 ~~17~~ Car parking and vehicle manoeuvring

Explanation: The ability to park one's own vehicle "off the road" is important to most people. The vehicle is more convenient to the dwelling and is seen to be more secure. Space to park at least one car (small dwellings) or two cars is expected on the smaller historic allotments of Otatara. Parking vehicles on a semi-permanent basis on the roadside is a waste of expensive road space. Occasional visitor or delivery vehicle parking on the roadside is normally accepted. Provision for off street car parking and manoeuvring minimises the adverse effects on the safety and efficiency of the road. It also enables the retention of on-street parking for short

³⁴ Decision 20/39

³⁵ Decision 20/44

³⁶ Decision 20/44

³⁷ Decision 20/44

³⁸ Decision 20/44

³⁹ Decision 20/44

⁴⁰ Decision 20/44

⁴¹ Decision 20/46

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

term visitors and improves the visual amenity of the streets by reducing the level of long term on-street parking.⁴²

2.36 Residential 1 Zone Residential 1A (Medium Density) Zone

Policy 21 Car parking and vehicle manoeuvring: To ~~require~~ maintain road safety by providing ~~provision~~ for residents to park their vehicle(s) on-site and to manoeuvre them safely on and off the formed road.⁴³

Explanation: ~~The ability to park one's own vehicle "off the road" is important to most people. Space to park at least one car (small dwellings) or two cars is expected. Parking vehicles on a semi-permanent basis on the roadside is a waste of expensive road space. Occasional visitor or delivery vehicle parking on the roadside is normally accepted. There is potential for hazard, especially where motor vehicles cross the public footpath, that needs to be minimised. Provision for off street car parking and manoeuvring minimises the adverse effects on the safety and efficiency of the road. It also enables the retention of on-street parking for short term visitors and improves the visual amenity of the streets by reducing the level of long term on-street parking.~~⁴⁴

2.39 Residential 3 (Large Lot) Zone

Policy 22 Car parking and vehicle manoeuvring: To ~~require~~ maintain road safety by providing ~~provision~~ for residents to park their vehicle(s) on-site and to manoeuvre them safely on and off the formed road.⁴⁵

Explanation: ~~The ability to park one's own vehicle "off the road" is important to most people. Space to park at least one car (small dwellings) or two cars is expected. Parking vehicles on a semi-permanent basis on the roadside is a waste of expensive road space. Occasional visitor or delivery vehicle parking on the roadside is normally accepted. There is potential for hazard, especially where motor vehicles cross the public footpath, that needs to be minimised. Provision for off street car parking and manoeuvring minimises the adverse effects on the safety and efficiency of the road. It also enables the retention of on-street parking for short term visitors and improves the visual amenity of the streets by reducing the level of long term on-street parking.~~⁴⁶

2.40 Rural 1-Zone

Policy 20 Car parking and vehicle manoeuvring: To recognise that the opportunity for residents on smaller rural lots to park their vehicle(s) on-site is an important dimension of amenity.

Explanation: ~~The ability to park one's own vehicle "off the road" is important to most people. Space to park at least two cars is expected on the smaller historic allotments. Provision for off street car parking and manoeuvring minimises the adverse effects on the safety and efficiency of the road. It also enables the~~

⁴² Decision 20/48

⁴³ Decision 20/66

⁴⁴ Decision 20/48

⁴⁵ Decision 20/66

⁴⁶ Decision 20/48

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

retention of on-street parking for short term visitors and improves the visual amenity of the streets by reducing the level of long term on-street parking.⁴⁷

2.43 Smelter Zone

Policy 12 Connectivity: To promote connectivity between the Smelter Zone, the seaport at Bluff and the New Zealand Aluminium Smelter's own wharf at Tiwai, and the connections provided with the wider Invercargill City District via the roads servicing the site.⁴⁸

INFOGRAMS

Infogram 1

Amend title as follows:

~~Transportation Networks of the District~~ Regionally Significant Transportation Networks.⁴⁹

Add the following arterial roads:

- Bainfield Road (North Road to Queens Drive)
- Queens Drive (Bainfield to Tay)
- Elles Road (Tay to Bluff Road)
- Victoria Avenue (Dee to Bond)
- Bond Street (Victoria to Bluff Road)
- Tweed Street (Inglewood to Bond Street)
- Stead Street (Bond Street to Airport Avenue)
- Airport Avenue (Stead Street to End)
- Shannon Street (Gore Street to Foreshore Road)

Infogram 2

Remove from the District Plan⁵⁰

⁴⁷ Decision 20/48

⁴⁸ Decision 20/54

⁴⁹ Decision 20/9

⁵⁰ Decision 20/4

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

SECTION THREE RULES

DISTRICT WIDE

3.18 Subdivision

3.18.4 Applications under Rule 3.18.3 above shall address the following matters which will be among those taken into account by the Council:

(J) Potential effects on the safety and efficiency of the⁵¹ transportation network of land uses enabled by the subdivision, in particular State Highways, and limited access roads, and railway lines.⁵²

(U) Whether the access is adequate to service the activities enabled by the subdivision, including compliance with Table 1 in Section 3 of Appendix VIII –Transport Standards.⁵³

3.20 Transport

3.20.1 Off-Street Car Parking Requirements:⁵⁴

Activity	Parking requirement
Bars, cafes, restaurants, taverns	One staff car park per two staff or part thereof on site at any one time, plus one car park per four clients to be accommodated in the establishment. <u>For establishments which contain a drive-through facility a minimum of five queuing spaces are to be provided from the drive-through order point.</u>
Take-Away Food Activity	One car park per 50m ² of retail floor area or part thereof. <u>For take-away food outlets which contain a drive-through facility a minimum of five queuing spaces are to be provided from the drive-through order point.</u>

3.20.6 Loading Facilities and Manoeuvring Spaces:

(C) Within the Smelter Zone⁵⁵

~~(C)~~ (D) For residences fronting the street within the Residential 1, Residential 1A, Residential 2 and Residential 3 Zones.

3.20.8 For residences fronting the street within the Residential 1, Residential 1A, Residential 2 and Residential 3 Zones: Where no manoeuvring space is provided on site and a garage is built with the garage door positioned in such a way that it will normally be necessary for vehicles to back either on to or off the

⁵¹ Decision 20/5

⁵² Decision 20/67

⁵³ Decision 20/3

⁵⁴ Decision 20/63

⁵⁵ Decision 20/60

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

~~formed road, a visibility splay shall be provided as per Infogram 3 towards the street, a setback of 5.2 metres shall be provided from the garage door to the property boundary.~~⁵⁶

3.20.11 ...

Note: The approval of the New Zealand Transport Agency is required for any works on the State Highway.⁵⁷

3.20.13⁵⁸ It is a restricted discretionary activity to carry out a land use activity:

- (A) That requires direct access over a railway level crossing where there is currently no direct access; or
- (B) When there is a change in land use that results in an increase in use of an existing direct access over a railway level crossing.

The matters over which the Council shall exercise its discretion are:

- (A) The potential for adverse effects on the safety and efficiency of the road and railway resulting from the nature, use, location, and design of direct access over a railway level crossing.
- (B) The type and degree of control at the level crossing.
- (C) The availability of unobstructed sightlines at the level crossing.
- (D) The ability to obtain alternative legal access to the site.⁵⁹

3.20.14⁶⁰ The erection of, or addition to buildings and other structures, which exceed 1.200 metres in height, within the Railway Crossing Safety Zones shown on the District Planning Maps is a restricted discretionary activity.

The Council's discretion is restricted to:

- (C) Any adverse effect on the safety of the level crossing for vehicles and pedestrians.
- (D) The extent to which vehicles entering and exiting the level crossing can see trains.

3.20.15⁶¹ The construction of crossings at railway lines which are intended to be used by vehicles is a discretionary activity.

⁵⁶ Decision 20/66

⁵⁷ Decision 20/68

⁵⁸ Decision 20/67

⁵⁹ Decision 20/67

⁶⁰ Decision 20/67

⁶¹ Decision 20/67

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

ZONE SPECIFIC RULES

3.33 Otatara Zone

- 3.33.15 (B) It is located so that fire appliances have unimpeded vehicular access, including a minimum width of four metres for an accessway, from the property boundary to the connection point; and⁶²

3.37 Residential 3 Zone

- 3.37.33 (B) It is located so that fire appliances have unimpeded vehicular access, including a minimum width of four metres for an accessway, from the property boundary to the connection point; and⁶³

3.38 Rural 1 Zone

- 3.38.17 (B) It is located so that fire appliances have unimpeded vehicular access, including a minimum width of four metres for an accessway, from the property boundary to the connection point; and⁶⁴

Infograms

Infogram 3

Remove from District Plan⁶⁵

⁶² Decision 20/72

⁶³ Decision 20/72

⁶⁴ Decision 20/72

⁶⁵ Decision 20/66

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

SECTION FOUR DEFINITIONS

Arterial Routes: Means those routes identified as State Highways/Major Arterials and Minor Arterials on ~~Infogram 2.~~⁶⁶

Circulation roadway: Means a roadway used to gain access to parking aisles from entry and exit points of the facility.⁶⁷

Strategic arterial road: Means an arterial road or regional road identified on the Council's Roding Hierarchy, set out in the Roding Asset Management Plan.⁶⁸

SECTION FIVE APPENDICES

APPENDIX VIII – Transport Standards

1. CAR PARKING STANDARDS

NOTES:

Car Parking Areas

- (3). Where the required parking area is outside the building, it shall connect to the building via an pedestrian access route.⁶⁹

~~Vehicle~~ Car parking circulation routes ~~roadway~~⁷⁰

- (4) ~~Vehicle~~ circulation routes ~~roadways~~ shall have:
- (a) A width of no less than 3.5m for one-way circulation ~~routes~~ and 6.5m for two-way circulation ~~routes~~. Where pedestrians have to use the ~~vehicle~~ circulation route ~~roadway~~ to reach a pedestrian access route the widths shall be increased by 800mm.⁷¹
- (5) Where a ~~vehicle~~ circulation route ~~roadway~~ crosses a pedestrian access route, adequate visibility shall be provided. At the crossing, the ~~vehicle~~ circulation route ~~roadway~~ shall have a gradient no more than 1 in 20 for a distance of 6.0m back from the pedestrian access route and visibility displays shall be provided.⁷²

Spaces and circulation for courier van delivery vehicles

- (7) Where buildings are required to be serviced only by courier vans, the loading space shall be no less than 6.0m long, 3.0m wide and 3.2m high. Circulation ~~routes~~ roadways between the street and loading spaces for courier vans shall:
- (a) Provide a height clearance of no less than 3.0m.

⁶⁶ As a result of Decision 20/4

⁶⁷ Decision 20/75

⁶⁸ Decision 20/73

⁶⁹ Decision 20/74

⁷⁰ Decision 20/75

⁷¹ Decision 20/75

⁷² Decision 20/75

APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

- (b) Have geometrics complying with paragraphs 4 (a) and (b) and 5.

Note: Where buildings are required to be serviced by vehicles larger than courier vans, circulation routes roadways and loading spaces should be specifically designed.

⁷³

2. MANOEUVRING STANDARD FOR PRIVATE PASSENGER VEHICLES⁷⁴

3. PRIVATE WAYS AND RIGHT OF WAYS⁷⁵

- (1) Private ways and right of ways are to be designed and constructed to comply with the standards set out in Table 1.

Table 1: Private Way and Right of Way Standards.

Residential 1, 1A, and 2 Zones			
Number of Lots	2-3	4-6	7+
Minimum Width	3.6m	4.5m	9m
Formed Movement lane	3m (sealed 5m in from property boundary)	3m (sealed 5m in from property boundary)	6m (sealed 5m in from property boundary)
Drainage	Interceptor sump required where more than 40m ² of impermeable area is graded towards the street.	Interceptor sump required where more than 40m ² of impermeable area is graded towards the street.	Interceptor sump required where more than 40m ² of impermeable area is graded towards the street.
Passing Bays	-	-	Every 50m, as set out in Figure 1.
Turning Heads	-	-	As set out in Figure 2.
Footpaths	-	-	Single sided, 1.5m width for concrete or 1.8m width for asphalt.
Lighting	-	-	Constructed and designed in accordance with Class P4 of AS/NZS 1158.
Residential 3 Zone			
Number of Lots	1-3	4-6	7+
Minimum Width	4m	4.5m	9m
Formed Movement lane	3m (sealed 5m in from property boundary)	3m (sealed 5m in from property boundary)	6m (sealed 5m in from property boundary)
Drainage	Interceptor sump required where more than 40m ² of impermeable area is graded towards the street.	Interceptor sump required where more than 40m ² of impermeable area is graded towards the street.	Interceptor sump required where more than 40m ² of impermeable area is graded towards the street.
Passing Bays	-	-	Every 50m, as set out in Figure 1.
Turning Heads	-	-	As set out in Figure 2.

⁷³ Decision 20/75

⁷⁴ Decision 20/77

⁷⁵ Decision 20/3

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<u>Footpaths</u>	-	-	Single sided, 1.5m width for concrete or 1.8m width for asphalt.
<u>Lighting</u>	-	-	Constructed and designed in accordance with Class P4 of AS/NZS 1158.
<u>Rural 1, 2, and Otatara Zones</u>			
<u>Number of Lots</u>	<u>2-6</u>	<u>7+</u>	
<u>Minimum Width</u>	<u>6m</u>	<u>9m</u>	
<u>Formed Movement lane</u>	<u>In accordance with Figure 3.</u>	<u>6m</u>	
<u>Drainage</u>	-	-	
<u>Passing Bays</u>	<u>Every 200m</u>	-	
<u>Turning Heads</u>	-	-	
<u>Footpaths</u>	-	-	
<u>Lighting</u>	-	-	

Note: Commercial and Industrial development will be considered on a case by case basis in consultation with the Council's Roading Manager.

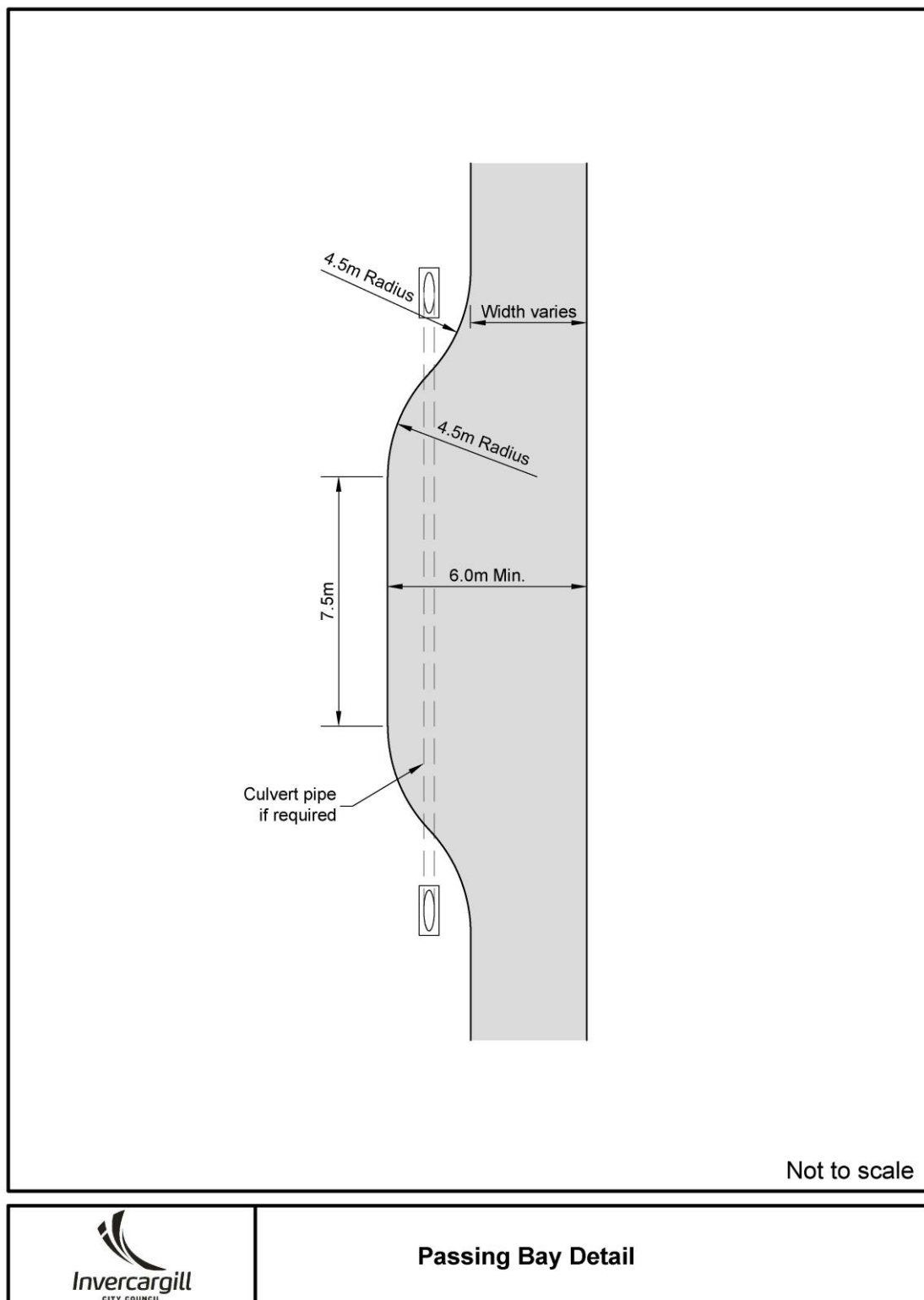
Add the following figures⁷⁶:

- Figure 1 Passing bay detail
- Figure 2 No exit turning areas.
- Figure 3 Rural accessway layout.

⁷⁶ Decision 20/3

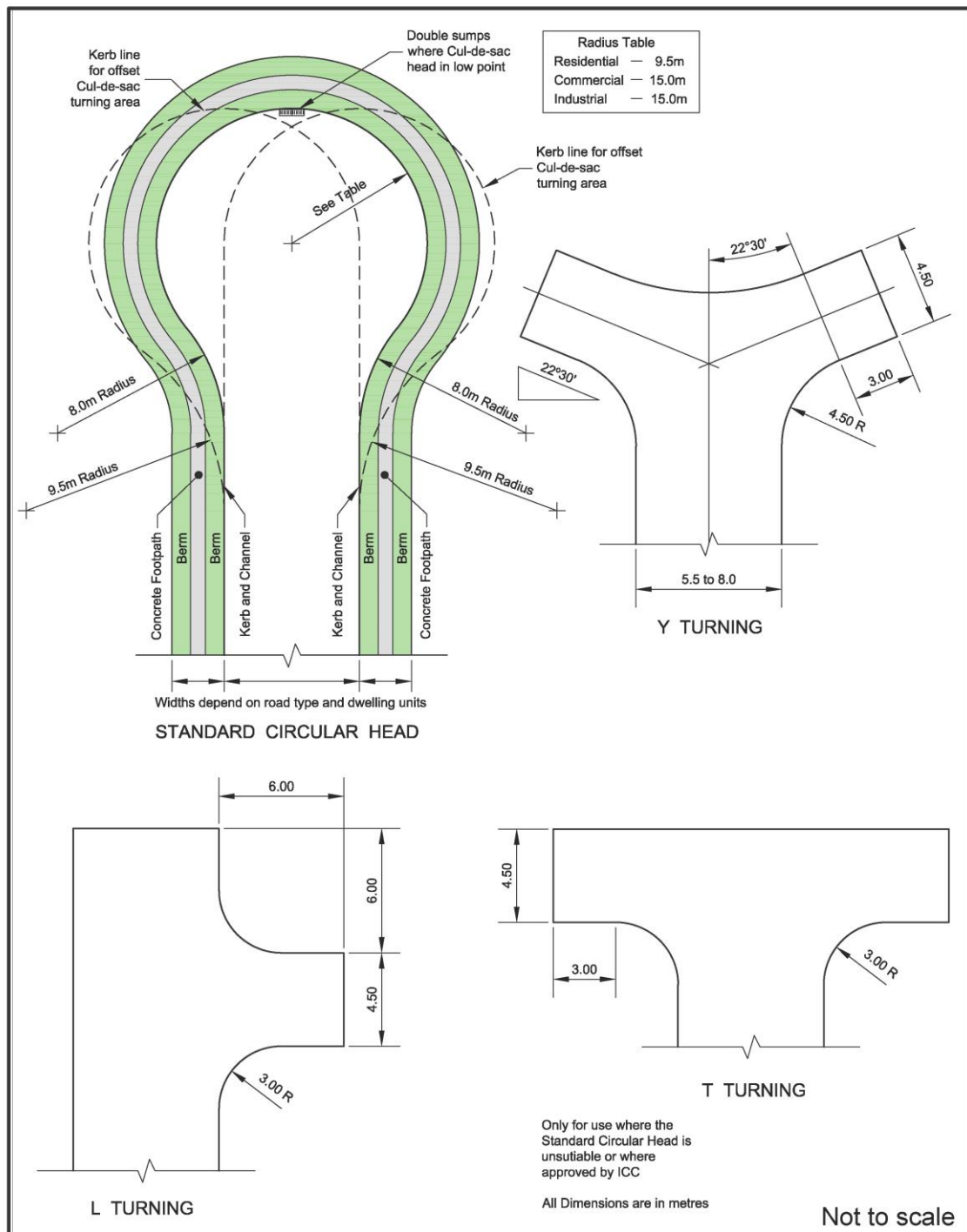
APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

Figure 1 – Passing bay detail



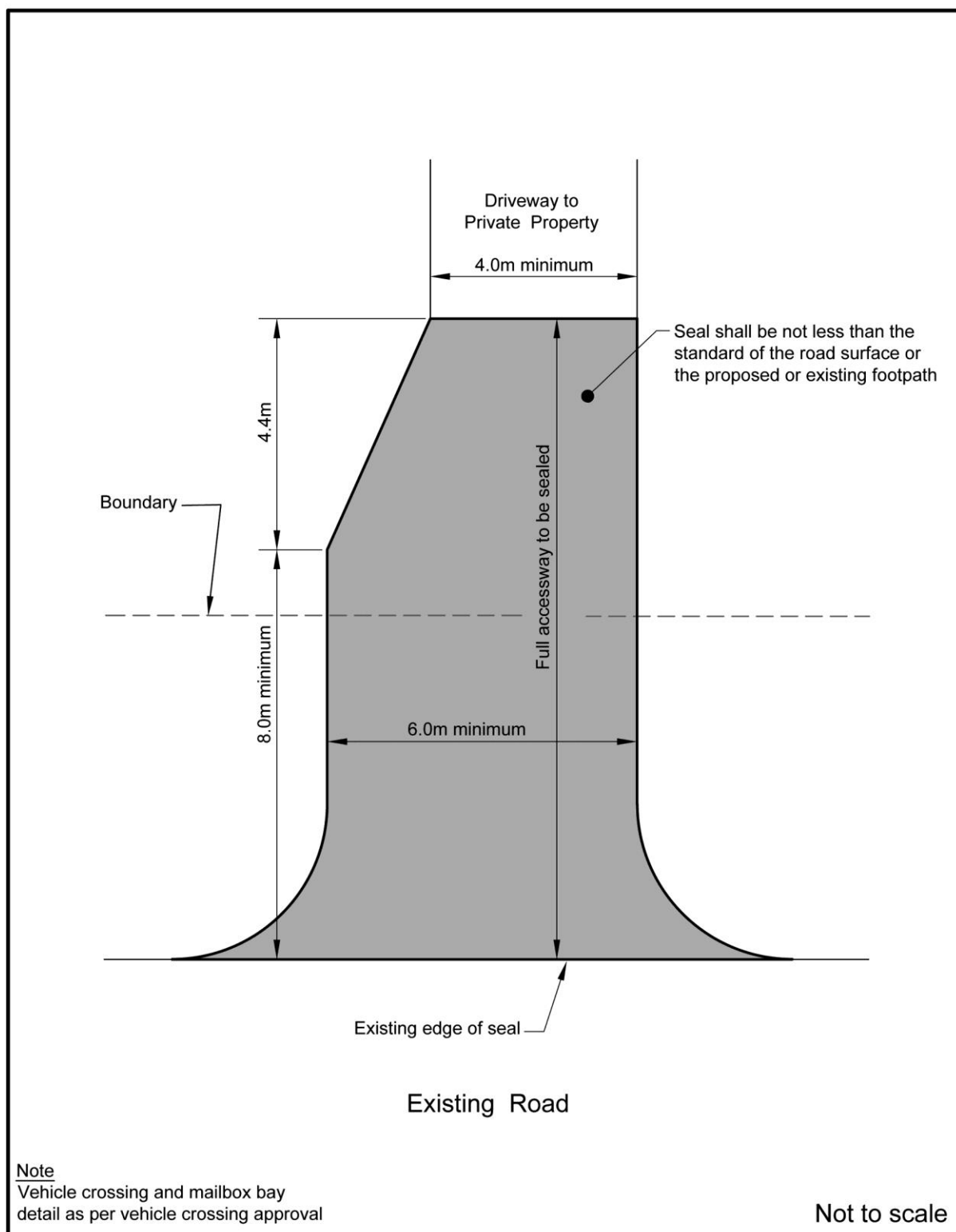
APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

Figure 2 – No exit turning areas



APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS

Figure 3 - Rural accessway layout



RURAL ACCESSWAY LAYOUT (Two to six dwellings)

SECTION FIVE APPENDICES

Information shown is the currently assumed knowledge as it exists prior to information is not verified and the authorities under it A.C.C.

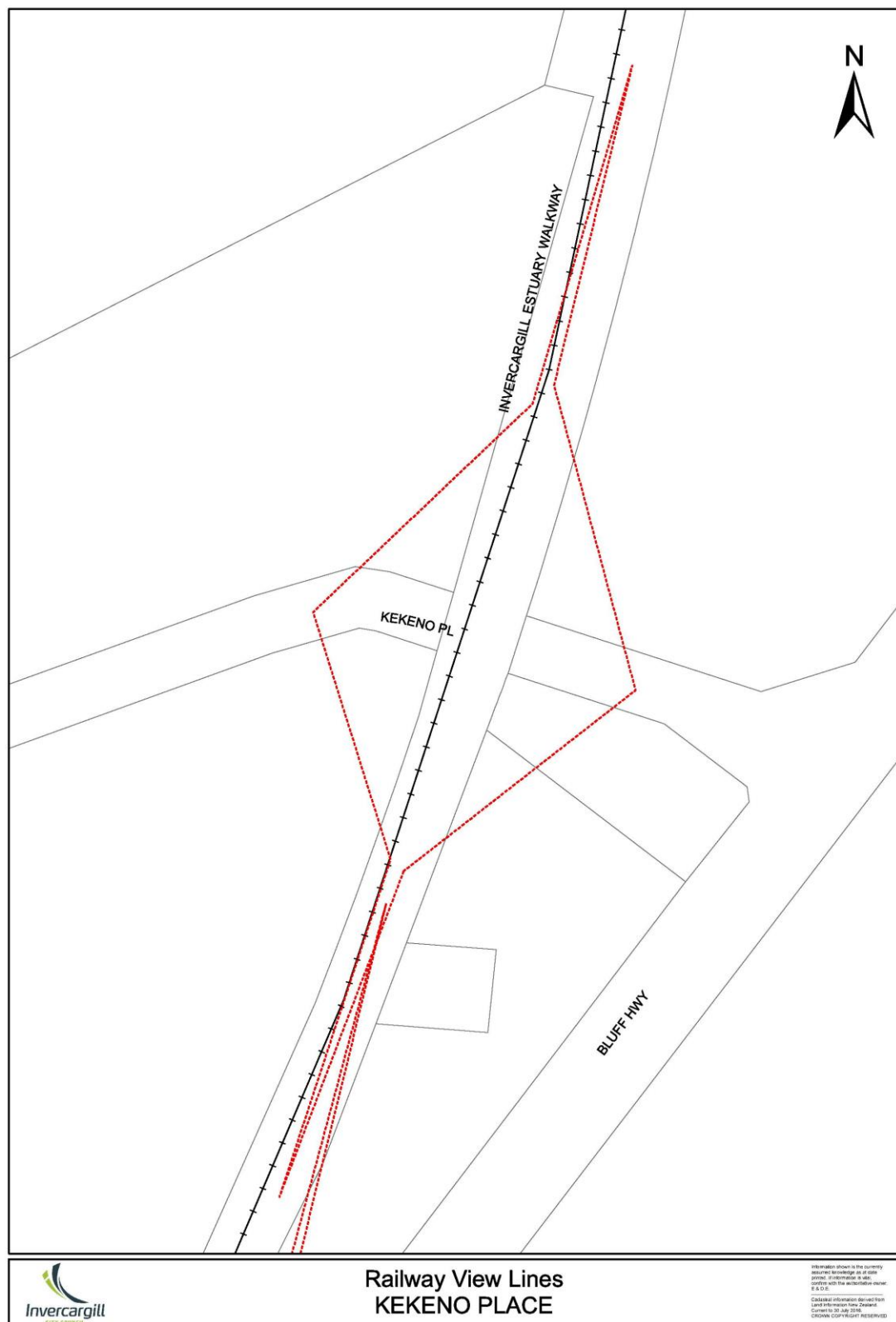
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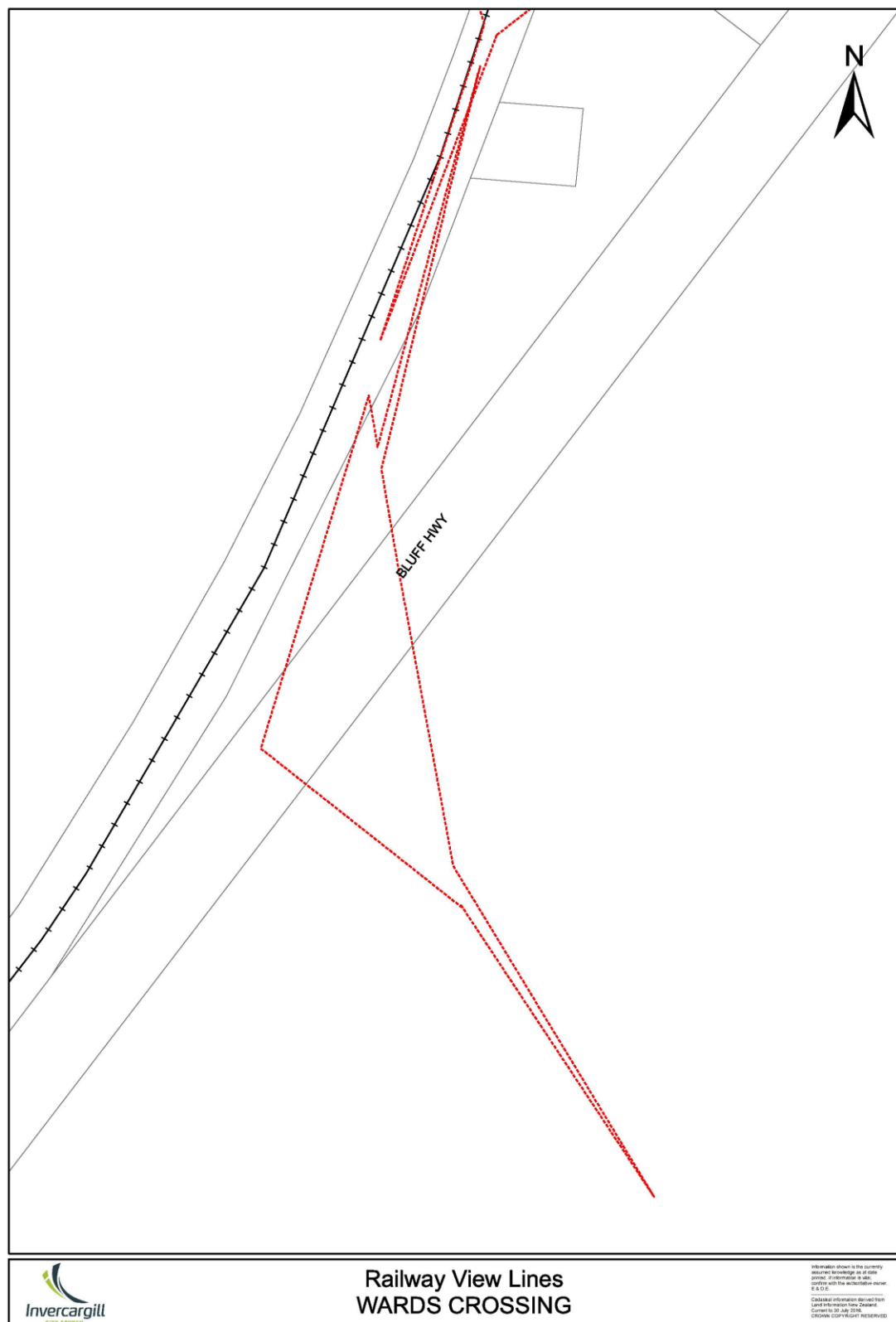
APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS



APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS



APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS



APPENDIX 2 – AMENDED DISTRICT PLAN PROVISIONS



SECTION TWO – ISSUES, OBJECTIVES AND POLICIES

2.1 Introduction

ZONE SPECIFIC

~~2.30 Industrial 1A (Marine)~~

~~2.42 Seaport 1~~

~~2.42A Seaport 2~~

~~2.30 Industrial 1A (Marine) Zone¹~~

~~— This zone specifically anticipates the growth of light industry associated with boat and yacht maintenance and servicing, adjacent to possibly the only area in Bluff Harbour with potential for further development for boat and yacht berthage and ultimately a marina.~~

~~— For the town of Bluff the location of the Zone, between State Highway 1 and the railway, and the waterfront, is important from an urban design perspective. Making practical use of the area (much of which is currently vacant), whilst maintaining attractive vistas from the residential areas of the town, will require careful planning and management.~~

~~2.30.1 Issues~~

~~The significant resource management issues for the Industrial 1A (Marine) Zone are:~~

- ~~1. Lack of controls on effects of activities in the Industrial 1A Zone may result in an appropriate level of amenity within the Industrial 1A Zone and in the nearby Residential Zone.~~
- ~~2. Vistas from the residential areas of the town and from State Highway 1 may be blocked or otherwise adversely affected.~~
- ~~3. Public access along the waterfront could be compromised by development.~~

~~Note:~~ ~~All Objectives and Policies that apply to the Industrial 1 Zone also apply to the Industrial 1A Zone.~~

~~The following are the additional Objectives and Policies that apply within the Industrial 1A Zone:~~

~~2.30.2 Objectives~~

~~Objective 1:~~ ~~Industries and activities servicing the boat and marine industry, in particular the repair and maintenance of boats and associated equipment, are enabled to locate at Bluff in close proximity to the existing fishing boat berths, the existing slipway, the existing Maritime Museum and the area that has the potential for future development as a marina.~~

~~Objective 2:~~ ~~Public access along the waterfront is maintained and enhanced.~~

¹ Decision 22/13 deletes this zone in its entirety

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2.30.3 Policies

Policy 1 ~~Industrial 1A (Marine) Zone:~~ ~~To establish and implement the Industrial 1A Zone at Bluff to enable and encourage its development by industries and activities servicing boats and associated equipment.~~

*~~**Explanation:** Bluff is home port for a sizeable local fishing fleet, and is also the largest servicing port for boats normally based at Stewart Island, Riverton or Fiordland. An increasing number of visiting yachts call at Bluff, seeking secure mooring and repair facilities. For years there have been calls for development of a marina at Bluff. While it acknowledges that any marina would be in the CMA and outside the boundary of the District Plan, the Council wishes to encourage the development of a marina and boat servicing facilities at Bluff. This is the reason for the establishment of the Industrial A Zone, in close proximity to an area of water suited for future development of marine facilities. The zone is also in close proximity to the existing fishing boat berths.~~*

Policy 2 ~~Waterfront Access:~~ ~~To maintain and make a feature of pedestrian access along the waterfront.~~

*~~**Explanation:** This is the one area near to the Port of Bluff where the public currently has access to the foreshore and can view the port activity. It needs to be retained and has the potential to be developed into a significant townscape feature of Bluff.~~*

2.30.4 Methods of Implementation

Method 1 ~~Delineate the Industrial 1A Zone on the District Planning Maps.~~

Method 2 ~~Apply the methods of implementation for the Industrial 1 Zone within the Industrial 1A Zone.~~

Method 3 ~~Initiate environmental advocacy for:~~

~~(A) The promotion of the area for light industry associated with boat and yacht maintenance and servicing.~~

2.31 Industrial 2 (Urban) Zone

Objective 2: The protection of the integrity and amenity of the Residential, the Suburban Shopping and Business, the Central Business District, and the Industrial 1 and 4A Zones by making specific provision for a range of industrial, warehousing and service activities in appropriate areas of the city.

2.42 Seaport 1 Zone²

The Seaport 1 Zone is located adjacent to and within the Bluff Harbour adjacent to the township of Bluff. It provides the opportunity for a variety of land use activities including seaport and related activities, and fish processing, engineering industries, slipway facilities, cool stores, boat charters and commercial offices. The zone provides for high frequency of visitation from vehicles, ocean going and coastal ships and boats.

² Decision 22/2 amends the Introduction

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The Port of Bluff has served the sea transport needs of the District and the region for over a century. It is a major gateway to the Southland region for goods transported by sea. Economic activity which is directly or indirectly dependent on trade through the Port makes a significant contribution to the local, regional and national economy.

Although much of the zone is at risk from multiple hazards, there is nowhere else in the Invercargill City District or the Southland region where a general commercial port could be located and the seaport has a functional need to locate in the coastal environment. ~~An area of higher, less hazard-prone land is included within this zone.~~

The Zone is a working environment where activities may need to operate 24 hours a day, seven days a week. This can create a number of environmental effects, which may extend into the township of Bluff. Therefore, the establishment of sensitive land use activities near the Port has the potential to generate conflicts, which also must be carefully managed. ~~Traditionally Bluff has been tolerant of port-related effects, reflecting the strong links between the port and the Bluff community. Bluff is a port town and a moderate level of port-related environmental effects is acceptable and are generally accepted. However, experience elsewhere in the country indicates that some port-related effects, such as noise, can become a vexed issue.~~

2.42.1 Issues

The significant resource management issues for the Seaport 1 Zone:

1. The port of Bluff is part of the essential infrastructure of the Southland region and it is necessary to provide for its continuing operation.³
- ~~2. 4.~~ Without appropriate protection the operational requirements of the seaport can be compromised.
- ~~3. 2.~~ The environmental effects from activities carried out within the Seaport 1 Zone can have adverse effects on the township of Bluff.

2.42.2 Objectives

Objective 1: A viable seaport facility at Bluff ~~which~~ that meets the varied needs of the region in terms of:

- (A) The facilities and services available for commercial shipping, the fishing industry, enterprises and activities involved in cargo handling (both export and import), security and biosecurity agencies, and other users of the port.
- (B) The ability to operate without reverse sensitivity issues or serious operational impediments.
- (C) The ability to respond quickly to changed demands and market opportunities.

³ Decision 22/3

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Objective 2: ~~Identification, maintenance and enhancement of the amenity values~~Provision for the operational requirements of the Port is appropriately balanced with achieving an acceptable level of amenity for those residing on neighbouring land.⁴

2.42.3 Policies

Policy 1 Seaport 1 Zone: To establish and implement a Seaport 1 Zone at Bluff to enable the construction and operation of services and facilities to meet seaport and cargo handling needs of the Southland region and such other cargoes as may be handled through the Port of Bluff.

Explanation: *The ability to import and export goods economically is an important factor in maintaining and enhancing the economic critical mass of the Southland region. The region needs efficient seaport facilities and associated cargo handling facilities. There is nowhere else in the Invercargill City District or the Southland region where a general commercial port could be located.*

Policy 2 Noise: To provide for the opportunity to generate levels of noise in keeping with the operation of the seaport, whilst also recognising that residential areas in Bluff are entitled to reasonable residential amenity in terms of freedom from excessive noise.

Explanation: *Noise is an inevitable by-product of port and cargo handling operations and operational requirements can necessitate that these operations continue 24 hours a day, seven days a week. Traditionally the township of Bluff has been tolerant of port related noise, reflecting the strong links between the port and the Bluff community. Experience elsewhere in the country indicates that port noise can become a vexed issue. Noise standards will need to be imposed, and implemented; recognising that Bluff is a port town and a level of port related noise is acceptable and generally accepted.*

Policy 3 Odour: To accept moderate levels of odour emissions associated with port operations whilst also ensuring the absence of nuisance from objectionable odour within residential areas.⁵

Explanation: *Odour can be an inevitable by-product of seaport activities, including cargo handling operations. However, odours can be excessive or unpleasant and could potentially have adverse effects on the working environment and on the residents of Bluff. Council needs the ability to take enforcement action when necessary.*

Policy 4 - Glare⁶: To accept ~~that glare within the Seaport Zone associated with large structures may be an effect from activities in the Seaport 1 Zone~~ whilst ensuring that nuisance from glare for and seek to minimise its effect on the amenity of nearby residential areas.

Explanation: ~~Large structures or buildings can normally be coated or treated to mitigate glare nuisance.~~ The port of Bluff operates 24 hours a day at times and lighting required to enable operations to be carried out safely may impact on

⁴ Decision 22/5

⁵ Decision 22/7

⁶ Decision 22/8

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nearby residential areas. Consideration ~~should~~ needs to be given to the effects of glare effects in undertaking activities in the zone and in designing and locating such structures. Where complaints are received in relation to glare from port activities the Council in the first instance will work with operators to assess and reduce its impact as far as practicable.

Policy 5 Electrical Interference: To ensure ~~freedom~~ avoid nuisance⁷ from electrical interference.

Explanation: ~~People expect not to be bothered by electrical interference. Electrical interference may have adverse effects on the efficient operation of the Seaport Zone. The possibility of electrical interference is an environmental effect that needs to be considered in the placement and maintenance of electrical equipment and machinery, including transmitting aerials.~~

Policy 6 Lightspill: To manage the effects of lightspill from seaport and associated operations on nearby residential areas.

Explanation: Floodlighting and security lighting are an essential feature of port and cargo handling facilities, but it is both possible and necessary to avoid nuisance to residential areas. Lightspill can also cause a hazard to transportation networks, including to aircraft, vehicles, trains, cyclists and pedestrians.⁸

Policy 7 Signage: To provide for signage to enable the clear identification and promotion of places of business.

Explanation: It is important that transport operators and other users can find their way around the Seaport 1 Zone easily.

Policy 8 Hazardous Substances: To provide for the storage and transport of hazardous substances.

Explanation: Provision must be made for the storage and transshipment of hazardous substances and the Seaport 1 Zone is the appropriate place to do so.

Policy 9 Dilapidated structures and ill-maintained lands: To require that buildings and land in the Seaport 1 Zone shall be sound, well-maintained and tidy in appearance.

Explanation: Derelict industrial properties and poorly maintained industrial land could significantly detract from the amenities of the neighbouring town.

Policy 10 Demolition or removal activities: To manage the adverse effects of demolition or removal activities on amenity values by ensuring the clean-up, screening and maintenance of sites, and the proper management of relocation activities.

Explanation: Although normally temporary and localised, demolition activities can create a significant nuisance. There is an obligation to ensure that demolition materials are disposed of responsibly. There is also a need to ensure that the site is made safe, clean and tidy in a timely manner.

⁷ Decision 11/4

⁸ Decision 3/10

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Policy 11 Connectivity and circulation: To promote excellent connectivity between the internal roads and rail lines within the Seaport 1 Zone, and the State Highway and the Bluff Branch Railway.

Explanation: *Safe, efficient and direct links between transport systems are a priority to enable the safe and efficient transport of goods and also to minimise any side effects or risk on the adjacent town. Identifying and if necessary signposting unambiguous and safe routes for vehicles carrying hazardous substances is an important implication of this policy.*

⁹**Policy 12 Reverse sensitivity:** To recognise the adverse effects that may be generated within and from the Seaport Zone 1 activities and:

- (a) identify the effects and the area that these can impact on;
- (b) provide information to owners and prospective owners on those effects;
- (c) encourage owners of affected land to mitigate those effects on the occupiers of those properties; and
- (d) when considering resource consents for subdivision use and development have regard to potential for reverse sensitivity effects that may impact on port related activities.

Explanation: *The operational requirements of a seaport have the potential to give rise to reverse sensitivity effects with respect to other land uses in the vicinity which may seek a coastal location for other reasons, such as views of the coast and the ambience of a port town.*

2.42.4 Methods of Implementation

Method 1 Delineate the Seaport 1 Zone on the District Planning Maps.

Method 2 Include rules identifying activities that are appropriate within the Seaport 1 Zone.

Method 3 Identify the anticipated amenity values for the Seaport 1 Zone, include environmental standards to protect and enhance them, and implement through enforcement under the RMA, education, advocacy and collaborating with other Territorial Authorities.

Method 4 Include rules addressing District wide issues.

Method 5 Require all applications for resource consent to include an analysis of the proposal on the defined amenity values of the Seaport 1 Zone, as well as the principles of good urban design.

Method 6 Initiate environmental advocacy for:

- (A) Mitigation or avoidance of nuisance arising from glare and windflow effects.
- (B) Promotion of well maintained structures and land.
- (C) Connectivity – connections between places.

Method 7 Identify cross boundary issues e.g. odour.

⁹ Decision 22/10

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Method 8 Consult with landowners and occupiers, iwi, Central Government organisations, internal Council departments and local community and business groups.

Method 9 Recognise sectorial responses, such as NZTA published guidelines, and hazardous substances standards and guidelines.

2.42A Seaport 2 Zone¹⁰

The Seaport 2 Zone occupies land along the Bluff foreshore between the township and Bluff Harbour. It provides a convenient location for the development of light industries and land use activities that support the Port and marine industries.

In order not to unduly affect nearby residential areas, activities within the Seaport 2 Zone will be required to manage their operations subject to performance standards compatible with the nearby residential and business areas.

The Seaport 2 Zone provides a link between the township and the harbour and provides opportunities for public viewing of Port activities. Maintaining and enhancing public access through the zone is important, where it is safe and practical to do so.

2.42A.1 Issues

The significant resource management issues for the Seaport 2 Zone:

1. Without appropriate protection the operational requirements of the seaport can be compromised.
2. Lack of controls on effects of activities in the Seaport 2 Zone may result in an inappropriate level of amenity within the nearby Business and Residential Zones.
3. Vistas from the business and residential areas of the town and from State Highway 1 may be blocked or otherwise adversely affected.
4. Public access along the waterfront could be compromised by development.

2.42A.2 Objectives

Objective 1: Light industries and activities servicing the seaport and the boat and marine industry are conveniently provided for at Bluff.

Objective 2: Provision for the operational requirements of Port and marine related activities is balanced with achieving an acceptable level of amenity for those carrying out activities on neighbouring land

Objective 3: Where it can be safely provided, and is practical, public access along the waterfront is maintained and enhanced.

¹⁰ Decision 22/11

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2.42A.3 Policies

Policy 1 Seaport 2 Zone: To establish and implement the Seaport 2 Zone at Bluff to enable the construction and operation of industries, services and facilities that support the Port of Bluff and that service the boat and marine industry.

Explanation: Bluff is home port for a sizeable local fishing fleet, and is also the largest servicing port for boats normally based at Stewart Island, Riverton or Fiordland. An increasing number of visiting yachts also call at Bluff, seeking secure mooring and repair facilities. While it acknowledges that any marina would be in the coastal marine area and outside the boundary of the District Plan, the Council wishes to encourage the development of a marina and boat servicing facilities at Bluff. The Seaport 2 Zone also accommodates facilities servicing connections between the South Island and Stewart Island.

Policy 2 Waterfront Access: To maintain and make a feature of pedestrian access along the waterfront.

Explanation: At present the public has access through part of the Seaport 2 Zone and the Council seeks to maintain that for amenity reasons and to also enable viewing of port activities.

Policy 3 Connectivity: To promote excellent connectivity between the internal roads and rail lines within the Seaport 2 Zone, and the State Highway and the Bluff Branch Railway.

Explanation: Safe, efficient and direct links between transport systems are a priority to enable the safe and efficient transport of goods and also to minimise any side effects or risk on the adjacent town. Identifying and if necessary signposting unambiguous and safe routes for vehicles carrying hazardous substances is an important implication of this policy.

Policy 4 Noise: To provide for the opportunity to generate levels of noise in keeping with the operation of the seaport and associated industries and activities, whilst also recognising that residential areas in Bluff are entitled to reasonable residential amenity in terms of freedom from excessive noise.

Explanation: Noise is an inevitable by-product of port and cargo handling operations and operational requirements can necessitate that these operations continue 24 hours a day, seven days a week. Traditionally the township of Bluff has been tolerant of port related noise, reflecting the strong links between the port and the Bluff community. Experience elsewhere in the country indicates that port noise can become a vexed issue. Noise standards will need to be imposed, and implemented; recognising that Bluff is a port town and a level of port related noise is acceptable and generally accepted.

Policy 5 Odour: To accept moderate levels of odour emissions whilst also ensuring the absence of nuisance from objectionable odour within residential areas.

Explanation: Odour can be an inevitable by-product of seaport activities, including cargo handling operations. However, odours can be excessive or unpleasant and could potentially have adverse effects on the working environment and on the residents of Bluff. Council needs the ability to take enforcement action when necessary.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

Policy 6 Glare: To accept that glare may be an effect from activities in the Seaport 2 Zone and seek to minimise its effect on the amenity of nearby residential areas.

Explanation: By their nature and scale, some glare from large building surfaces can be expected within the Seaport 2 Zone. Glare can become a major nuisance or even a hazard if not considered in the operation of a site, the design of buildings, or in the design of moving signage, and the Council needs the ability to take enforcement action. Although minor and transient inconvenience from glare is part of normal urban life, the effects of glare from within the Seaport 2 Zone should be managed. Large structures or buildings can normally be coated or treated to mitigate glare nuisance. Consideration should be given to glare effects in undertaking activities in the zone and in designing and locating structures. Where complaints are received in relation to glare from port activities the Council in the first instance will work with operators to assess and reduce its impact as far as practicable.

Policy 7 Electrical Interference: To avoid nuisance from electrical interference.

Explanation: The possibility of electrical interferences is an environmental effect that needs to be considered in the placement and maintenance of electrical equipment and machinery, including transmitting aerials. Electrical interference may have adverse effects on the efficient operation of the Seaport 1 and 2 Zones.

Policy 8 Lightspill: To manage the effects of lightspill from seaport and associated operations on nearby residential areas.

Explanation: Floodlighting and security lighting are an essential feature of port and cargo handling facilities and can be a necessary part of other light industries, but it is both possible and necessary to avoid nuisance to residential areas.

Policy 9 Signage: To provide for signage to enable the clear identification and promotion of places of business.

Explanation: It is important that transport operators and other users can find their way around the Seaport 2 Zone easily.

Policy 10 Hazardous Substances: To provide for the manufacture, storage and use of hazardous substances, whilst having regard to the safety needs of the general public.

Explanation: Provision for the storage and transshipment of hazardous substances is appropriate in the Seaport 2 Zone. Hazardous substances are also part of the normal operation of many light industrial activities. Use, manufacture and storage of hazardous substances may impose a risk constituting an adverse environmental effect. The Zone's location in respect of the coastal environment, the potential risks of natural hazards, and the interface with more sensitive urban environments are among relevant considerations when assessing hazardous substances matters.

Requiring activities that utilise significant quantities of hazardous substances to co-locate within the Seaport 2 Zone will contain the potential environmental, and health and safety, effects away from more sensitive urban environments.

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Policy 11 Dilapidated structures and ill-maintained lands: To require that buildings and land in the Seaport 2 Zone shall be sound, well-maintained and tidy in appearance.

Explanation: *Derelict industrial properties and poorly maintained industrial land could significantly detract from the amenities of the neighbouring town.*

Policy 12 Demolition or removal activities: To manage the adverse effects of demolition or removal activities on amenity values by ensuring the clean-up, screening and maintenance of sites, and the proper management of relocation activities.

Explanation: *Although normally temporary and localised, demolition activities can create a significant nuisance. There is an obligation to ensure that demolition materials are disposed of responsibly. There is also a need to ensure that the site is made safe, clean and tidy in a timely manner.*

Policy 13: Height and location of structures: To control the height of structures in order to avoid adverse effects on the adjoining business and residential areas.

Explanation: *The Seaport 2 Zone is located between the town of Bluff and the Bluff Harbour. Structures in this Zone are expected to be kept in scale with the adjoining residential and business areas. Management of the height of structures recognises the community values relating to physical and visual connections with the coast and the waterfront.*

Policy 14 Reverse sensitivity: To recognise the adverse effects that may be generated within and from the Seaport 2 Zone activities and:

- (a) identify the effects and the area that these can impact on;
- (b) provide information to owners and prospective owners on those effects;
- (c) encourage owners of affected land to mitigate those effects on the occupiers of those properties; and
- (d) when considering resource consents for subdivision use and development have regard to potential for reverse sensitivity effects that may impact on port related activities.

Explanation: *The operational requirements of a seaport have the potential to give rise to reverse sensitivity effects with respect to other land uses in the vicinity which may seek a coastal location for other reasons, such as views of the coast and the ambience of a port town.*

2.42A.4 Methods of Implementation

Method 1 Delineate the Seaport 2 Zone on the District Planning Maps.

Method 2 Include rules identifying activities that are appropriate within the Seaport 2 Zone.

Method 3 Identify the anticipated amenity values for the Seaport 2 Zone, include environmental standards to protect and enhance them, and implement through enforcement under the RMA, education, advocacy and collaborating with other Territorial Authorities.

Method 4 Include rules addressing District wide issues.

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Method 5 Require all applications for resource consent to include an analysis of the proposal on the defined amenity values of the Seaport 2 Zone, as well as the principles of good urban design.

Method 6 Initiate environmental advocacy for:

- (A) Promotion of the area for light industry associated with boat and yacht maintenance and servicing.
- (B) Promotion of opportunities to maintain and enhance public access to the waterfront.
- (C) Mitigation or avoidance of nuisance arising from glare and windflow effects.
- (D) Promotion of well maintained structures and land.
- (E) Connectivity – connections between places.

Method 7 Identify cross boundary issues e.g. odour.

Method 8 Consult with landowners and occupiers, iwi, Central Government organisations, internal Council departments and local community and business groups.

Method 9 Recognise sectorial responses, such as NZTA published guidelines, and hazardous substances standards and guidelines.

SECTION THREE - RULES

3.7 Hazardous Substances

3.7.1 The following activities are permitted activities:

- (E) The transit and two hour storage maximum of tracked hazardous substances, and the transit and 72 hour storage maximum of non-tracked hazardous substances within the Smelter, Seaport 1, Seaport 2¹¹, and Industrial 2, Industrial 3 and Industrial 4 Zones. Where this involves the transit and storage of anhydrous ammonia and chlorine gas, an emergency management plan must be supplied to the Council in advance.
- (F) The storage of hazardous substances (excluding fixed installations) within the Seaport 1 and Seaport 2¹² Zones with either a Hazardous Substance Location Certificate or Transit Depot Certificate issued pursuant to the Hazardous Substances (Classes 1 to 5) Regulations 2001 and for Classes 6, 8, 9 in compliance with the Hazardous Substances and New Organisms Act 1996.

¹¹ Consequence of Decision 22/11 and 22/13

¹² Consequence of Decision 22/11 and 22/13

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3.9 Infrastructure¹³

Electricity lines

3.9.810 It is a permitted activity to erect new electricity lines up to (and including) 110kV in all Zones of the District, subject to the following standards:

- (A) Other than where existing support structures are used, new lines are to be located underground in the Residential 1, 1A, 2 and 3, Business 1, 2, 3, 4 and 46, Industrial 1, ~~1A~~ and 2, Otatara and Hospital Zones.
- (B) Any lines crossing a navigable water body are located more than 10 metres above the level of the water body.

Electricity Substations

3.9.1315 ~~It is a permitted activity to erect electricity substations subject to the following standards:~~

- ~~(A) Except in the Rural 1 and 2, Seaport, Industrial 2, 3 and 4, and Smelter Zones, no ground-mounted structure shall exceed six square metres in area or two metres in height.¹⁴~~

It is a permitted activity to erect ground-mounted electricity substations in the Rural, Seaport 1 and 2, Industrial 2, 2A, 3 and 4, and Smelter Zones.¹⁵

Communications – Line reticulation

3.9.18 Lines used for the conveying of telecommunications, television, electronic data and other such communications are a permitted activity in all zones of the District, subject to the following standard:

- (A) Other than where existing support structures are used, such lines are located underground in the Residential 1, 1A, 2 and 3, Business 1, 2, 3, 4 and 46, Industrial 1, ~~1A~~ and 2, Otatara and Hospital Zones.¹⁶

Telecommunication and Radiocommunication Facilities

3.9.21 Telecommunication and radiocommunication facilities are permitted activities subject to the following standards:

- (D) No antenna attached to a building or mast shall extend above the building or mast more than:
 - (a) 5 metres in the Industrial 2, 2A, 3 and 4 Zones, Seaport 1 and 2 Zones, or Rural Zone or
 - (b) 3.5 metres in the Airport Protection Zone, Business Zones, Hospital Zone, Industrial 1 Zone, Otatara Zone and Residential Zones.

¹³ Refer to Decision 19 Infrastructure

¹⁴ Decision 19/68

¹⁵ Decision 19/68

¹⁶ Decision 19/69

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

3.11 Lightspill

- 3.11.2 The generation of lightspill, measured at the boundary of the site, shall not exceed the following:

	Sunset through midnight to sunrise
Industrial 1, 1A ¹⁷	5 lux
Seaport <u>1 and 2</u>	No limit

3.13 Noise

3.13.2 Noise Levels from Activities

- (A) All activities are to be designed and operated so that the following noise limits are not exceeded:

	Day time 0700 - 2200		Night time 2200 - 0700	
	L _{Aeq}	L _{Amax}	L _{Aeq}	L _{Amax}
When measured at or within the boundary of any other site within a zone:				
Industrial 1, 1A ¹⁸	65dB	85dB	40dB	70dB

3.13.8 Seaport 1 and 2 Zones

- (A) Long Term Noise Limit - The night-weighted sound exposure from activities undertaken in the Seaport 1 and 2 Zones shall not exceed:
- (a) An average sound level of 65dBA L_{dn} beyond the Inner Control Boundary calculated over five consecutive days.
 - (b) An average sound level of 68dBA L_{dn} beyond the Inner Control Boundary calculated over any continuous 24 hour period.
- (B) Short Term Noise Limits - Sound from activities undertaken shall not exceed the following noise limits at any point beyond the Inner Control Boundary:
- (a) 2200 to 0700 the following day 60 dBA L_{eq(9hr)} provided that:
 - (1) No single 15 minute sound measurement shall exceed 65dBA L_{eq}.
 - (2) No single sound measurement shall exceed 85dBA L_{max}.
 - (b) For the purpose of this rule:

¹⁷ Consequence of Decision 22/11 and 22/13

¹⁸ Consequence of Decision 22/11 and 22/13

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

- (1) Sound will be measured using a representative 15 minute Leq value when calculating the L_{dn} or nine hour L_{eq} values.
- (2) Sound will be measured and assessed in accordance with the provisions of NZS6809:1999 Acoustics – Port Noise: Management and Land Use Planning.

3.16 Signage

3.16.1 It is a permitted activity to erect signage that complies with the following maximum levels:

Industrial 1, 2, 3 and 4 Zones	<p>(a) Signage painted on, or attached parallel to, buildings: Maximum area: 1m² per metre of street frontage</p> <p>(b) Freestanding signage and signage attached at an angle to buildings:</p> <ol style="list-style-type: none"> (i) Maximum combined area: 14m² (ii) Maximum height: 12m
Seaport 1 and 2 ¹⁹ Zones	No limit to size of signage ²⁰

3.17 Soils Minerals and Earthworks

3.17.1 Rules 3.17.2 – 13.17.8 do not apply to:

- (A) Land and activities in the Smelter Zone, Seaport 1 and 2 Zones or Industrial 1, 2, 3 and 4 Zones.²¹

3.18 Subdivision

3.18.12 Esplanade strips will not be required in relation to the ~~Island Harbour of the~~²² Seaport 1 Zone and in relation to the Smelter Zone.

3.20 Transport

3.20.1²³ **Off-Street Car parking Requirements:** All land use activities specified in the table below, ~~except within the Seaport, Smelter and the City Centre Priority Development Precinct in the Business 1 Zone,~~ shall provide the following minimum off-street car parking facilities except:

- (A) Within the Seaport 1 and 2 Zones, Smelter Zone and the City Centre Priority Development Precinct in the Business 1 Zone

¹⁹ Consequence of Decision 22/11 and 22/13

²⁰ Decision 8/10

²¹ Decision 26/23 replaces 3.17 in its entirety unless otherwise stated

²² Consequence of Decisions 22/11 and 22/13

²³ Decision 13/41

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

3.29 Industrial 1 (Light) and ~~Industrial 1A (Marine)~~ Zones

3.29.1 Permitted Activities: The following are permitted activities in the Industrial 1 and ~~Industrial 1A~~ Zones:

...

3.29.2 Discretionary activities: The following are discretionary activities in the Industrial 1 Zone and ~~1A~~ Zones:

(A) Any activity not listed as permitted or non-complying.

3.29.3 Non-complying activities: The following are non-complying activities in the Industrial 1 Zone and ~~1A~~ Zones:

...

3.40 Seaport 1 Zone

3.40.1 Permitted Activities: The following are permitted activities in the Seaport 1 Zone:

(A) Seaport activities

(B) Essential services

(C) Light industry

(D) Heavy Industry

(E) Takeaway food premises not exceeding 150 square metres

(F) Land transport facility²⁴

3.40.2 Discretionary Activities: The following are discretionary activities in the Seaport 1 Zone:

(A) Any activity not listed as permitted or non-complying.

3.40.3 Non-complying Activities: The following are non-complying activities in the Seaport 1 Zone:

(A) Any noise sensitive activity.

3.40A Seaport 2 Zone²⁵

3.40A.1 Permitted Activities: The following are permitted activities in the Seaport 2 Zone:

(A) Seaport activities

(B) Fish Processing

²⁴ Decision 22/11

²⁵ Decision 22/11

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

(C) Essential services

(D) Light industry

(E) Takeaway food premises not exceeding 150 square metres

(F) Land transport facility

3.40A.2 Discretionary Activities: The following are discretionary activities in the Seaport 2 Zone:

(A) Any activity not listed as permitted or non-complying.

3.40A.3 Non-complying Activities: The following are non-complying activities in the Seaport 2 Zone:

(A) Any noise sensitive activity.

(B) Commercial Service Activity

(C) Office Activity

(D) Supermarkets

Height of Structures

3.40A.4 All new buildings and structures, and additions to existing buildings and structures, are to be designed and constructed to comply with the following maximum height and recession planes:

(A) Maximum height: 12 metres.

(B) Recession plane: Infogram 4 applies in relation to any boundary with any residential zone.

3.40A.5 Where an activity does not comply with Rule 3.40A.4 above, the activity is a restricted discretionary activity.

The matters over which the Council shall exercise its discretion are:

(A) Reasons for the building or structure height.

(B) The compatibility of the proposed building or structure with the scale of development and character of the local area.

(C) The degree of overshadowing of neighbouring properties.

(D) The degree of overlooking of neighbouring properties.

(E) The ability to mitigate any adverse effects of the increase in building or structure height.

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

SECTION FOUR DEFINITIONS

Fish Processing: means the processes associated with fish and fish products between the time fish are caught or harvested, and the time the final product is delivered to the customer and covers any aquatic organisms harvested for commercial purposes, whether caught in wild fisheries or harvested from aquaculture or fish farming.²⁶

Seaport Activities: Means those activities, buildings and structures associated with, and necessary for, the loading and unloading of goods and materials to and from ships and boats and their associated storage, handling, consolidation and distribution. This includes, but is not limited to, associated administration activities (including ancillary offices), staff facilities and infrastructure, freight depots, and also includes the repair, maintenance and servicing of ships and boats, border control activities, and facilities for the use of passengers including associated vehicle parking.²⁷

APPENDIX VII – HAZARDOUS SUBSTANCES

HSNO SUB-CLASS AND HAZARD CLASSIFICATION	GROUP 2: INDUSTRIAL 1, 4A ²⁸ , BUSINESS 1, 2, 3, 4, AND 5 AND 6 ZONES EXCLUDING RESIDENTIAL ACTIVITIES	GROUP 3 : INDUSTRIAL 2, 2A , 3, AND 4 AND SEAPORT 2 ²⁹ SMELTER ZONES, EXCLUDING <u>RESIDENTIAL ACTIVITIES</u>	GROUP 6: SEAPORT 1 ³⁰ ZONE, EXCLUDING RESIDENTIAL ACTIVITIES
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PLANNING MAPS

Amend District Planning Maps 27, 28, 29 and 30 to reflect the following rezoning:³¹

- Industrial 1A to Seaport 2
- Seaport to either Seaport 1 or Seaport 2

²⁶ Decision 22/11

²⁷ Decision 22/11

²⁸ Consequence of Decisions 22/11 and 22/13

²⁹ Consequence of Decisions 22/11 and 22/13

³⁰ Consequence of Decisions 22/11 and 22/13

³¹ Decision 22/11 and 22/13

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

SECTION 2 ISSUES, OBJECTIVES AND POLICIES

2.43 Smelter Zone

The Smelter Zone offers the opportunity for the aluminium smelter industry to operate, maintain and upgrade an aluminium smelter at Tiwai Point, along with associated industrial activities.

The aluminium smelter at Tiwai Point has been in operation since 1971. Employment, both directly at the smelter and in associated services, accounts for a significant proportion of Invercargill's economic critical mass. The presence of a large aquifer means that the smelter is self-sufficient in terms of water supply, and waste water is treated on-site. Environmental effects of the smelter operation are continuously monitored and independently reviewed.

The characteristics of aluminium smelting activities include high noise, light and glare levels, the opportunity to generate odour emissions, the storage and use of hazardous substances and frequent use and visitation by heavy vehicles and hazard transporters.

The Smelter is sited at Tiwai Point within the coastal environment. It has a functional need of this site because of ~~the need for its reliance on Tiwai Wharf as part of its operations a location adjacent to a port (for the import of alumina raw materials)~~ and its location within close proximity to port facilities at Bluff for export of product. Electricity supply and roading infrastructure have been constructed to meet the requirements of the smelting operation on this site.¹

At some stage the smelter may be considered by its owners to have completed its operational life, and the facility may be closed. In that event, maintenance and rehabilitation of the site could be a significant issue.

The Smelter Zone adjoins recognised areas of indigenous biodiversity. There are a number of archaeological sites of heritage value within the zone and more on the coastline adjoining the zone.

2.43.3 Policies

Policy 2 Noise: To provide for the opportunity to generate levels of noise in keeping with the operation of the Aluminium Smelter, whilst also recognising that residential areas in Bluff are entitled to protection from unreasonable or excessive noise as part of their residential amenity ~~in terms of freedom from noise~~.²

Explanation: *The Tiwai Point aluminium smelter is sited on a peninsula surrounded on three sides by open sea or harbour. The nearest area likely to be affected by any significant noise is the town of Bluff, approximately two kilometres away to the west across the harbour. Privately owned farmland and isolated residences are located well over three kilometres north-west of the smelter.*

¹ Decision 23/1

² Decision 23/5

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

Policy 3 **Odour:** To accept that³ odour emissions associated with aluminium smelting activities whilst also ensuring the absence of nuisance from objectionable odour.

Explanation: *The isolated nature of the Tiwai Point aluminium smelter site and its large size mean that odours associated with process can be effectively contained on-site.*

Policy 4 **Glare:** To accept that glare may be an effect from activities in the Smelter Zone while avoiding nuisance from glare beyond the site.⁴

Explanation: *The aluminium smelter is characterised by very large buildings and structures which have the potential to create glare. Significant glare from large structures can affect transportation networks and could affect those with distant views of the smelter.*

Policy 7 Wind, signage, site coverage, height of structures, ~~private open space and density~~, landscaping, planting and screening, ~~public open space~~, weather protection⁵, electrical interference.⁶ To acknowledge that these dimensions of amenity do not require regulatory controls in the Smelter Zone.

Explanation: *Because of the large and isolated nature of the site and the self-contained and extensive nature of the smelter operation, these dimensions of amenity are not relevant in the zone.*

Policy 10 ~~**Re-use and Rehabilitation and re-use of buildings:**~~ In the event that aluminium smelting activities are discontinued within the Zone, to promote adaptive re-use of buildings, and if that does not occur encourage the rehabilitation of the site, including the removal of buildings ~~To require that buildings in the Smelter Zone will be well maintained through their service life, and to promote their demolition and replacement, or adaptive re-use, if requirements change.~~⁷

Explanation: *The smelter is located in the coastal environment, preservation of the natural character of which is a matter of national importance. If requirements change, adaptive re-use or replacement of existing buildings makes best use of the land resource and infrastructure. Derelict industrial properties and poorly maintained industrial land could significantly detract from the amenities of the neighbouring town.*

2.43.4 Methods of Implementation

Method 3 Identify the anticipated amenity values in and around ~~for~~ the Smelter Zone, where appropriate include environmental standards to protect and enhance them, and implement through enforcement under the RMA, education, advocacy and collaborating with other Territorial Authorities.⁸

³ Decision 23/6

⁴ Decision 23/7

⁵ Decision 23/8

⁶ Decision 11/4

⁷ Decision 23/9

⁸ Decision 23/11

Note: Underline indicates additions, strikethrough indicates deletions.

APPENDIX 2 - AMENDED DISTRICT PLAN PROVISIONS

Method 8 Consult with stakeholders who may be affected by the operation of the Smelter, for example landowners and occupiers, iwi, Central Government organisations, internal Council departments and local community and business groups.⁹

SECTION 3 RULES

3.17 Soils, Minerals and Earthworks

Earthworks and Filling Activities

~~3.17.1~~ This rule does not apply in the Smelter Zone.

3.17.1 Rules 3.17.2 – 13.17.8 do not apply to:

- (A) Land and activities in the Smelter Zone, Seaport 1 and 2 Zones or Industrial 1, 2, 3 and 4 Zones.¹⁰

SECTION 4 DEFINITIONS

¹¹ **Aluminium Smelting:** Means the casting and smelting of aluminium, together with those industrial and other ancillary activities providing equipment, product or other inputs to these processes, and includes:

- (A) Associated infrastructure, administration, training activities, tourist activities, staff facilities, medical treatment facilities, caretaker's accommodation, wharves, stores, roading, parking and/or essential services.
- (B) Stockpiles, facilities and structures for the storage, loading and unloading.
- (C) The disposal and/or treatment of waste material and effluent associated with the above.
- (D) The storage and distribution of liquid or gaseous fuels associated with aluminium smelting.
- (E) Earthworks.
- (F) Activities associated with fire-fighting and emergency services.

⁹ Decision 23/12

¹⁰ Minor amendment made under Clause 16(2) of the RMA First Schedule. Refer also to Decisions 23/15 and 26/23.

¹¹ Decision 23/16

Note: Underline indicates additions, strikethrough indicates deletions.

Annexure C

List of Submitters

Submission #	Submitter	Address 1	Address 2	Address 3	Address 4	Address 5	Email
1	Robert Waterhouse	756 Queens Drive	INVERCARGILL				bob@bonischconsultants.co.nz
2	Bluff Community Board	c/- PO Box 9	BLUFF				
3	Department of Corrections	PO Box 1206	WELLINGTON 6104				RMALM@corrections.govt.nz
4	David Rodney Sutton	2 Raymond Street	BLUFF				dave@lumsdenelectrical.co.nz
5	Alliance Group Ltd	c/- Mitchell Partnerships Ltd	PO Box 489	DUNEDIN			john.kyle@mitchellpartnerships.co.nz
6	JW & LA van Uden	39 Flora Road West	RD 6	INVERCARGILL 9876			lesleyann.v@xtra.co.nz
7	Southland District Health Board	C/- Opus International Consultants	Private Bag 1913	DUNEDIN			shane.roberts@opus.co.nz
8	John Collins	27 Whalers Crescent	Omaui	RD 11	INVERCARGILL		tohomahi@yahoo.co.nz
9	Southland Racing Club	c/- James S. Mee	PO Box 934	INVERCARGILL 9840			Jim.mee@jimmee.co.nz
10	Aleisha Rae Henderson	423 Racecourse Road	Hargest	INVERCARGILL			
11	B J & V M Midgley	203 Mokomoko Road	Omaui	RD 11	INVERCARGILL		bmidge.2172125@xtra.co.nz
12	I C & C W Smith	440 Bainfield Road	2 RD	INVERCARGILL			i.smith@xtra.co.nz
13	Z Energy Ltd, BP Oil NZ Ltd & Mobil Oil NZ Ltd	c/-Burton Planning Consultants Ltd	PO Box 33-817	Takapuna 0740	AUCKLAND	Attention: Karen Blair	kblair@burtonconsultants.co.nz
14	New Zealand Racing Board	c/- Speer Speer & Associates Ltd	PO Box 67063	Mt Eden	AUCKLAND 1349	Attention: Suzanne M. Speer	Speersnz@woosh.co.nz
15	Ballance Agri-Nutrients Ltd	Private Bag 12 503	Tauranga Mail Centre	TAURANGA 3143		Attention: Mr Warwick Catto	Warwick.catto@ballance.co.nz
	Ballance Agri-Nutrients Ltd	C/- Ryder Consultancy	89 Grey Street, ,	PO Box 13009	Tauranga 3141	Attention: Mr S Miles	enquiries@ryderconsulting.co.nz ; k.edlin@ryderconsulting.co.nz ; b.malcon@ryderconsulting.co.nz ; s.miles@ryderconsulting.co.nz
16	Roger William Leader	181 Taiepa Road	RD 9	INVERCARGILL			
17	R M & A-M Miller	53 Drysdale Road	R D 2	INVERCARGILL 9872			Miller5@xtra.co.nz
18	Environment Southland	Private Bag 90116	INVERCARGILL 9840			Attention: Dallas Bradley/Gavin Gilder	service@es.govt.nz ; gavin.gilder@es.govt.nz
19	Tim and Nicole Bainbridge	Nicole Bainbridge	14 Caples Place	QUEENSTOWN			nj.bainbridge@hotmail.com
20	William and Julie Smellie	Southern Fresh Blue Cod and Seafoods Ltd	549 Omaui Road	R D 11	INVERCARGILL 9877		jbsmellie@woosh.co.nz
21	Susan and Alastair Stark	Grove Farm	R D 2	CROMWELL 9384			Grove.farm@xtra.co.nz
22	Rockgas Ltd	Contact Energy Ltd	P O Box 10742	WELLINGTON 6143		Attn: Catherine Daniel	Catherine.Daniel@contactenergy.co.nz
23	Airways Corporation of New Zealand Ltd	C/- Opus International Consultants	Private Bag 1913	DUNEDIN		Attn: Julie McMinn	julie.mcminn@opus.co.nz
24	South Port New Zealand Limited	Mitchell Partnerships Limited	P O Box 489	DUNEDIN		Attn: John Kyle	john.kyle@mitchellpartnerships.co.nz ; Kirsty.Osullivan@mitchellpartnerships.co.nz
25	David Falconer	545 Cranford Street	Papanui	CHRISTCHURCH 8052			David.falconer@hotmail.co.nz
26	New Zealand Defence Force	C/- Tonkin Taylor Ltd	P O Box 2083	WELLINGTON 6140		Attn: Pip Lee	plee@tonkin.co.nz
27*	Denis A Harvey	7 Aicken Road	R D 9	INVERCARGILL			harveyotatara@xtra.co.nz

28	Harvey Norman	C/- Haines Planning Consultants Limited	P O Box 90842	Victoria Street West,	AUCKLAND 1142	Attn: Laura Swan	Laura.Swan@hainesplanning.co.nz
29	Rex T Chapman	C/- Cruickshank Pryde Solicitors	P O Box 857	INVERCARGILL			rex.chapman@cplaw.co.nz
30	Rex T Chapman	C/- Cruickshank Pryde Solicitors	P O Box 857	INVERCARGILL			rex.chapman@cplaw.co.nz
31	Rex T Chapman	C/- Cruickshank Pryde Solicitors	P O Box 857	INVERCARGILL			rex.chapman@cplaw.co.nz
32	Rex T Chapman	C/- Cruickshank Pryde Solicitors	P O Box 857	INVERCARGILL			rex.chapman@cplaw.co.nz
33	Geoffrey and Nicola Mason	C/- Cruickshank Pryde Solicitors	P O Box 857	INVERCARGILL			rex.chapman@cplaw.co.nz
34	Silver Fern Farms Limited	P O Box 941	DUNEDIN 9054			Attn: Martina Armstrong	Martina.Armstrong@silverfernfarms.co.nz
35	Neville J Neems	197 Mokokoko Rd	Omaui	RD 11	INVERCARGILL		hull@woosh.co.nz
36	Timothy C McGaveston	C/- Terranota Ltd	P O Box 1703	INVERCARGILL			tim@terranota.co.nz
37	Karen Cox	134 Mokokoko Road	Omaui	RD 11	INVERCARGILL		coxkaren@live.co.uk
38	Nicole Edwards	34 Whalers Cres	Omaui	RD 11	INVERCARGILL		nicole_edwards@hotmail.com
39	Sean J A Edwards	34 Whalers Cres	Omaui	RD 11	INVERCARGILL		
40	Jacinta Hamilton	34 Whalers Cres	Omaui	RD 11	INVERCARGILL		
41	Angus A Johnston	360 Bainfield Road	Invercargill				gus@sre.co.nz
42	Stephen C Morris	134 Mokokoko Road	Omaui	RD 11	INVERCARGILL		stevemorris528@hotmail.com
43	John P Mulholland	197 Mokokoko Road	Omaui	RD 11	INVERCARGILL		johnmulholland@gmail.com
44	Nind Electrical	34 Arena Avenue	INVERCARGILL			Attn: Steve Winter	steve@nind.co.nz
45	New Zealand Automobile Association Inc	P O Box 61	INVERCARGILL 9840			Attn: Juliana Baxter	
46	Susan G Champion	158 Mokokoko Road	Omaui	RD 11	INVERCARGILL		
47	Graham S Dick	163 Mclvor Road	R D 6	INVERCARGILL 9876			grahamd@mdp.co.nz
48	Southland Branch of the Forest and Bird Society	P O Box 1155	INVERCARGILL			Attn: Craig Carson	
49	Fraser Family Trust	51 Mclvor Road	INVERCARGILL			Attn: Bill Fraser	billf@agribusiness.ac.nz
50	Dorothy A Gilbert	175 Mokokoko Road	Omaui	RD11	INVERCARGILL 9877		
51	Margaret J and Maurice P Casey	P O Box 1221	INVERCARGILL			Attn: Murray Halstead	halstead@xtra.co.nz
52	New Zealand Police	C/- Incite (ChCh) Ltd	P O Box 25289	CHRISTCHURCH		Attn: Fiona Small	fiona@incite.co.nz
53	New Zealand Transport Agency	P O Box 5245	Moray Place	DUNEDIN		Attn: Tony MacColl	Tony.maccoll@nzta.govt.nz
54	Otatara Landcare Group	173 Grant Road	Otatara	R D 9	INVERCARGILL 9879		
55	Irene Schroder	2 Whalers Crescent	Omaui	R D 11	INVERCARGILL 9877		Irene.schroder@xtra.co.nz
56	Jenny Campbell	P O Box 71	MOSSBURN 9747				jennycam@xtra.co.nz
57	Anthony J Chadderton	93 Don Street	INVERCARGILL				chadval@xtra.co.nz
58	Don Moir	172 Moana Street	INVERCARGILL 9810				don@moir.co.nz
59	Q Stephens	29 Kennington Road	Kennington	INVERCARGILL 9871			

60	Heritage South / Heritage Forum Steering Group	P O Box 1012	INVERCARGILL				southlandheritageforum@xtra.co.nz
61	Blackwood Protector	33 Bill Richardson Drive	INVERCARGILL				barry.finnerty@blackwoodsprotector.co.nz
62	A4 Somerset Development	C/- Opus International Consultants Ltd	P O Box 647	INVERCARGILL		Attn: Luke McSoriley	luke.mcsoriley@opus.co.nz
63	Foodstuffs (South Island) Properties Limited	C/- Anderson Lloyd	P O Box 13831	CHRISTCHURCH 8141		Attn: A S Roberts	Alex.roberts@andersonlloyd.co.nz
64	Department of Conservation	Private Bag 4715	Christchurch Mail Centre	CHRISTCHURCH 8140		Attn: Geoff Deavoll	gdeavoll@doc.govt.nz
65	Invercargill City Council	Environmental and Planning Services	Private Bag 90104	INVERCARGILL		Attn: Judith Christie	judy.christie@icc.govt.nz
66	House Movers Section of New Zealand Heavy Haulage Association (Inc), Kings House Removals Ltd and Tansit Homes Ltd (House Movers)	C/- Stuart Ryan	P O Box 1296	Shortland Street	AUCKLAND 1140		stuart@stuartryan.co.nz
67	Invercargill City Council	Drainage Manager	Private Bag 90104	INVERCARGILL		Attn: Malcolm Loan	malcolm.loan@icc.govt.nz
68	Invercargill City Council	Parks Division	Private Bag 90104	INVERCARGILL		Attn: Robin Pagan	robin.pagan@icc.govt.nz
69	Invercargill City Council	Roading Manager	Private Bag 90104	INVERCARGILL		Attn: Russell Pearson	russell.pearson@icc.govt.nz
70	Invercargill City Council	Water Services Manager	Private Bag 90104	INVERCARGILL		Attn: Alister Murray	alister.murray@icc.govt.nz
71	New Zealand Aluminium Smelters Ltd	C/- Chapman Tripp	P O Box 993	WELLINGTON 6140		Attn: Ben Williams	ben.williams@chapmantripp.com ; Hadleigh.pedler@chapmantripp.com
72	Southland Registered Master Builders	P O Box 6013	INVERCARGILL 9841			Attn: Kerry Archer	kerry@archerconstruction.co.nz
73	John A Beaufill	201 Mclvor Road	RD6	INVERCARGILL 9876			beaufills@xtra.co.nz
74	Bunnings Limited	C/- Barker and Associates Limited	P O Box 1986	Shortland Street,	AUCKLAND 1140	Attn: Matt Norwell and Kay Panthernight	Kaypk@barker.co.nz ; mattn@barker.co.nz
75	McDonald's Restaurants (New Zealand) Limited	C/- Barker and Associates Limited	P O Box 1986	Shortland Street,	AUCKLAND 1140	Attn: Hannah Whittle and Matt Norwell	Hannahw@barker.co.nz ; mattn@barker.co.nz
76	Placer Investments Limited	P O Box 1386	DUNEDIN 9054			Attn: Warwick Fortune	wbfortune@xtra.co.nz
77	Te Runaka o Waihopai and Te Runaka o Awarua	C/- Te Ao Marama	P O Box 7078	INVERCARGILL		Attn: Dean Whaanga	dean@tami.maori.nz
78	Ministry of Education	c/- Opus International Consultants Ltd	Private Bag 1913	DUNEDIN 9054		Attn: Julie McMinn	julie.mcminn@opus.co.nz
79	KiwiRail Holdings Limited	P O Box 593	WELLINGTON 6140			Attn: Rebecca Beals	Rebecca.beals@kiwirail.co.nz
80	Twisted World Limited t/a Roadside Attractions	P O Box 5426	Mt Maunganui 3150			Attn: Kate Barry-Piceno	kate@kbplawyer.co.nz
81	Progressive Enterprises Limited	C/- Zomac Planning Solutions Ltd	P O Box 103	Whangaparoa	AUCKLAND 0943		mike@zomac.co.nz
82	Neil Thomas	C/- The Lollie Shop	23 Cambridge Place	INVERCARGILL 9810			thelollieshop@clear.net.nz
83	Philip Orr (ArchDraught Ltd)	161 Earn Street	INVERCARGILL				archdraught@orcon.net.nz
84	Leven Investments Limited, Victoria Estate Trust, Russell Cunningham Properties Limited, Showgrounds Mall Limited	C/- Cavell Leitch	P O Box 1513	QUEENSTOWN 9348		Attn: Steven Brent	Stephen.brent@cavell.co.nz

	Leven Investments Limited, Victoria Estate Trust, Russell Cunningham Properties Limited, Showgrounds Mall Limited	C/- Opus International Consultants Ltd	P O Box 647	INVERCARGILL		Attn: Luke McSoriley	luke.mcsoriley@opus.co.nz
	Leven Investments Limited, Victoria Estate Trust, Russell Cunningham Properties Limited, Showgrounds Mall Limited	c/- Russell Cunningham Properties Ltd	P O Box 6104	INVERCARGILL		Attn: Vicki Corkill	<a href="mailto:Vicki.Corkill<Vicki@rcproperties.co.nz>">Vicki Corkill <Vicki@rcproperties.co.nz>
85	R J Cunningham Family Trust	C/- Cavell Leitch	P O Box 1513	QUEENSTOWN 9348		Attn: Steven Brent	Stephen.brent@cavell.co.nz
86	Leven Developments Limited	C/- Cavell Leitch	P O Box 1513	QUEENSTOWN 9348		Attn: Steven Brent	Stephen.brent@cavell.co.nz
87	Transpower New Zealand Limited	P O Box 1021	Wellington 6140			Attn: Jo Mooar	Environment.Policy@transpower.co.nz
88	Federated Farmers of New Zealand	P O Box 5242	DUNEDIN 9058			Attn: David Cooper	DCooper@fedfarm.org.nz ; Trobb@fedfarm.org.nz
89	Douglas J N Bath	C/- 171 Dee Street	INVERCARGILL				doug@sre.co.nz
90	H W Richardson Group Limited	C/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Megan Justice	megan.justice@mitchellpartnerships.co.nz
91	PowerNet Limited	C/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Megan Justice	megan.justice@mitchellpartnerships.co.nz
92	Bonish Consultants	P O Box 1262	INVERCARGILL 9840				admin@bonischconsultants.co.nz
93	K G Richardson and Sons Ltd	c/- Bonish Consultants	P O Box 1262	INVERCARGILL 9840			admin@bonischconsultants.co.nz
94	Niagara Properties Limited	c/- Bonish Consultants	P O Box 1262	INVERCARGILL 9840			admin@bonischconsultants.co.nz
95	Christine G A Shepherd	91 Thornhill Street	INVERCARGILL 9812				
96	Beverley E Sherman	75 Ackers Road	R D 9	INVERCARGILL			errol.beverley@gmail.com
97	Errol Sherman	75 Ackers Road	R D 9	INVERCARGILL			errol.beverley@gmail.com
98	Southlight Developments Limited	P O Box 5031	Waikiwi	INVERCARGILL 9843		Attn: Sonya Crook	sonyacrook@xtra.co.nz
99	Vets for Pets	226 Elles Road	INVERCARGILL 9812			Attn: Sandra Cooper	sandy@ellesroadvets.co.nz
100	Vibrant Invercargill	36 Don Street	INVERCARGILL			Attn: Joan Scarlett	vibrant@ihug.co.nz
101	New Zealand Fire Service Commission	C/- Beca Limited	P O Box 3942	WELLINGTON 6140		Attn: Alexandra Strawbridge	Alexandra.strawbridge@beca.com
102	Chorus New Zealand Limited	P O Box 632	WELLINGTON			Attn: Mary Barton	mary.barton@chorus.co.nz
103	Invercargill City Airport Limited	C/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: John Kyle	John.kyle@mitchellpartnerships.co.nz ; Kirsty.osullivan@mitchellpartnerships.co.nz
104	Telecom New Zealand Limited	P O Box 632	WELLINGTON			Attn: Mary Barton	mary.barton@chorus.co.nz
105	Invercargill City Council	Environmental Health Service Manager	Private Bag 90104	INVERCARGILL		Attn: John Youngson	John.youngson@icc.govt.nz
106	Trevor Thayer	P O Box 370	INVERCARGILL 9840				trevor@ttval.co.nz
107	Bob Simpson	C/- A 4 Simpson Architects Limited	120 Leet Street	INVERCARGILL 9810			
108	Brendan Akeroyd	Stonewood Homes	66 Arena Avenue	INVERCARGILL			brendan@stonewood.co.nz
109	Diane Brough	347 Mason Road	R D 1	INVERCARGILL			
110	Dave Edminston	C/- Invercargill Glass and Mirror Limited	P O Box 7067	INVERCARGILL			

111	Neville Hayes	P O Box 1208	INVERCARGILL				neville.hayes@ehayes.co.nz
112	Marine South	119 Bill Richardson Drive	INVERCARGILL			Attn: Paul Ruddenklau	paul@marinesouth.co.nz
113	Allan McPhee and John Lyons	C/-Auto Electrical	P O Box 6167	INVERCARGILL			ajautoelectrical@vodafone.co.nz
114	Chris O'Sullivan	262 Oreti Road	R D 9	INVERCARGILL 9879			patosplumbing@xtra.co.nz
115	New Zealand Historic Places Trust (Heritage New Zealand)	P O Box 5467	DUNEDIN 9058			Attn: Jane O'Dea	jodea@historic.org.nz
116	Kylie Fowler	322 Gore Street	BLUFF 9814				c.teau@woosh.co.nz
117	Southern District Health Board	C/- Public Health South	P O Box 1601	INVERCARGILL 9840		Attn: Dr Leanne Liggett	leanne.liggett@southerndhb.govt.nz
118	Bruce Maher	115 Marama Avenue South	R D 9	INVERCARGILL			bandbamaher@xtra.co.nz
119	Philip R Brough	C/- Ray White Progressive Realty Group Ltd	231 Dee Street	INVERCARGILL 9810			philip.brough@raywhite.com
120	Open Country Dairy Ltd	PO Box 16	WAHAROA 3441			Attn: Andrew Wellington	Andrew.wellington@opencountry.co.nz
FS01	NZ Racing Board	c/- Speer Speer & Associates Ltd	PO Box 67063	Mt Eden	AUCKLAND 1349	Attention: Suzanne M. Speer	Speersnz@woosh.co.nz
FS02	NZ Aluminium Smelter	C/- Chapman Tripp	P O Box 993	WELLINGTON 6140		Attn: Katherine Viskovic	katherine.viskovic@chapmantripp.com
FS03	Quenton Stephens	29 Kennington Road	Kennington	INVERCARGILL 9871			Quenton.stephens@opus.co.nz
FS04	Federated Farmers	PPO Box 176	INVERCARGILL 9840			Attn: Tanith Robb	trobb@fedfarm.org.nz
FS05	Invercargill Airport Ltd	CC/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Kirsty O'Sullivan	kirsty.osullivan@mitchellpartnerships.co.nz
FS06	Alliance Group Ltd	CC/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Kirsty O'Sullivan	kirsty.osullivan@mitchellpartnerships.co.nz
FS07	South Port NZ Ltd	CC/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Kirsty O'Sullivan	kirsty.osullivan@mitchellpartnerships.co.nz
FS08	Department of Conservation	PPrivate Bag 4715	CHRISTCHURCH 8140			Attn: Geoff Deavoll	gdeavoll@doc.govt.nz
FS09	Ballance Agri-Nutrients Ltd	Private Bag 12 503	Tauranga Mail Centre	TAURANGA 3143		Attention: Mr Nigel Sadlier	nsadlier@ballance.co.nz
FS10	Open Country Dairy Ltd	PO Box 16	WAHAROA 3441			Attn: Andrew Wellington	Andrew.wellington@opencountry.co.nz
FS11	H W Richardson Group Ltd	C/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Joanne Dowd	Joanne.dowd@mitchellpartnerships.co.nz
FS12	PowerNet Ltd	C/- Mitchell Partnerships	P O Box 489	DUNEDIN 9054		Attn: Joanne Dowd	Joanne.dowd@mitchellpartnerships.co.nz
FS13	NZHPT	P O Box 5467	DUNEDIN 9058			Attn: Jane O'Dea	jodea@historic.org.nz
FS14	Shanan de Garnham	31 Kennington Road	Kennington	INVERCARGILL 9871			sparkssurf@yahoo.co.nz
FS15	Shanan de Garnham	31 Kennington Road	Kennington	INVERCARGILL 9871			sparkssurf@yahoo.co.nz
FS16	Dean Evans	21 Kennington Road	Kennington	INVERCARGILL 9871			d.levans@xtra.co.nz
FS17	Leona Evans	21 Kennignton Road	Kennington	INVERCARGILL 9871			d.levans@xtra.co.nz
FS18	Michael & Michelle Grantham	27 Kennington Road	Kennington	INVERCARGILL 9871			Michellemike27@xtra.co.nz
FS19	Michael & Michelle Grantham	27 Kennington Road	Kennington	INVERCARGILL 9871			Michellemike27@xtra.co.nz

FS20	Bruce Maher	115 Marama Avenue South	R.D 9	INVERCARGILL			bandbamaher@xtra.co.nz
FS21	Donald Marshall	99 Millton Park Road	INVERCARGILL				donmarshall@xtra.co.nz
FS22	Donald Marshall	99 Millton Park Road	INVERCARGILL				donmarshall@xtra.co.nz
FS23	Southlight Developments Ltd	P O Box 5031	Waikiwi	INVERCARGILL 9843			sonyacrook@xtra.co.nz
FS24	Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd	c/-Burton Planning Consultants Ltd	PO Box 33-817		Takapuna 0740	Attention: Karen Blair	kblair@burtonconsultants.co.nz
FS25	Transpower NZ Ltd	C/- Boffa Miskell Limited	P O Box 110	CHRISTCHURCH 8140		Attention: Claire Kelly	Claire.kelly@boffamiskell.co.nz
FS26	A4 Somerset Development	C/- Opus International Consultants Ltd	P O Box 647	INVERCARGILL		Attn: Luke McSoriley	luke.mcsoriley@opus.co.nz
FS27	Progressive Enterprises Ltd	C/- Zomac Planning	P O Box 103	Whangaparoa	AUCKLAND 0943		mike@zomac.co.nz
FS28	NZ Transport Agency	P O Box 5245	Moray Place	DUNEDIN		Attn: Tony MacColl	Tony.maccoll@nzta.govt.nz
FS29	Robert Todd	75 Grey Street	INVERCARGILL 9810				robert@ttval.co.nz
FS30	Southern District Health Board	C/- Public Health South	P O Box 1601	INVERCARGILL 9840		Attn: Dr Leanne Liggett	leanne.liggett@southerndhb.govt.nz
FS31	Phil Orr (Archdraught)	161 Earn Street	INVERCARGILL				archdraught@orcon.net.nz
FS32	Placer Investments Limited	P O Box 1386	DUNEDIN 9064			Attn: Warwick Fortune	wbfortune@xtra.co.nz
FS33	Bob Simpson	C/- A 4 Simpson Architects Limited	120 Leet Street	INVERCARGILL 9810			A4bob@live.com
FS34	Invercargill City Council	Environmental Health Service Manager	Private Bag 90104	INVERCARGILL		Attn: John Youngson	John.youngson@icc.govt.nz
FS35	Vibrant Invercargill	36 Don Street	INVERCARGILL			Attn: Joan Scarlett	vibrant@ihug.co.nz
FS36	Jeanette Bullock	17 Kennington Road	RD 1	INVERCARGILL 9871			fontra@kinect.co.nz
FS37	Peter Cooper	24 Traford Street	GORE				peter@jonescooperbuilders.co.nz
FS38	Murray Cruickshank	PO Box 9045	HAMILTON				Murray.cruickshank@rd1.com
FS39	Environment Southland	Private Bag 90116	INVERCARGILL 9840			Attn: Dallas Bradley	ervice@es.govt.nz
FS40	Bill Fraser	PO Box 1674	INVERCARGILL				billf@agribusiness.ac.nz
FS41	William Fraser	25 Kennington Road	Kennington	RD1	INVERCARGILL		fraserdom@vodafone.co.nz
FS42	Neville Hayes	PO Box 1208	INVERCARGILL				Neville.hayes@ehayes.co.nz
FS43	Dave Edminston	C/- Invercargill Glass and Mirror Limited	P O Box 7067	INVERCARGILL			
FS44	K G Richardson and Sons Ltd	c/- Bonish Consultants	P O Box 1262	INVERCARGILL 9840		Attn: Christine McMillan	christine@bonishconsultants.co.nz
FS45	Leven Development Ltd	C/- Cavell Leitch	P O Box 1513	QUEENSTOWN 9348		Attn: Steven Brent	Stephen.brent@cavell.co.nz
FS46	Leven Investments Limited, Victoria Estate Trust, Russell Cunningham Properties Limited, Showgrounds Mall Limited	C/- Cavell Leitch	P O Box 1513	QUEENSTOWN 9348		Attn: Steven Brent	Stephen.brent@cavell.co.nz
FS47	Marine South	119 Bill Richardson Drive	INVERCARGILL			Attn: Paul Ruddenklau	paul@marinesouth.co.nz

FS48	Allan McPhee	4 Victoria Avenue	INVERCARGILL				admin@ajautoelectrical.net.nz
FS49	Niagara Properties Limited	c/- Bonish Consultants	P O Box 1262	INVERCARGILL 9840		Attn: Christine McMillan	christine@bonishconsultants.co.nz
FS50	Chris O'Sullivan	262 Oreti Road	R D 9	INVERCARGILL 9879			patosplumbing@xtra.co.nz
FS51	Stephen Winter	34 Arena Avenue	INVERCARGILL				steve@nind.co.nz

Variations

Submitter	Address 1	Address 2	Address 3	Address 4	Address 5	Dear:
Amy M Iverson	12 Fox Street	INVERCARGILL 9810				Ms Iverson
Environment Southland	Private Bag 90116	INVERCARGILL 9810			ATTENTION: Gavin Gilder	Gavin
Z Energy, BP Oil NZ Ltd, Mobil C	Burton Planning Con	PO Box 33 817	Takapuna	AUCKLAND 0740	ATTENTION: Karen Blair	Ms Blair
Paul E Ellis	14 Drury Lane	INVERCARGILL 9810				Mr Ellis
Jayson A Payne	143 Ettrick Street	INVERCARGILL 9812				Mr Payne
Clair E Hikawai	116 Nith Street	INVERCARGILL 9812				Ms Hikawai
Niagara Sawmilling Company Ltd	PO Box 524	INVERCARGILL 9840			ATTENTION: Christine McMi	Christine
Mark T MacKenzie	110 Nith Street	INVERCARGILL 9812				Mr McKenzie
H W Richardson Group Ltd	C/- Mitchell Partnerships Limited	PO Box 489	DUNEDIN 9084		ATTENTION: Megan Justice	Megan
Hector J McKinnel	114 Nith Street	INVERCARGILL 9812				Mr McKinnel
New Zealand Defence Force	C/- Tonkin Taylor Ltd	PO Box 2083	WELLINGTON 2083		ATTENTION: Sara McMillan	Ms McMillan
L O'Callaghan	137 Tanner Street	INVERCARGILL 9810				Ms O'Callaghan
Barry R Munro	73 Weka Street	INVERCARGILL 9810				Mr Munro
Todd Meikle	81 Colyers Island Road	Green Hills	INVERCARGILL 9877			Mr Meikle
Regina and Barry Stephenson	30 Rimu Road	Kennington	RD 1	INVERCARGILL 9871		Mr and Mrs Stephenson
Kylie Fowler	322 Gore Street	BLUFF 9814				Kylie
Quenton Stephens	29 Kennington Road	Kennington	RD 1	INVERCARGILL 9871		Quenton
G C and H V McLellan	242 Tiwai Road	INVERCARGILL 9877				Mr and Mrs McLellan
Southern District Health Board	C/- Public Health South	PO Box 1601	INVERCARGILL 9840		ATTENTION: Dr Leanne Liggett	Dr Liggett
Department of Corrections	PO Box 1206	WELLINGTON 6140			ATTENTION: Stephanie Stea	Stephanie
R J Cunningham Family Trust	C/- Opus International	Opus House	65 Arena Avenue	INVERCARGILL 98	ATTENTION: Luke McSoriley	Luke
Philip Orr	C/- Arch Draught Ltd	85 Glengarry Crescent	INVERCARGILL 9810			Phil
Ballance Agri-Nutrients Ltd	C/- Ryder Consulting Ltd	PO Box 13009	TAURANGA 3141		ATTENTION: Mr Gavin Kemble	Mr Kemble
Silver Fern Farms Management	PO Box 941	DUNEDIN 9054			ATTENTION: Alison Johnstone	Ms Johnstone
Blue River Dairy LP	C/- Opus International	Opus House	65 Arena Avenue	INVERCARGILL 98	ATTENTION: Luke McSoriley	Luke
Leven Investments Ltd, Victoria Estate Trust, Russell Cunningham Properties Ltd and Showgrounds Mall Ltd	C/- Opus International	Opus House	65 Arena Avenue	INVERCARGILL 98	ATTENTION: Luke McSoriley	Luke
J W Dassen	9 Mill Road South	RD 1	INVERCARGILL 9871			Mr Dassen
Wade Devine	Retreat Road	RD 2	INVERCARGILL 9872			Mr Devine

Pioneer Generation Limited	C/- Opus International Consultants Limited	Private Bag 1913	DUNEDIN 9054		ATTENTION: Shane Roberts	Shane
Southern Generation Limited Pa	C/- Opus International Consultants Limited	Private Bag 1913	DUNEDIN 9054		ATTENTION: Shane Roberts	Shane
Transpower New Zealand Limited	C/- Boffa Miskell Limited	PO Box 110	CHRISTCHURCH 8140		ATTENTION: Claire Kelly	Claire
Herman Thys	266 Colyer Road	INVERCARGILL 9877				Mr Thys
Greg Simmons	80 Terrace Street	INVERCARGILL				Mr Simmons
Trevor Cornes	P O Box 144	INVERCARGILL 9840				Mr Cornes
Robin Guster McNeill and Susan Elizabeth McNeill	85 Sunrise Drive, Seaward Bush	INVERCARGILL 9812				Robin and Susan McNeill
Ascot Projects Ltd	P O Box 1221	INVERCARGILL 9840				Murray
April Dawn Muijs	9 Cameron Road	R D 11	INVERCARGILL			April
Environment Southland	Private Bag 90116	INVERCARGILL 9840			ATTENTION: Gavin Gilder or	Gavin or Sonya
W and J Devine	Retreat Road	R D 2	INVERCARGILL 9872			Mr and Mrs Devine
Ascot Projects Ltd	C/- William J Watt Consulting Ltd	P O Box 6203	INVERCARGILL NORTH 9841			Bill
Mr P Heenan	319 Bainfield Road	R D 2	INVERCARGILL 9872			Mr Heenan
Mr Tom Dixon,	180 Mclvor Road	R D 2	INVERCARGILL 9872			Mr Dixon
Mr J Scott	188 Moana Street	INVERCARGILL 9810				Mr Scott
Mr D and Mrs R Munro	117 Retreat Road	R D 2	INVERCARGILL 9872			Mr and Mrs Munro
Oakland Family Trust	166 Mclvor Road	R D 2	INVERCARGILL 9872			
Peter Donald Carnie	51 Retreat Road	R D 2	INVERCARGILL 9872			Mr Carnie
P A and J M Murray House Trust	P O Box 619	INVERCARGILL 9840			ATTENTION: Anthony Murray	Mr Murray
Bonisch Consultants Ltd	P O Box 1262	INVERCARGILL 9840			ATTENTION: Christine McMi	Christine