

PROPOSED ASHBURTON DISTRICT PLAN

Section 7: Aquatic Park Zone

Report No 5

Prepared by

Boffa Miskell Limited

For

Ashburton District Council

February 2011

Contents

1.0 INTRODUCTION 3

2.0 HOW TO READ THIS REPORT 3

3.0 BACKGROUND 3

4.0 ANALYSIS OF SUBMISSIONS..... 4

5.0 ERRORS / CORRECTIONS 8

6.0 STATUTORY CONSIDERATIONS 8

7.0 RECOMMENDATIONS 8

APPENDIX ONE: SUMMARY OF RECOMMENDATIONS ON SUBMISSIONS 9

APPENDIX TWO: DISTRICT PLAN AMENDMENTS..... 16

1.0 INTRODUCTION

- 1.1 This report has been commissioned by the Ashburton District Council (ADC) in accordance with Section 42A of the Resource Management Act 1991 (RMA) to consider all submissions received on section 16 of the proposed District Plan, following the public notification of the proposed Ashburton District Plan including Planning Maps, and to make recommendations on those submissions.
- 1.2 The evaluations and recommendations presented in the report are based on the information available prior to the hearing, including that contained in the submissions and further submissions. The purpose of this report is to bring to the attention of the Hearings Panel the relevant information and issues regarding these sections of the proposed District Plan. It must be emphasised that the conclusions and recommendations made in this report are my own and are not binding upon the Hearings Panel. It should not therefore be assumed that the Hearings Panel will reach the same conclusion following consideration of all the evidence to be presented at the hearing. The recommendations in this report are made on the basis of the information available at the time of writing. It should be noted that subsequent reports prepared on other topics may include recommendations that differ due to additional information becoming available during the course of hearings.
- 1.3 This report has been prepared by Stephanie Styles. Please refer to the Section 42A Preface Report for more information on the report author, along with background to the development of the proposed District Plan.

2.0 HOW TO READ THIS REPORT

- 2.1 This report is structured as follows:
 - Background to the plan section
 - Description of the submissions on provisions in this section
 - Summary of main issues raised
 - Discussion of issues
 - Recommendations and reasons
- 2.2 Appendices attached to this report include:
 - Appendix One:** Summary of Recommendations on Submissions and Further Submissions
 - Appendix Two:** District Plan Amendments

3.0 BACKGROUND

- 3.1 This report relates to Section 7: Aquatic Park Zone, of the proposed District Plan. This zone was introduced into the operative District Plan as part of a plan change process which was made operative in the District Plan on 8 October 2001. The Aquatic Park Zone

(APZ) established specific provision for the development and ongoing use of an artificial lake and recreational park development, later named Lake Hood surrounded by residential development, comprising 150 residences and commercial activity. In October 2009 a further plan change was made operative to extend the area zoned by a further 468 hectares. The rezoning provided for the extension of Lake Hood, an additional 350 residences, a Riversdale Homestead heritage area, recreational areas, and included provision for the extraction, processing, storage, and transportation of gravel, subject to an Outline Development Plan.

4.0 ANALYSIS OF SUBMISSIONS

- 4.1 A range of submissions and further submissions were received on this section of the proposed District Plan. Consideration of these submissions has been undertaken by topic or issue with submitters grouped as appropriate. The following analysis focuses on those parts of the submissions that seek specific outcomes and does not discuss any parts of submissions that comment on aspects of the Plan in passing or provide general discussion. My analysis of submissions below is generally in relation to broad issues or topics raised, with some specific relief sought being mentioned where necessary. Based on this analysis, included in Appendix One to this report are my specific recommendations on each submission point (accept, accept in part, or reject).
- 4.2 Some aspects of this section did not attract submissions and therefore these aspects of the District Plan have not been discussed below, and I recommend that they be accepted as notified.

Section 7: Aquatic Park Zone – General Support

- 4.3 A number of the submissions¹ received provide general support for parts of this section. I acknowledge this support.

Section 7: Aquatic Park Zone – General Matters

- 4.4 A submission from Bridget Kok² is focussed on the subdivision rules, but also asks whether the “*Lake Hood small holding development will also only have 12 mths to build on the sections*”. The 12 month restriction that Ms Kok is referring to relates to rule 3.10.1 of the Rural zones chapter and thus is not applicable to any land within the Aquatic Park Zone.
- 4.5 The submission from Ashburton District³ Council seeks to ensure that all references to external documents within the proposed District Plan are explicit. Within this section, there are a number of external documents referenced:
- In the Methods of Implementation – Outside the District Plan, reference is made to an Aquatic Park Management Plan which is intended to provide for the ongoing

¹ Submission 61 from Transpower New Zealand, submission 327 from Lake Hood Extension Project – Joint Venture, and submission 240 from Silver Fern Farms.

² Submission 63, point 3.

³ Submission 639, point 75.

management of the lake and its environs. This document is simply a non-statutory management plan and thus is appropriately referenced for this section.

- In Rule 7.9.7 b) and in Assessment Matter 7.11.5 e) reference is made to the Electricity (Hazards from Trees) Regulations 2003. This is a regulatory document readily available from the Governments legislation website (as well as many other sources) and thus is easily available for any persons to reference. It is accurately referenced.
- In Assessment Matter 7.11.5 d) reference is made to the New Zealand Electrical Code of Practice of Electrical Safety Distances (NZECP: 34 2001). This too is readily available and is accurately referenced.

4.6 Overall, I do not consider it necessary for any changes to be made in relation to referencing in this section.

4.7 The Ashburton District Council submission⁴ identified the need to review the way the activity status and rules sections work to ensure that they are clear and avoid confusion⁵. This particularly relates to the connection of permitted and restricted discretionary activities to standards. I have reviewed the layout of rules within this section and do not consider that there is any need for restructuring or amendment.

4.8 The submission from Neil Salter⁶ raises concerns over the references to some areas including the various parts of the Aquatic Park zone (e.g. the Higher Density Area of the Aquatic Park Zone). The naming of the areas of the Aquatic Park zone stems from the original naming of the areas in the operative District Plan and reinforced through the recent plan change process. It is also reflective of the naming of the areas on the Outline Development Plan which guides all development within the Zone.

4.9 I have some sympathy for the issue raised by Mr Salter and agree that at times the naming for areas is lengthy and could be shortened or reframed into a different system as he has suggested. However, I also note that this would involve considerable work to be undertaken to identify all necessary changes throughout all chapters, make changes to the Outline Development Plans, amend the zone maps, etc, and would be a large exercise for staff to undertake in relation to an issue that is not likely to arise often. The Hearings Panel may decide that this is necessary and appropriate.

Section 7: Aquatic Park Zone – General Opposition / Zoning

4.10 The submission from Roger Bray contends that the “area which has been identified for further development of the Aquatic zone” should now be retained as Rural B land as this is considered by the submitter to be consistent with the decisions made by Council to change the areas of Rural A and B zoning.

4.11 I do not agree with this suggestion for a number of reasons. Firstly it is important to note that the land the submitter is referring to has been recently rezoned as part of the

⁴ Submission 639, point 74.

⁵ This submission point was both supported and opposed by further submitters.

⁶ Submission 522, point 25.

plan change approved in 2009 and it would be unreasonable to take away such recent and specifically considered expectations, particularly prior to such expectations being able to be realised in a realistic timeframe. This is quite different to the lack of realisation of development potential across the plains generally in the rural zones. Also this land is identified for rural residential development to support the extended lake proposal and is, I understand, necessary to support the social and economic viability of such a proposal. The land development provisions are part of a comprehensive development proposal which is covered by an outline development plan to specifically manage development to ensure that it is appropriate to the overall concept. The area of land associated with the Lake extension is a very small area of productive land compared to the Rural A/B areas in the District generally and is consolidated around the established Lake Hood development and is not sprawling or sporadic development. I do not consider it to be appropriate to change the zoning of this land. I also note that zoning issues generally are to be considered in later reports to the Hearings Panel.

Section 7: Aquatic Park Zone – Clause 7.2: Issues, Clause 7.4: Objectives and Policies, Clause 7.5: Anticipated Environmental Results

- 4.12 The submission from Transpower seeks a number of changes to the Issues section, Policy 7.1I and the Anticipated Environmental Results section⁷.
- 4.13 In relation to the Issues section, Transpower has requested the addition of some wording to 7.2.5 to acknowledge that existing significant infrastructure should be protected from activities and development as well as the activities and development being protected from adverse effects of the infrastructure. This is an appropriate acknowledgement of the situation and ensures that a balance of considerations is made. I agree with the suggested additional wording and recommend that this be included.
- 4.14 Similarly, for Policy 7.1I and the Anticipated Environmental Results section, Transpower has requested similar additions to those suggested for the Issues section, for the same reasons. Again I agree with the suggested additional wording and recommend that these be included.

Section 7: Aquatic Park Zone – Clause 7: Rules

- 4.15 The submissions from Transpower and the Lake Hood Extension Project⁸ both seek changes to the rules section.
- 4.16 The Transpower submission seeks to ensure that the rules relevantly reflect the presence of high-voltage transmission lines. They request changes to section 7.8.7 in relation to Notification / Consultation / Notes, suggesting that this be amended to include consultation with Transpower for consent applications that trigger the rules in relation to setbacks from the high-voltage transmission lines. I agree with this suggestion as it is obvious that Transpower would be at least a significantly interested party (or potentially and adversely affected party) to any application for consent seeking to carry out activities that are not permitted within the specified setbacks from the high-voltage

⁷ Submission 61, points 14-16.

⁸ Submission 61 from Transpower New Zealand Ltd, points 20, 22 and 24, and Submission 327 from Lake Hood Extension Project – Joint Venture, points 5-8 and 15.

transmission lines. I consider that the wording they have suggested is appropriate and I recommend that this be added.

- 4.17 In relation to site standard 7.9.7, Transpower have requested that the second part of the rule (clause b)) be removed from the rule and added as an advice note at the end of the rule. I understand this request to relate to both consistency and the fact that the clause is able to be enforced by way of the Regulations without having to rely on the District Plan. I agree with this request and recommend that the amendment be made.
- 4.18 This submission also goes on to suggest that this rule should be further amended to specify what the Council will restrict the exercise of its discretion in relation to these matters to. I note that the Assessment Matters section of the chapter includes clause 7.11.5 which sets out a range of matters by which the Council will assess applications under this rule. These matters cover those suggested by the submitter and some additional matters in relation to the views of the lines operator. I do not consider it to be appropriate or necessary to add this to the rule when it is already provided within the assessment matters section. The submitter has not commented on the assessment matters so it is unclear whether they are supportive of them or have not identified them. I also note that the structure of the Plan is such that these matters are contained within the assessment matters sections rather than in the rules and to add such wording would be inconsistent with the current structure and potentially confusing for users. I do not recommend that the suggested wording be added.
- 4.19 The Lake Hood Extension Project submission addresses a number of rules. Firstly they request that the Permitted Activity clause (7.8.2) be amended to include the “continual transport of gravel by truck from Lake Hood via Boundary Road, Grahams Road and SH1 in accord with items 2.8, 2.9 and 2.10 of the plan change hearing decision 17 July 2009”. It would not be appropriate (or necessary) to add such a clause to the permitted activity section of this chapter for a number of reasons:
- This chapter deals with the land zoned Aquatic Park and the roads mentioned are not zoned Aquatic Park but have various zones (overlaid with roading designation).
 - The use of roads for truck transport is generally permitted and would be controlled by the Council and the New Zealand Transport Agency as managers of the roads, not through the District Plan.
 - The plan change considered the use of the roads, not as part of the zoning of the land, but as part of the effects of that zoning. The plan change decision had to address this matter but did not include it in the rules for the zone as that is not necessary.

I do not recommend that such an addition be made.

- 4.20 The submission requests that the recession line provision in rules 7.9.4 and 7.9.12 be amended to change the start point from 2.3m as proposed to 2.7m as is in the operative Plan. This clause in the Aquatic Park Zone rules was amended to align with the change to the rule across all residential zones, as contained in the Residential Zone chapter. I recommend that this issue be considered as part of that report, together with other submissions on recession lines, and that any decision as part of that process also be applied to this chapter. This will ensure consistency of application of the same rule across all residential environments of the District.

- 4.21 The submission requests the reinstatement of the family flat rule. This rule was removed from this chapter to align with its removal from all residential zones, as per the Residential Zone chapter. The removal of the rule was made to avoid confusion that has occurred in the past over whether family flats are part of a residential unit or a separate residential unit in their own right and thus how minimum site areas are applied and how such units are linked to the main household on a site (as opposed to being separately let as a second unit). I do not consider it appropriate to reinstate this rule into this chapter as that would perpetuate the potential for confusion.
- 4.22 Finally the Lake Hood Extension Project submission requests that the Aquatic Park Zone be “*specifically exempted from the provisions of the subdivision section and the rules and policies of the Aquatic Park Zone to apply*”. The Aquatic Park Zone chapter does not contain any subdivision rules but only contains the rules that relate to the use of the land. The subdivision chapter was amended at the time of the plan change to include the appropriate subdivision standards for the Aquatic Park Zone and these have been retained in the Plan as notified. There is no conflict between the two chapters. Thus either the subdivision rules have to apply or the appropriate subdivision related rules from that chapter have to be transferred into this chapter. Transferring rules would be confusing to users of the Plan as it would appear that the zone has no rules when people look in the obvious subdivision chapter. This would be poor practice and inappropriate. I do not consider that there is any need to change from the current situation and I do not recommend that any changes be made.

5.0 ERRORS / CORRECTIONS

- 5.1 In reviewing these chapters, it has been identified that there is a minor typographical error that should be corrected at this time. This is in relation to Section 7.3, where the heading should be zone description not zone statement. As this is a minor correction, I recommend that it be amended as part of the decisions on this chapter.

6.0 STATUTORY CONSIDERATIONS

- 6.1 The relevant statutory considerations in relation to these submissions are whether the outcomes will be consistent with sections 31 and 32 of the Act, along with Part II of the Act. I consider that the recommendations below are both effective and efficient and will ensure that the methods contained in these sections are the most appropriate method for achieving the objectives of the Plan. I consider that this section of the Plan is appropriate under Part II of the Act in achieving sustainable management within the Ashburton District.

7.0 RECOMMENDATIONS

- 7.1 Based on the discussion above, I consider that, subject to the recommended changes to text set out below, this section of the proposed District Plan should be accepted.

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

APPENDIX ONE: SUMMARY OF RECOMMENDATIONS ON SUBMISSIONS

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
S101	Roger Bray	1	Council has proposed retrospective changes to the Rural B Zones to reduce the area of Rural A. Rural B Zone boundaries have been moved closer to the residential areas in order that "productive" farmland is protected from residential type development. It is expected that for consistency, the area which has been identified for further development of the Aquatic Zone should now be retained as Rural B land.	Reject
S240	Silver Fern Farms	56	No change required to Section 7.	Accept
S327	Lake Hood Extension Project - Joint Venture	3	That the Proposed District Plan be confirmed to the extent it reflects the decision of 17 July 2009, subject to the amendments requested in this submission.	Accept in Part
S327	Lake Hood Extension Project - Joint Venture	4	Accept the Introduction to the APZ as proposed.	Accept
S327	Lake Hood Extension Project - Joint Venture	5	Include under 7.8.2 c) Permitted Activities: the continual transport of gravel by truck from Lake Hood via Boundary Road, Grahams Road and SH1 in accord with items 2.8.2.9 and 2.10 of the plan change hearing decision.	Reject
S327	Lake Hood Extension Project - Joint Venture	6	Amend Rule 7.9.4 Recession lines as follows: change 2.3m dimension to 2.7m as per the plan change hearing decision.	Defer decision to Residential zone hearing,
S327	Lake Hood Extension Project - Joint Venture	7	Add Site Standard Family Flats: "Within the Residential and Rural-Residential Areas specified on the Outline Development Plan where a family flat does not on its own account separately comply with the Residential Density, Outdoor Service Space and Parking Standards for	Reject

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
			residential units, the family flat building shall be relocatable; and the landowner shall enter into a bond with the Council (in a form able to be supported by a caveat) to ensure that the family flat is removed when it is no longer used for the housing of a dependent relative".	
S327	Lake Hood Extension Project - Joint Venture	8	7.9.12 Setbacks should be amended to dimension of 2.3m above internal boundaries should be 2.7m as approved in the plan change.	Defer decision to Residential zone hearing,
S327	Lake Hood Extension Project - Joint Venture	9	No change required to Standard 7.10.2 Road Access.	Accept
S327	Lake Hood Extension Project - Joint Venture	10	No change required to Standard 7.10.4 Hours of Operation.	Accept
S327	Lake Hood Extension Project - Joint Venture	11	No change required to Standard 7.10.5 Cycle Path.	Accept
S327	Lake Hood Extension Project - Joint Venture	12	No change sought to Appendices 7.1 containing the APZ Outline Development Plan.	Accept
S327	Lake Hood Extension Project - Joint Venture	15	The APZ be specifically exempted from the provisions of subdivision section and the rules and policies of the APZ to apply.	Reject
S522	N K Salter Surveying Ltd	25	Consider renaming zones to remove verbose descriptions.	Reject
S61	Transpower New Zealand	1	Amend the Proposed Plan to make all required changes, including those specific submissions detailed below, to ensure: - that the NPSET and NESETA is given effect to	Accept in Part

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
			<ul style="list-style-type: none"> - the sustainable management of the National Grid as a physical resource - Appropriate provision for the on-going operation and maintenance of the network, including ensuring that lines can be accessed - that the existing network can be upgraded in order to meet growth in energy demand - the protection of the existing network from issues of reverse sensitivity and the effects of others activities - the protection of neighbouring activities from the effects of the National Grid; - appropriate provision to facilitate planning and development of new lines. <p>Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission.</p>	
F16	TrustPower Limited		Support	Accept in Part
F71	Electricity Ashburton Limited		Support	Accept in Part
F75	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Reject
S61	Transpower New Zealand	13	Retain in Section 7.1 of the Aquatic Park Zone, the recognition of the transmission lines that traverse the northern part of the Aquatic Park.	Accept
S61	Transpower New Zealand	14	Retain the recognition, in Section 7.2.5, that the high voltage transmission lines provide a corridor of restraint within the site and that the infrastructure has to be protected from the adverse effects of	Accept

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
			development, but also acknowledge that infrastructure also has to be protected from adverse effects of activities. Amend Section 7.2.5, to recognise that activities and development have to be protected from the adverse effects of infrastructure. This could be achieved by amending the last sentence of Section 7.2.5 along the following lines (additional text underlined): infrastructure has to be protected from adverse effects of activities and development. Equally, activities and development have to be protected from the adverse effects of the infrastructure.	
S61	Transpower New Zealand	15	Amend Policy 7.1I to address the effect of high voltage transmission lines on activities and development, as well as the effect of activities and development on the lines. This could be achieved by amending the Policy along the following lines (additional text underlined, deleted text in strikethrough): To ensure that any activities or development near the transmission corridor does do not adversely affect, and are not adversely affected by, the safe and efficient operation of the high-voltage transmission lines.	Accept
S61	Transpower New Zealand	16	Amend the last bullet point in 7.5 - Anticipated Environmental Results to address the effect of high voltage transmission lines on activities and development, as well as the effect of activities and development on the lines. This could be achieved by amending the Policy along the following lines (additional text underlined): Avoidance of adverse effects on and of the existing high-voltage transmission lines.	Accept
S61	Transpower New	17	Retain, without modification, provision 7.7.5 - Setback from High	Accept

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
	Zealand		Voltage Transmission Lines.	
S61	Transpower New Zealand	18	Retain, without modification, Aquatic Park Zone Rule 7.8.3 (a) which makes any activity listed as a permitted activity a restricted discretionary activity where all relevant zone standards are complied with but any one or more of the relevant site standards is not complied with.	Accept
S61	Transpower New Zealand	19	Retain, without modification, Aquatic Park Zone Rule 7.8.5 (a) which makes any activity which does not comply with any one or more of the relevant zone standards a non-complying activity.	Accept
S61	Transpower New Zealand	20	<p>Retain, without modification, Site Standard 7.9.7 except to the extent that the provisions pertaining to new trees and vegetation is included as an advice note rather than a rule, as follows (deletions in strikethrough, additions underlined):</p> <p>Within 32 metres of any High Voltage Transmission Line as shown on the Planning Maps, there shall be:</p> <ul style="list-style-type: none"> • no new buildings or structures; • no new trees/vegetation which at a mature height would encroach upon the relevant growth limit zone (or notice zone) for the line, as defined in the Electricity (Hazards from Trees) Regulations 2003. <p>...</p> <p><u>Advice Note: No new trees/vegetation should be planted which, at a mature height, would encroach upon the relevant growth limit zone (or notice zone) for the line, as defined in the Electricity (Hazards from Trees) Regulations 2003.</u></p>	Accept
S61	Transpower New Zealand	21	Retain, without modification, Zone Standard 7.10.10 which requires	Accept

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
	Zealand		that: "Within 12 metres of any High-voltage Transmission line as shown on the Planning Maps, no new buildings or structures shall be erected".	
S61	Transpower New Zealand	22	Amend Site Standard 7.9.7 by adding text to the effect that the Council shall restrict the exercise of its discretion in relation to these matters: risks to the high voltage transmission line and/or public and property; the siting, design, orientation and materials of buildings; the extent, proximity and methodology of earthworks; finished ground levels and the location and expected height of landscaped areas and/or vegetation.	Reject
S61	Transpower New Zealand	23	Retain, without modification, the Assessment Matters in 7.11.5 - Setback from High-Voltage Transmission Lines	Accept
S61	Transpower New Zealand	24	Amend Section 7.8.7 - Notification/Consultation/Notes to identify that Transpower is a potentially affected party in respect of Standards 7.9.7 and 7.10.10. This could be achieved by retaining the current text in 7.8.7 and by adding new text along the following lines: Consultation with Transpower New Zealand Limited will be important in the assessment of resource consent applications in relation to the following standards: 3.9.16 Setback from High Voltage Transmission Lines 3.10.9 Setback from High Voltage Transmission Lines.	Accept
S61	Transpower New Zealand	25	Retain the Aquatic Park Outline Development Plan in Appendix 7-1.	Accept
S63	Bridget Annabell Edith Kok	3	Will this mean that the Lake Hood smallholding development will also only have 12 months to build on the sections?	Reject

PROPOSED ASHBURTON DISTRICT PLAN – HEARINGS REPORT 5
SECTION 7: AQUATIC PARK ZONE

Submitter Number	Submitter Name	Point Number	Relief sought	Recommendation
S639	Ashburton District Council	74	Changes may be required to the structure of rules in all Zones to provide clarification and avoid any contradiction/confusion over the interpretation of rules.	Reject (Not relevant to this chapter)
F3	Greenstone Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd, Chevron NZ		Oppose	Accept (Not relevant to this chapter)
F5	Transpower New Zealand		Oppose	Accept (Not relevant to this chapter)
F16	TrustPower Limited		Oppose	Accept (Not relevant to this chapter)
F65	Ashburton Licensing Trust		Support	Reject (Not relevant to this chapter)
F71	Electricity Ashburton Limited		Support	Reject (Not relevant to this chapter)
S639	Ashburton District Council	75	References to external documents in the Proposed District Plan should be made more explicit.	Reject (Not relevant to this chapter)

APPENDIX TWO: DISTRICT PLAN AMENDMENTS

Section 7.2 Issues

Amend section 7.2.5 Size and Spread of Development as follows:

The extent of the development is determined by the Aquatic Park Zone Outline Development Plan. The physical barriers of Stranges and Boundary Roads, the Ashburton (Hakatere) River and the existing Lake Hood development provide a buffer to development beyond the site. The high-voltage transmission lines provide a corridor of constraint within the site and the infrastructure has to be protected from adverse effects of activities and development. Equally, activities and development have to be protected from the adverse effects of the infrastructure.

Section 7.3 Zone Statement

Amend the heading as follows:

7.3 Zone ~~Statement~~ Description

Section 7.4 Objective and Policies

Amend Policy 7.1I as follows:

To ensure that any activities or development near the transmission corridor ~~does not adversely affect, and are not adversely affected by,~~ the safe and efficient operation of the high-voltage transmission lines.

Section 7.5 Anticipated Environmental Results

Amend this section as follows:

- 7.2 A public Aquatic Park comprising recreational, residential and commercial activities, which incorporates a community based around an environment of open space and visitor based amenities. ...
- 7.3 Avoidance of adverse effects on and of the existing high-voltage transmission lines.

Section 7.8 Rules – Aquatic Park Zone

Amend section 7.8.7: Notification / Consultation / Notes as follows:

Resource consents in relation to the following matters shall not be publically or limited notified: ...

Consultation with the Canterbury Regional Council will be important in the assessment of resource consent applications in relation to the following standards: ...

Consultation with Transpower New Zealand Limited will be important in the assessment of resource consent applications in relation to the following standards:

Setback from High-Voltage Transmission Lines Site Standard 7.9.7

Setback from High-Voltage Transmission Lines Zone Standard 7.10.10

Note: ...

Section 7.9 Site Standards

Amend section 7.9.7: Setback from High-Voltage Transmission Lines as follows:

Within the High-voltage Transmission Corridor outer area (12-32m from the transmission line) as shown on the Outline Development Plan in Appendix 7-1, there shall be:

- a) no new buildings or structures.
- ~~b) no new trees/vegetation which at a mature height would encroach upon the relevant growth limit zone [or notice zone] for the line, as defined in the Electricity (Hazards from Trees) Regulations 2003.~~
- c) no earthworks within 12 metres from the outer edge of the visible foundation of any transmission tower.

Advice Note: No new trees/vegetation should be planted which, at a mature height, would encroach upon the relevant growth limit zone [or notice zone] for the line, as defined in the Electricity (Hazards from Trees) Regulations 2003.