

ATTACHMENT ONE – AMENDMENTS TO PLAN CHANGE 13 FROM FFNZ INC SUBMISSION AND EVIDENCE LMW MURCHISON

Attachment One shows amendments and additions to proposed Plan Change 13 (PC13) to the MacKenzie District Plan as a result of decisions requested in submissions by Federated Farmers of New Zealand Inc and the planning evidence of LMW Murchison.

- The text of PC13 as notified is shown in **black** font.
- Amendments to the text as recommended in the s293 Report are shown in **red** with text to be deleted shown as ~~red strikethrough~~ and text to be added in **red font**.
- Further amendments or additions to PC13 suggested as a consequence of the FFNZ Inc case are shown in **green** with text to be deleted shown as ~~green strikethrough~~ and text to be added in **green, bold and underlined**.
- Only those provisions of PC13 recommended to be altered or added to are shown in this attachment. The presence of ... indicates that the text as shown in PC13 as amended in the s293 Report is supported down to the next provision shown in this attachment.
- The submission points and the paragraphs from the Murchison evidence from which the amendments derive is shown in [brackets].

Rural Objective 3B – Activities in the Mackenzie Basin’s outstanding natural landscape

(3)(i) To recognise and provide for the relationship of Ngāi Tahu with their ancestral lands, waters, sites, wahi tapu and other tāonga in the Mackenzie Basin.

(3)(ii) To recognize pastoral farming and pastoral farming communities as an integral part of the MacKenzie Basin landscape [Murchison, paras 4.3-4.9] **and** subject to Objective 3B1 and rural objectives 1, 2 and 4

(a) to enable pastoral farming;

(b) to enable pastoral intensification, including cultivation and/or direct drilling and high intensity (irrigated) farming, in Farm Base Areas and ~~areas for which irrigation consent was granted prior to 14 November 2015 and the effects on the outstanding landscape have been addressed through the regional consenting process; and elsewhere, to manage pastoral intensification;~~ **other areas of existing or consented irrigation or development, or where pastoral intensification maintains the landscape values identified in Objective 3B1;** **and** [FFNZ Inc sub pt Obj 3B(3) & Murchison paras 4.13-4.18]

- (c) to enable rural residential subdivision, cluster housing and farm buildings around existing homesteads (where they are outside hazard areas or in other areas which have low visual vulnerability. [FFNZ Inc sub pt Obj 3B(3) & Murchison paras 4.13-4.18]

Policy 3B1 - Recognition of the MacKenzie Basin's distinctive characteristics

To recognise ~~and identify~~ that within the Mackenzie Basin's outstanding natural landscape there area:

- (a) Many areas where development beyond pastoral activities is either generally inappropriate or should be avoided;
- (b) Some areas with greater capacity to absorb different or more intensive use and development, including areas of lesser ~~landscape sensitivity~~ ~~visual vulnerability~~ visual vulnerability and identified Farm Base Areas. [FFNZ Inc sub pt Pol 3B1, Murchison paras 5.9-5.16]

Explanations and Reasons:

- A distinctive 'MacKenzie Country' character has developed, based on the visual and physical qualities of the Basin, combined with the land use practice and the social pattern of run holders, workers and extensive stations. Despite its modified and managed land surface as a working landscape, the entire Basin remains 'outstanding' in terms of landscape values. This is because of the uniqueness, natural and visual qualities of the high mountain basin environment, lakes, land forms, land use, community and MacKenzie identity.
- The Basin has a diversity of conditions with a north to south altitude gradient and west to east rainfall gradient. To this can be added the topographic and soil variability of outwash, moraine, valley, lake, hillside and mountain environments and the variability of closeness to or remoteness from the state highways and other roads.
- The 2007 report "The MacKenzie Basin landscape: character and capacity by Graham Densem assesses the MacKenzie Basin landscape, identifying its various character areas and describes their characteristics and values.
- The sensitivity of the landscape to change is a key matter in determining the ability of an area to absorb that change without adversely impacting the outstanding natural landscape of the Basin. This sensitivity comprises visual sensitivity (incorporating natural patterns such as geomorphology, hydrology, vegetation patterns and processes, cultural patterns, landscape condition and aesthetic factors such as naturalness and remoteness).
- ~~Accordingly three levels of visual vulnerability having high, medium or low ability to absorb development have been identified within the MacKenzie Basin and are contained in Appendix V (Areas of Landscape Management). A summary of the characteristics of the three levels of visual vulnerability is set out below~~

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characteristic of the three levels of visual vulnerability is set out below. [Subject to an opportunity to review mapping – FFNZ Inc sub pt Pol 3B1; Murchison para 5.10].

Summary of Visual Vulnerability

High Visual Vulnerability

Areas of high visual vulnerability can be summarized as:

- The side basins;
- Lakes and lakesides, including shorelines and lakeside hill and mountain flanks;
- Raised mountain ranges, hills and isolated mountains;
- River corridors;
- Particularly pristine areas of continuous grassland, low development levels and visual vividness.

Medium Visual Vulnerability:

These are areas which remain vulnerable to change but are not highly vulnerable by being less prominent to view or having more existing development such as tree growth or land surface disturbance. These are areas where modest or light developments may be considered but should not be extensive and should be configured to fit into the landscape with a high degree of conformity.

Low Visual Vulnerability:

These areas have a low visual vulnerability to change, meaning that it would be possible to provide for development in these areas while still maintaining the main landscape values. Areas of low visual vulnerability include:

- recessed valleys at the meeting point between plains and surrounding hills;
- valleys and gullies incised below the generally seen surfaces;
- recessed gullies and indentations back from lake shorelines;
- areas of tree shelter and buildings in existing Farm Base Areas;
- areas of existing subdivision and rural residential development.

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Medium Visual Vulnerability:

These are areas which remain vulnerable to change but are not highly vulnerable by being less prominent to view or having more existing development such as tree growth or land surface disturbance. These are areas where modest or light developments may be considered but should not be extensive and should be configured to fit into the landscape with a high degree of conformity.

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- areas of existing subdivision and rural residential development.

[Subject to an opportunity to review mapping – FFNZ Inc sub pt Pol 3B1; Murchison para 5.10].

Policy 3B2 – Subdivision and Building Development

To ensure adverse effects, including cumulative effects, on the environment of sporadic development and subdivision are avoided or mitigated by:

- (1) Managing residential and rural residential subdivision and housing development within defined Farm Base Areas (refer to Policy 3B3);
- (2) Enabling farm buildings in Farm Base Areas ~~and in areas of low visual vulnerability~~ and in areas of low visual vulnerability subject to bulk and location standards ~~and protection of environmental values~~ and elsewhere managing them in respect of location and external appearance ~~size, separation and avoidance of sensitive environments~~; [FFNZ Inc sub pt Pol 3B2 & Murchison para 7.17]
- (3) Ensuring new residential or rural residential zones in areas of ~~low lesser landscape sensitivity or medium visual vulnerability~~ low or medium visual vulnerability achieve Objectives 1, 2, 4, 7, 8 and 1 of the Rural chapter and satisfy Policy 3B4 below;
- (4) Strongly discourage ~~non-farm buildings residential units~~ elsewhere in the Mackenzie Basin ~~outside of Farm Base Areas,~~ specialist zones areas of low visual vulnerability, except where provided for under Policy 3B15 [FFNZ Inc sub pt Pol 3B2 & 3B3, Murchison paras, 7.10-7.18 & 9.1-9.6]

Explanation and Reason:

- Domestication of the MacKenzie Basin...
 - (g) Impacts on the availability of water to existing water users.

- ~~Individual farm buildings outside of Farm Base Areas are generally inappropriate.~~ It is recognized ~~however~~ that at times it is necessary to locate farm buildings outside of Farm Base Areas ~~these areas~~. These buildings ~~will~~ may require resource consent with different considerations taken into account depending on ~~the landscape sensitivity of the area within the Basin. whether the farm building is within a high, medium or low visual vulnerability area.~~ whether the farm building is within a high, medium or low visual vulnerability area. [FFNZ Inc sub pt Pol 3B2, Murchison paras 7.10-7.19, 9.1-9.10]

Policy 3B3 – Development in Farm Base Areas

Within Farm Base Areas ~~in areas of high visual vulnerability,~~ in areas of high visual vulnerability subdivision and development (other than farm buildings) shall maintain or enhance the ~~significant and~~ outstanding natural landscape and other natural values of the MacKenzie Basin ~~where possible by:~~

- (a) Confining development to areas where...
- (h) Installing sustainable systems for water supply, sewage treatment and disposal, stormwater services and access.

[As a consequence of FFNZ Inc's sub pt Pol 3B3, Murchison paras 7.11-7.13]

Policy 3B4 – Potential residential, rural-residential and visitor accommodation activity zones and environmental enhancement

- (1) To mitigate the effects of past subdivision on landscape and visual amenity values in the Mackenzie Basin by identifying, where appropriate, alternative specialist zoning options such as Rural-residential or the use of Integrated Farm Management Plans under Policy 3B15 where there are demonstrable advantages for the environment; [FFNZ Inc sub pt Pol 3B4, Murchison paras 9.1-9.6]
- (2) To consider and encourage appropriate ~~residential and~~ rural-residential activities in areas of ~~lesser landscape sensitivity low or medium visual vulnerability~~ low or medium visual vulnerability within the MacKenzie Basin by identifying where appropriate, alternative specialist zoning options or Integrated Farm Management Plans as provided for under Policy 3B15, which incorporate enhancement of landscape and ecological values, including wilding pine control; [FFNZ Inc sub pt Pol 3B4, Murchison paras 9.1-9.6]
- (3) Any development within such zones or Integrated Farm Management Plans shall maintain or enhance the ~~significant and~~ outstanding natural landscape and other natural values of the MacKenzie Basin by...." [FFNZ Inc sub pt Pol 3B4, Murchison paras 9.1-9.6]

Explanation and Reasons:

- The rural residential zones for Manuka Terrace and Ohau River and inclusion of rural residential development in the Pukaki Downs tourist zone have been created to address adverse effects of past and future subdivisions such as landscape impacts and servicing. In addition the Ohau River and Pukaki Downs provisions require compensatory removal of wilding trees.

- Landowners seeking to take advantage of this policy in relation to establishing new rural residential or visitor accommodation development will need to make applications for private plan changes unless the development is provided for as part of an Integrated Farm Management Plan under Policy 3B15. Integrated Farm Management Plans are designed for small-scale development which is ancillary to and incorporated within pastoral farming on high country stations. They are not the appropriate planning tool to provide for larger scale subdivision of land or erection of dwellings to provide for new residential, rural residential or holiday settlements. [FFNZ Inc submission pts Pol 3B4, Murchison paras 9.1-9.6]

Policy 3B5 – Landscape Aspects of Subdivision

- (1) To enable subdivision of land for farming, conservation or pest management purposes throughout the MacKenzie Basin Sub-zone; and [FFNZ Inc sub pt Pol 3B5, Murchison paras 8.4-8.8]
- (2) *In order to minimize its adverse effects, subdivision for residential or rural residential development in the MacKenzie Basin Subzone ~~subdivision~~ will not be encouraged except in Farm Base Areas; or on land which has been zoned for residential or rural residential development; or where it is provided for as part of an Integrated Farm Management Plan under Policy 3B15; [FFNZ Inc sub pt Pol 3B5, Murchison paras 8.4-8.8, 9.1-9.6]*
- ~~(2) — There shall be a minimum lot size of 200 hectares (except in farm Base Areas);~~
- (3) *Further subdivision of Lakeside Protection Areas (except for existing Farm Base Areas), Scenic Viewing Areas and Scenic Grasslands will not be allowed unless it is provided for as part of an Integrated Farm Management Plan under Policy 3B15; [FFNZ Inc sub pt Pol 3B5, Murchison paragraphs 9.1-9.6]*
- (4) *All subdivision shall address the need to remove exotic wildings from the land being subdivided where such conditions are appropriate [Murchison para 8.14].*
- (5) *All subdivision should have regard to topographical and ecological constraints.*

Explanations and Reasons:

- Due to potential for subdivision to adversely impact on the values and attributes of the outstanding natural character of the Basin it is important for it to be tightly controlled. This is particularly so in Lakeside Protection Areas, Scenic Viewing Areas and Scenic Grassland Areas. Buildings, structures, plantings and other patterns associated with development can reduce or remove the qualities of the Basin for which it is valued.
- In rural areas it is common for subdivision of land to occur which is not associated with new residential or rural residential development. Boundary adjustments and subdivision of land can occur as part of farming operations. It may also occur as part of tenure review or for setting aside land for conservation or protection purposes. These reasons for subdivision may not have any adverse effects on the outstanding landscape values of the Mackenzie Basin and may in some cases be part of projects to protect or enhance natural values in the Basin. [FFNZ Inc submission pt Pol 3B5 & Murchison para 8.4-8.8]
- Subdivisions which are associated with new building or development [FFNZ Inc submission pt Pol 3B4 & 3B5 & Murchison paras 8.4-8.8] have the potential to lessen the sense of extensive wilderness and the impact of uninterrupted long views to distant

points. The traditional landscape values of the Basin can be significantly changed and diminished by infilling empty rural areas and disrupting land use patterns with random rural lifestyle, housing and tourism developments.

- The subdivision of land can create issues in terms of future management of wildings if the land is taken out of grazing; and it can also be an opportunity to enhance landscape character by removing wildings as part of a proposed change in land use or development. [FFNZ Inc submission pt Pol 3B14 & Murchison para 8.14] Commitment to the removal of exotic wildings is generally best achieved at the time of subdivision. ~~This removal enhances open landscape character.~~
- Due to the potential for subdivision to cut across natural patterns in the landscape with fences, buildings and structures it is appropriate that subdivision is designed on a topographical basis.
- The Basin has numerous ecological values resulting from the indigenous vegetation present, habitat, flora and fauna. Where possible these sites need to be allowed for and accounted for in any subdivision.

Policy 3B7 – Views from State Highways and Tourist Zones

- (a) To avoid all buildings, ~~other structures, large~~ irrigators and exotic trees in the Scenic Grasslands and Scenic Viewing Areas except where provided for in an Integrated Farm Management Plan under Policy 3B15; [FFNZ Inc sub pts Pol 3B2-3B4 & 3B7, Murchison paras 9.1-9.6]
- (b) To require buildings to be set back from roads, particularly state highways, and to manage the ~~sensitive~~ location of ~~structures and large~~ large structures including irrigators to avoid or limit screening of views of the outstanding natural landscape of the MacKenzie Basin; [FFNZ Inc sub pt Pol 3B2-4, 3B7 and Murchison paras 9.1-9.6]
- (c) To manage ~~avoid clearance,~~ cultivation and irrigation of land in ~~or oversowing of~~ Scenic Viewing Areas and Scenic Grasslands, including tussock grasslands, adjacent to and within the foreground of views from State Highways and the tourist roads [FFNZ Inc sub pt Pol 3B7 & 3B12, Murchison para 6.23];
- (d) Subject to Policy 3B1, to minimize the adverse visual effects of irrigation of pasture adjacent to state highways or tourist roads.

Explanation and Reasons:

- Scenic Viewing Areas...
- Sustainable management of the District's natural and physical resources will not be ~~maintained~~ promoted unless the management ~~protection~~ of the District's natural resources, including the visual and landscape qualities of those resources and their value for pastoral farming are both ~~can be~~ assured. This is because the quality of life and development within the District is, in part, dependent on the quality of the visual and landscape character within which it operates. It is also dependent on the ability of landholders to be able to make use of their land for farming purposes, and to be able to maintain pastoral farming as part of that landscape. [FFNZ Inc submission pts Pols 3B7 & 3B12 and Murchison para 6.23]

Policy 3B12 – Pastoral Farming

The benefits of ~~Traditional~~ pastoral farming including to ~~is encouraged so as to~~ maintain tussock grasslands are recognised and provided for, subject to achievement of the other Rural objectives and to Policy 3B7. [FFNZ Inc sub pt pol 3B12, Murchison paras 4.3-4.6, 6.23]

Explanation and Reasons:

- A distinctive character has developed from the land use practices and social pattern of run-holders, workers and extensive stations in the MacKenzie Basin.
- ~~Traditional dry-land farming on brown grasslands (including browntop)~~ Farming should continue to be enabled. The ~~golden-brown~~ landscapes enjoyed by tourists and other visitors to, and residents of, the MacKenzie Basin are in considerable part maintained by the every-day farming operations on the stations scattered around the Basin. [FFNZ Inc sub pt Pol 3B12, Murchison para 6.23]

Policy 3B13 – Pastoral Intensification

- (1) *To ensure areas in the MacKenzie Basin which are proposed for pastoral intensification maintain the outstanding natural landscape of the MacKenzie Basin and meet all the other relevant objectives and policies for the MacKenzie Basin Subzone (including Rural Objectives 1, 2 and 4 and implementing policies);*
- (2) *To allow ~~avoid~~ pastoral intensification in Sites of Natural Significance, Scenic Viewing Areas and Scenic Grasslands (including tussock grasslands) adjacent to and within the foreground of views from State Highways and the tourist roads where it is part of an Integrated Farm Management Plan in accordance with Policy 3B15 or otherwise maintains or enhances the ecological and landscape values of those sites; [FFNZ Inc sub pt Pol 3B13, Murchison paras 9.1-9.6]*
- (3) ~~*To enable pastoral intensification in Farm Base Areas and of land for which irrigation consent was granted prior to 14 November 2015 and the effects on the outstanding natural landscape have been addressed through the regional consenting process;*~~
To recognize and provide for existing areas of irrigation lawfully established prior to 14 November 2015; and to enable new irrigation in Farm Base Areas and in other locations where the activity maintains or enhances the landscape values of the MacKenzie Basin; [Murchison, paras 6.46-6.50]
- (4) *To manage pastoral intensification elsewhere in order to retain the valued characteristics of the Mackenzie Basin Subzone;*
- (5) *To take into account any agreement between the Mackenzie Country Trust and landowner which secures protection of landscape and biodiversity values as compensation for intensification of production.*

Explanations and Reasons:

- Continued pastoral use and extensive runs generally sustain the valued landscapes of the Mackenzie Basin. It is recognised however that to achieve on-going economic, social and environmental viability it is necessary to provide for further productive farm development.
- There are significant indigenous vegetation values throughout the Basin in addition to those identified as Sites of Natural Significance. Managing pastoral intensification ~~through a consent process~~ will enable appropriate consideration of the impacts of intensification on these values and limit or avoid adverse effects. [Consequential amendment to provision for Integrated Farm Management Plans, Murchison paras 9.1-9.6].
- Some structures and systems associated with more intensive farming such as irrigators or industrial style buildings, when placed in the foreground of views can reduce the scenic values and sense of openness valued within the Basin.
- Pastoral intensification is provided for within Farm Base Areas as these areas are generally already modified such that natural and landscape character can accommodate change without adversely impacting on the outstanding natural landscape of the MacKenzie Basin.
- Pastoral intensification is also provided for outside of Farm Base Areas where it is included in an Integrated Farm Management Plan under Policy 3B15. This approach provides a tool to enable both the continued use and development of land for pastoral farming and opportunities to protect or enhance the landscape and ecological values of the MacKenzie Basin in an integrated and holistic way across entire farming properties or stations. [Consequential amendment to provision for Integrated Farm Management Plans, Murchison paras 9.1-9.6].
- A number of consents for taking of water and irrigation have been granted by Environment Canterbury for properties within the Basin, many of which are yet to be implemented. Although the natural and landscape values within some for these areas are significant, it is unreasonable to require additional consents through the District Plan for pastoral intensification within those areas as considerable time and expense has been involved in obtaining these irrigation consents. It is also understood that landscape considerations have been taken into account in granting these consents.

Policy 3B14 – Wilding Trees

To manage wilding trees and their spread by prohibiting the planting of wilding prone trees and, where possible, by requiring their removal:

- (a) *at the time of subdivision;*
- (b) *when consent is required for housing or development;*
- (c) *when new zones are proposed; or*
- (d) where appropriate, as part of Integrated Farm Management Plans prepared under Policy 3B15 [FFNZ Inc sub pt pol 3B14, Murchison paras 8.14 & 9.1-9.6]

unless the wildings are already subject to a management programme between the landholder and Environment Canterbury in accordance with the Canterbury Regional Pest Strategy or the New Zealand Wilding Conifer Management Strategy [FFNZ Inc sub pt Pol 3B14].

Explanation and Reasons:

- The spread of wilding trees from plantations and from self-sown trees in the MacKenzie Basin has accelerated over time. This has significantly impacted the outstanding natural landscape character of the Basin by reducing the sense of openness and vastness and displacing indigenous vegetation including tussock grasslands.
- While the District plan does not require removal of wildings per se, it can achieve a reduction in existing and likely future wildings by prohibiting the planting of wilding prone species and by making subdivision and development conditional on removal of ~~existing and future~~ wildings within the property involved and, in some cases, from other land. **Removal of wildings and limiting their spread is most likely to be a requirement for subdivision for non-farm purposes.**

Policy 3B15 – Integrated Farm Management Plans

- (1) To provide for an integrated approach to managing land in the MacKenzie Basin for its farming, ecological, landscape, cultural, recreational and economic values through the development and implementation of integrated farm management plans for farming properties; and
- (2) To ensure an integrated farm management plan achieves the Rural objectives and policies of this plan, including but not limited to the objectives and policies to recognize and protect outstanding landscape values of the MacKenzie Basin as set out in Objectives 3B(1) to (3) and policies 3B 1 to 3B14, taking into account the areas of Visual Vulnerability shown on Appendix V (Areas of Landscape Management) and Densem 2007 The ‘MacKenzie Basin Landscape: character and capacity’.

Explanation and Reasons

Management of the land use issues of the MacKenzie Basin is complex. The MacKenzie Basin landscape has important and varying ecological values, much of it is vulnerable to pests and soil erosion, areas may have significant cultural, recreational, aesthetic and amenity values, and the Basin is home to a number of economic activities, from hydro-generation to farming to tourism.

An integrated farm management plan enables landholders to develop plans for the management of their entire property including: protecting landscapes with high values, managing pests or erosion issues, ecological conservation or restoration projects, planning for pastoral intensification or irrigation, and provisions for other land uses within and outside the Farm Base Areas. It may even include a plan for a new Farm Base Area if a large property is subdivided as part of succession planning.

The Integrated Farm Management Plan is assessed in terms of its suitability against the objectives and policies for the MacKenzie Subzone including the Areas of Landscape Management shown in Appendix V and described in Policy 3B1, and relevant provisions of the Rural Zone. It is not a mechanism to provide for new residential, rural residential or tourist developments other than small-scale activities which are ancillary to farming the property. [Murchison paras 9.1-9.6]

3. SECTION 3 DEFINITIONS

3.1 Add the following definitions:

Farm Base Area means a Farm Base Area identified in Appendix SR of this District Plan.

Farm building means a building used for the purpose of, or ancillary to ~~the use of which is incidental to the use of the site for~~ a farming activity, dairying and factory farming (refer definitions) and ~~does not include dwellings or other buildings used for residential activity and includes residential units and accommodation used predominantly for people engaged in farming activity and their families~~ includes a primary domestic dwelling (homestead) and up to four additional buildings used for worker or family accommodation. [FFNZ Inc sub pt definitions, Murchison paras 7.11-7.15]

~~**Farm Retirement Dwelling** means a residential unit and associated outbuildings occupied by someone who has been engaged in full time farming of the property on which the farm retirement dwelling is established and his/her family.~~

Pastoral Intensification within the MacKenzie Basin Subzone means ~~subdivisional fencing, cultivation, irrigation and cultivation~~ subdivisional fencing, topdressing and oversowing and/or direct drilling of irrigated land. [FFNZ Inc sub pt definitions and Murchison, Section 6]

Pastoral Farming within the MacKenzie Basin Subzone means subdivisional fencing, topdressing, oversowing and cultivation and/or direct drilling of dryland areas. [Consequential amendment - FFNZ Inc sub pt definitions, Murchison Section 6]

3.2 Amend the definition of Pastoral Intensification as follows:

Pastoral intensification outside the MacKenzie Subzone means subdivisional fencing, topdressing and oversowing.

4. SECTION 7 RURAL ZONE RULES

4.2 Amend Rural Zone Rule 3.1 Permitted Activities – Buildings 3.1.1 as follows:

3.1 Permitted Activities – Buildings...

4.3 Retain and amend Rural Zone Rule Permitted Activities – Building Standard 3.1.1.h Lakeside Protection Areas as follows:

3.1.1.h Lakeside Protection Area

No building or extensions to buildings, other than stock fencing, shall be erected in Lakeside Protection Areas identified on the Planning Maps (refer Non-complying Activities – Rule 3.4.54) except where provided for under Rule 3.3 Buildings - Discretionary Activities Integrated Farm Management Plans [FFNZ Inc, sub pt Rule 3.1.2, Murchison, paras 7.18, 9.1-9.6]

Add a new Rule 3.1.3 which reads:

Farm buildings outside a defined Farm Base Area (see Appendix R) within the MacKenzie Subzone which comply with the following standards shall be a Permitted Activity.

3.3.3.a Farm buildings shall not be erected within any of the following areas identified on the Planning Maps

- Sites of Natural Significance
- Scenic Viewing Areas
- Scenic Grasslands
- Lakeside Protection Areas
- Land above 900m in altitude, other than mustering huts less than 50m² in area;

3.3.3.b Maximum height of farm buildings shall be 8m;

3.3.3.c Maximum reflectance value shall be 30%;

3.3.3.d Maximum building footprint shall be 30m x 20m;

3.3.3.e No dwelling or other building for residential activity shall be erected other than a musterer's hut which does not exceed 50m² in gross floor area; . [Murchison para 7.13]

3.3.3f Milking sheds or other buildings to house or contain animals shall not be erected other than stock yards and deer handling facilities. [Murchison para 7.13]

3.3.3.f Minimum setback from state highways shall be 100m;

3.3.3.g Minimum setback from other roads shall be 20m;

3.3.3.h Minimum setback from internal boundaries shall be 20m;

3.3.3.i Riparian Areas - Rule 3.1.1.f shall apply

3.3.3.i Flight Protection Areas – Rule 3.1.1.n shall apply; and

3.3.3.j Hydro Electricity inundation Areas – Rule 3.1.2.h shall apply.

[FFNZ Inc sub pts Rules 3.1.2 & 3.3.3 & Murchison Section 7]

4.5 Amend 3.2.1 Controlled Activities – Buildings as follows:

4.6 Add the following Activity to 3.2 Controlled Activities – Buildings

~~buildings and farm retirement dwellings outside the defined Farm Base Areas (see Appendix R).~~

~~Farm buildings outside a defined Farm Base Area (see Appendix R) within the MacKenzie Basin Subzone Low Visual Vulnerability areas.~~

Standards and Terms

- ~~i. Maximum height of farm buildings excluding residential units and buildings used for accommodation shall be 15m~~
- ~~ii. Maximum height for all other buildings shall be 8,. Maximum building footprint shall be 30mx20m.~~
- ~~iii. Minimum separation of 1km from an existing farm building other than an existing farm building within a defined Farm Base Area;~~
- ~~ivii Minimum setback from state highways shall be 100m;~~
- ~~iv. Minimum setback from other roads shall be 20m;~~
- ~~vi. Minimum setback from internal boundaries shall be 20m;~~
- ~~vii. Sites of Natural Significance, Scenic Viewing and High Altitude Areas Rule 3.1.1.e shall apply~~
- ~~viii. Riparian Areas Rule 3.1.1.f shall apply~~
- ~~ix.viii Lakeside Protection Areas Rule 3.1.1.h shall apply~~
- ~~ix. Flood mitigation Rule 11.1.j shall apply~~

~~x. No farm buildings shall be erected within Scenic Grasslands identified on the Planning Maps or in Appendix V (Areas of Landscape Management); and~~

~~xi. Hydro Electricity Inundation Hazard Areas Rule 3.1.2.h shall apply.~~

~~Note: For the avoidance of doubt, this rule does not apply to farm buildings and farm retirement buildings within the Ostler Fault Hazard Areas (refer Rule 3.3.4).~~

Matters Subject to Council's Control:

- ~~• External appearance and location within the landscape~~

Non Notified Application

~~Any application under clause Rule 3.2.2. will not require the written approval of other personal and shall be non-notified.~~

3.2.2. Non-farm buildings or extensions to non-farm buildings within defined Farm Base Areas (see Appendix R) within the MacKenzie Basin Subzone which comply with the following standards and terms shall be a Controlled Activity:

Standards and Terms

- i. Maximum height of farm buildings shall be 8m;
- ii. Minimum setback from state highways shall be 100m;
- iii. Minimum setback from other roads shall be 20m;
- iv. Minimum setback from internal boundaries shall be 20m;
- v. Riparian Areas – Rule 3.1.1.f shall apply;
- vi. Airport Noise – Rule 3.1.1.g. shall apply
- vii. Lakeside Protection Areas Rule 3.1.1.h shall apply
- viii. Flood Mitigation – Rule 3.1.1.i shall apply
- ix. Flight Protection Areas – Rule 3.1.1.n shall apply; and
- x. Hydro Electricity Inundation Areas – Rule 3.1.2.h shall apply.
- xi. Maximum gross floor area of any single building shall be 550m².
- xii. Non-farm buildings with a floor area greater than 100m² shall be separated by at least 3.6m from all other buildings on the same site with a floor area greater than ~~of~~ 100m²
- xiii. The maximum reflectivity index of the exterior of any building shall be 40%.

Matters subject to Council's Control

- External appearance and location within the landscape
- Landscape and visual effects including the sensitivity of the landscape
- Impacts on natural character and environmental values

- Lighting
- Servicing and access

Notification

Any application under rule 3.2.2. will not require the written approval of other persons and shall be non-notified.

4.7 Delete Rule 3.3.1 Discretionary Activities – Buildings, Buildings in Lakeside Protection Areas.

4.8 Add the following rule under 3.3 Discretionary Activities – Buildings as 3.3.3, and amend rules 3.3.4 and 3.3.5 as follows:

~~3.3.3 Within the MacKenzie Basin Subzone, buildings other than farm buildings and farm retirement dwellings outside the defined farm base areas (see Appendix R).~~

~~Farm buildings outside a defined Farm Base Area (see Appendix R) within the MacKenzie Subzone Medium and High Visual Vulnerability areas which comply with the following standards shall be a Restricted Discretionary Activity.~~

~~3.3.3.a Farm buildings shall not be erected within any of the following areas identified on the Planning Maps or in Appendix V (Areas of Landscape Management):~~

- ~~• Sites of Natural Significance~~
- ~~• Scenic Viewing Areas~~
- ~~• Scenic Grasslands~~
- ~~• Lakeside Protection Areas~~
- ~~• Land above 900m in altitude, other than mustering huts less than 50m² in area;~~

~~3.3.3.b Maximum height of farm buildings shall be 7m8m;~~

~~3.3.3.c Maximum reflectance value shall be 30%;~~

~~3.3.3.d Maximum building footprint shall be 30m x 20m;~~

~~3.3.3.e Maximum separation of 1km from an existing farm building other than an existing farm building within a defined Farm Base Area;~~

~~3.3.3.f — Minimum setback from state highways shall be 100m;~~

~~3.3.3.g — Minimum setback from other roads shall be 20m;~~

~~3.3.3.h — Minimum setback from internal boundaries shall be 20m;~~

~~3.3.3.i — Flight protection Areas — Rule 3.1.1.n shall apply; and~~

~~3.3.3.j — Hydro-Electricity inundation Areas — Rule 3.1.2.h shall apply.~~

~~In considering any such Restricted Discretionary Activity the consent authority shall restrict the exercise of its discretion to the following matters:~~

- ~~• External appearance and location within the landscape~~
- ~~• Landscape and visual effects including the sensitivity of the landscape~~
- ~~• Impacts on natural character and environmental values~~
- ~~• Lighting~~
- ~~• Servicing and access~~

3.3.3. Any building, any extension to any building or any other structure in the MacKenzie Basin Subzone which is not a Permitted Activity or a Controlled Activity provided it complies with the following standards and terms:

3.3.3.a Any residential building (including any relocated dwelling) is not located within the Ostler Fault Hazard Area (see Planning Maps 33, 38, 53 and 55).

3.3.3.b The activity is provided for in an Integrated Farm Management Plan for the property prepared in accordance with Policy 3B15.

Matters Subject to the Council’s Discretion

- Approval of the Integrated Farm Management Plan**
- Any conditions necessary to ensure the activity is carried out in accordance with the Integrated Farm Management Plan**

Notification

Any application made under Rule 3.3.3 shall be non-notified.

[FFNZ Inc sub pt Rule 3.1.2 & 3.3.3, Murchison para 9.1-9.6]

3.3.4 Residential buildings (including relocated dwellings), ~~farm dwellings and farm retirement dwellings~~ in the Ostler Fault Hazard Areas (see Planning Maps 33, 38, 53 and 55)...

3.3.7 Farm buildings outside Farm Base Areas (see Appendix R) within the MacKenzie Basin Subzone which do not meet the standards and terms listed in rule 3.3.3 and do not comply with Rule 3.1.3 or Rule 3.3.3 shall be a discretionary activity except where Rule 3.4 applies. [FFNZ Inc sub pt Rule 3.3.7]

~~3.3.8 Non-farm buildings within defined Farm Base Areas (see Appendix R) within the MacKenzie Basin Subzone which do not meet the standards and terms listed in 3.3.7 shall be a discretionary activity.~~

3.3.8 Non-farm buildings or extensions to non-farm buildings within defined Farm Base Areas (see Appendix R) within the MacKenzie Basin Subzone which do not meet the standards and terms listed in Rule 3.2.2 and do not comply with Rule 3.3.3 shall be a discretionary activity.

[FFNZ Inc sub pt Rule 3.3.8]

4.10 Add the following rules under 3.4 non-complying Activities – Buildings as 3.4.4. and 3.4.5

~~3.4.4. Except for buildings within identified Farm Base Areas (refer to Appendix R), all buildings or extensions and additions to buildings within the Lakeside Protection Area identified on the Planning Maps are a non-complying activity.~~

Except for buildings within identified Farm Base Areas (refer to Appendix R), or which are provided for in an Integrated Farm Management Plan under Rule 3.3.3, all buildings or extensions and additions to buildings within the Lakeside Protection Area identified on the Planning Maps are a non-complying activity. [Consequential amendment from FFNZ Inc sub pt Rules 3.4.4, Murchison Section 7 & paras 9.1-9.6]

Farm buildings and extensions of farm buildings outside a Farm Base Area (refer to Appendix R) within the MacKenzie Basin Subzone which do not meet the conditions for a permitted activity under Rule 3.3.1, a restricted discretionary activity under Rule 3.3.3, or a discretionary activity under Rule 3.3.5 (b), within any of the following areas identified on the Planning Maps or in Appendix V (Areas of landscape Management): Sites of Natural Significance

- ~~Scenic Viewing Areas~~
- ~~Scenic Grasslands~~
- ~~Lakeside Protection Areas~~
- ~~Land above 900m in altitude, other than mustering huts less than 50m² in area.~~

[Consequential amendment from FFNZ Inc sub pt Rules 3.4.4, Murchison paras 9.1-9.6]

3.4.5 Non-farm buildings and extensions of these buildings within the MacKenzie Basin Subzone outside of defined Farm Base Areas (refer Appendix R) including all non-farm buildings within Lakeside Protection Areas, Scenic Viewing Areas, Scenic Grasslands

~~and land above 900m in altitude identified on the Planning Map or in Appendix V (Areas of Landscape Management) which do not comply with the provisions for a Restricted Discretionary Activity as Part of an Integrated Farm Management Plan under Rule 3.3.3.~~ [Consequential amendment from FFNZ Inc sub pt Rules 3.4.5, Murchison Section 7, paras 9.1-9.6]

4.12 Earthworks and Tracking ...

4.13 Add the following activity to 4.2 Controlled Activities – Earthworks and tracking

4.2.21 Other than in the areas listed below, any earthworks (both excavation and fill) greater than 300m³ and less than 1000m³ per site or bare soil exposed greater than 1000m² and less than 2500m² per site shall be a controlled activity:

- areas containing Geopreservation Sites identified on the Planning Maps and listed in Appendix 1;
- Sites of Natural Significance identified on the Planning Maps and listed in Appendix 1;
- areas above 900m in altitude or land with a slope angle greater than 25⁰;
- areas within 10m of a river;
- areas within 50m of a wetland or lake;
- areas within 20m of a river listed in Schedule B to the Rural Zone
- Scenic Viewing Areas and Scenic Grasslands

This rule shall not apply to earthworks:

- Approved as part of a subdivision or building consent
- For routine repair and maintenance of operational tracks, roads and drains
- Leveling for fence lines
- For utility services
- Approved as part of a resource consent for a building'
- Approved as part of a resource consent for a farm building except where the earthworks are for access
- ~~For the installation of pipes and re-grading of land for irrigation purposes~~
- For the installation of pipes and re-grading of land for irrigation purposes

[FFNZ Inc, sub pt Rule 4.2.1]

Add a new Rule 4.3 Restricted Discretionary Activities which reads:

4.3.1 Any earthworks or tracking in the MacKenzie Basin Subzone which is not a Permitted Activity or a Controlled Activity provided it complies with the following standards and terms:

4.3.1 (a) The activity is provided for in an Integrated Farm Management Plan for the property prepared in accordance with Policy 3B15.

Matters Subject to the Council's Discretion

- **Approval of the Integrated Farm Management Plan**
- **Any conditions necessary to ensure the activity is carried out in accordance with the Integrated Farm Management Plan**

Notification

Any application made under Rule 4.3.1 shall be non-notified.

[FFNZ Inc sub pt Rule 4.1.1.e & Murchison paras 9.1-9.6]

4.13B Amend Discretionary Activities Tree Planting Rule 6.4.2 as follows:

6.4.2 Tree planting in Scenic Viewing Areas identified on Planning Maps and Scheduled in Appendix J and in Scenic Grasslands identified on the Planning Maps ~~or in Appendix V (Areas of Landscape Management)~~. **Is a restricted discretionary activity-provided it complies with the following standards and terms:**

6.4.2 (a) The activity is provided for in an Integrated Farm Management Plan for the property prepared in accordance with Policy 3B15.

Matters Subject to the Council's Discretion

- **Approval of the Integrated Farm Management Plan**
- **Any conditions necessary to ensure the activity is carried out in accordance with the Integrated Farm Management Plan**

Notification

Any application made under Rule 6.4.2 shall be non-notified.

[FFNZ Inc sub pt Rule 6.4.2 & Murchison paras 9.1-9.6]

6.4.23 Tree planting in Scenic Viewing Areas identified on Planning Maps and scheduled in Appendix J and in Scenic Grasslands identified on the Planning Maps ~~or in Appendix V (Areas of Landscape Management)~~. **which does not comply with Rule 6.4.2 is a discretionary activity.** [FFNZ Inc sub pt Rule 6.4.2 & Murchison paras 9.1-9.6]

15.1.1.a Irrigators and fences

- i. There shall be no ~~large~~ irrigators (including centre pivots and linear move irrigation systems) ~~or fences (other than replacement fences)~~ within Scenic Viewing Areas, Scenic Grasslands, Sites of Natural Significance or Lakeside Protection Areas identified on the Planning Maps within the MacKenzie Basin Subzone ~~or in Appendix V (Areas of Landscape Management)~~ except for areas which are subject to a water permit or other lawful permission to take or use water to irrigate that land and that permission has no lapsed. [FFNZ Inc sub pt Rule 15.1.1.a & Murchison para 6.46-6.50 & 8.18]

- ii. In all other areas of the MacKenzie Basin Subzone ~~large~~ irrigators (including centre pivot or linear move irrigation systems) shall be setback at least 250m from State Highway 8 the Haldon Road east of the intersection with MacKenzies Pass Road, Godley Peaks Rd and Lilybank Road except for areas which are subject to a water permit or other lawful permission to take or use water to irrigate that land and that permission has no lapsed. [FFNZ Inc sub pt Rule 15.1.1.a & Murchison para 6.46-6.50, & 8.18]

Note: Controls on Pastoral Intensification in the Mackenzie Basin Subzone are contained in Clause 15A of the Rural Zone.

4.13G Amend Rural Zone Other Activities Rules 15.2.1 Discretionary Activities as follows

- 15.2.1 The siting or use of irrigators in the MacKenzie Basin Subzone which does not comply with Rule 15.1.1.a (i) or (ii) is a restricted discretionary activity-provided it complies with the following standards and terms:

15.2.1 (a) The activity is provided for in an Integrated Farm Management Plan for the property prepared in accordance with Policy 3B15.

Matters Subject to the Council's Discretion

- Approval of the Integrated Farm Management Plan
- Any conditions necessary to ensure the activity is carried out in accordance with the Integrated Farm Management Plan

Notification

Any application made under Rule 15.2.1 shall be non-notified.

[FFNZ Inc sub pt Rules 15.1.1.a & 15.3.1 & Murchison paras 6.41-6.44 & 9.1-9.6]

15.2.2. Any Activity, other than those specified in Clauses 3 to 14 for the Rural Zone, which does not comply with one of more of the following standards for Permitted Activities:

15.1.1.a.ii Irrigators ~~and Fences~~, unless the activity complies with Rule 15.2.1...

4.13I Add the following new rule to Rural Zone Rule 15.3 Other Activities – Non-complying activities:

~~15.3.1 Any large irrigators (including centre pivot and linear move irrigation systems) or fences (other than replacement fences) within Scenic Viewing Areas, Scenic Grasslands, Sites of Natural Significance or lakeside Protection Areas identified on the Planning Maps within the MacKenzie Basin Subzone or in Appendix V (Areas of Landscape Management) shall be a Non-complying activity.~~

The siting or use of irrigators in the MacKenzie Basin Subzone outside of Farm Base Areas which does not comply with Rule 15.1.1.a (i) or (ii) and Rule 15.2.1 is a non-complying activity.

[FFNZ Inc sub pt Rule 15.3.1 & Murchison paras 6.41-6.44 & 9.1-9.6]

15A PASTORAL INTENSIFICATION

15A.1.1 Pastoral intensification (refer definitions) outside the MacKenzie Basin Subzone shall not exceed 5% of a Site of Natural Significance identified on the Planning Maps and scheduled in Appendix I other than on Geo-preservation sites.

Exemption

This standard shall not apply to any pastoral intensification which is provided for in any one of the following mechanisms:

- Section 76 Reserves Act 1977 Declaration
- Section 77 Reserves Act 1977 Conservation Covenant
- Section 27 Conservation Act 1987 Covenant
- Section 29 Conservation Act 1987 Management Agreement

provided such mechanism

- Protects the significant natural character of the Site of Natural Significance, and
- Remains current for the duration of the activity, and
- The terms of the mechanism have not been breached, and
- Has been lodged with the Council.

15A.1.2 Pastoral farming (refer definitions) within the MacKenzie Basin Subzone shall not exceed 5% of a Site of Natural Significance identified on the Planning Maps and scheduled in Appendix I other than on Geo-preservation sites.

Exemption

This standard shall not apply to any pastoral intensification which is provided for in any one of the following mechanisms:

- Section 76 Reserves Act 1977 Declaration
- Section 77 Reserves Act 1977 Conservation Covenant
- Section 27 Conservation Act 1987 Covenant
- Section 29 Conservation Act 1987 Management Agreement

provided such mechanism

- Protects the significant natural character of the Site of Natural Significance, and
- Remains current for the duration of the activity, and
- The terms of the mechanism have not been breached, and
- Has been lodged the Council.

[FFNZ Inc sub pts Rule 15A.1.1 & Murchison Section 6]

15A.1.23 Pastoral Intensification (refer definitions) within the MacKenzie Basin Subzone which is:

- (a) Within a defined Farm Base Area (refer Appendix R) **and is setback at least 20m from the bank of a river and 50m from a wetland;** or
- (b) ~~Within an area for which a resource consent a water permit to take and use water for the purpose of irrigation has been granted by Environment the Canterbury Regional Council prior to 14 November 2015 authorizing irrigation, the consent has not lapsed and effects on the outstanding natural landscape have been addressed through the regional consenting process.~~ **'within an area for which permission to take and use water for irrigation was lawfully established prior to 14 November 2015 and that permission has not lapsed.'** [FFNZ Inc sub pt Rule 15A1.2(b) and Murchison para 6.50]

15.A.2 Discretionary Activities

15A.2.1 Pastoral farming or pastoral intensification (refer definitions) within the MacKenzie Basin Subzone which does not comply with Rule 15A.1.2 or 15A1.3 is a restricted discretionary activity-provided it complies with the following standards and terms:

15A.2.1(a) The activity is provided for in an Integrated Farm Management Plan for the property prepared in accordance with Policy 3B15.

Matters Subject to the Council's Discretion

- Approval of the Integrated Farm Management Plan
- Any conditions necessary to ensure the activity is carried out in accordance with the Integrated Farm Management Plan

Notification

Any application made under Rule 15A.2.1 shall be non-notified

[FFNZ Inc sub pts Rule 15A.2.1 & Murchison Section 6 & paras 9.1-9.6]

- 15A.2.4~~2~~ Pastoral intensification (refer definitions) in the MacKenzie Basin Subzone other than as provided for as a Permitted, **Restricted Discretionary** or Non-complying Activity. [Consequential amendment from new 15A.2.1 above]

15A.3 Non-complying Activities

- 15A.3.1 ~~Any~~ Pastoral intensification (refer definitions) outside the Mackenzie Basin Subzone which involves 5% or more of any Site of Natural Significance identified on the Planning Maps and scheduled in Appendix I.

15A.3.2 Pastoral farming (refer definitions) within the Mackenzie Basin Subzone which involves 5% or more of any Site of Natural Significance identified on the Planning Maps and scheduled in Appendix I.

[FFNZ Inc submission pt Rule 15A.3]

- 15A.3.2.3 Pastoral Intensification (refer definitions) in the MacKenzie Basin Subzone within a Site of Natural Significance identified on the Planning Maps and scheduled in Appendix I, Scenic Viewing Areas, Scenic Grasslands or lakeside Protection Areas identified on the Planning Maps ~~or in Appendix V (Areas of Landscape Management)~~ or tussock grasslands within 1km of State Highway 8, Haldon Road **east of MacKenzies Pass Road**, Godley Peaks Road or Lilybank Road **except where provided for under Rule 15A2.1** [Murchison, para 8.18]

SECTION 13 – SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS

3 Controlled Activities – Subdivision

- 3a Any subdivision outside the MacKenzie Basin subzone or within a Farm Base Area within the Mackenzie Basin Subzone which complies with all Primary and

Secondary Subdivision Standards shall be a Controlled Activity in respect of the following matters:...

~~3b Any subdivision in the Mackenzie Basin Subzone (excluding subdivision within Farm Base Areas) for the purpose of providing for a retirement dwelling (see definition) on an identified building platform within a site of at least 50 hectares, where land use consent has been granted for the subdivision or is being applied for simultaneously, shall be a Controlled Activity with the Councils' discretion limited to the following matters:~~

- ~~• The matters listed in 3a~~
- ~~• The effect on the landscape of the proposed dwelling sited on the identified building platform.~~

6.3 Add the following new RESTRICTED DISCRETIONARY ACTIVITIES rule after Rule 4 Controlled Activities as follows:

4A Restricted Discretionary Activities – Subdivision in the MacKenzie Basin Zone

~~4A.a Any subdivision within the MacKenzie Basin Subzone (excluding subdivision within Farm Base Areas) for the purpose of facilitating farming activity or providing an identified building platform within a site of at least 50 hectares for a farm retirement dwelling where land use consent has not been obtained is not being sought simultaneously, shall be a Restricted Discretionary Activity with the Councils discretion limited to the following matters:~~

- ~~• All the matters listed in Rule 3a above~~
- ~~• In the case of subdivision to facilitate farming activity, the effects of proposed or likely buildings and structures on landscape values and the location for building platforms~~
- ~~• In the case of subdivision to provide for a site for a farm retirement dwelling, the effect on the landscape of the proposed dwelling sited on the identified building platform.~~

~~4A.a Any subdivision in a Farm Base Area (refer Appendix R) within the Mackenzie Basin Subzone (excluding any subdivision in the Ostler Fault Hazard Area) which complies with the Primary and Secondary Subdivision standards shall be a Restricted Discretionary Activity with the Council's discretion limited to the following matters:~~

~~All the matters in rule 3a listed above~~

~~The effect on the landscape of the subdivision and any associated earthworks, buildings and curtilage.~~

4A.a Any subdivision in the Mackenzie Basin subzone outside the Farm Base Area (excluding any subdivision in the Ostler Fault Hazard Area provided it complies with the following standards and terms:

4A.a (i) All relevant Primary and Secondary Subdivision Standards except Primary Standard 6.a.ii(f)

4A.a(ii) The subdivision is provided for in an Integrated Farm Management Plan for the property prepared in accordance with Policy 3B15.

Matters Subject to the Council's Discretion

- All the matters listed in Rule 3a above
- The effect on the landscape of the subdivision and any associated earthworks
- Approval of the Integrated Farm Management Plan
- Any conditions necessary to ensure the activity is carried out in accordance with the Integrated Farm Management Plan

Notification

Any application made under Rule 4A.a shall be non-notified.

[FFMZ Inc sub pt Rule 4A.a, Murchison paras 8.5-8.8, 9.1-9.6]

6.4 Amend Discretionary Activities – Subdivision Rules 4a and 4b, delete 4.d and add new rules as 4d ~~and 4e~~ as follows:...

4.d Any subdivision in the MacKenzie Basin Subzone within the Osler Fault Hazard Area or outside a Farm Base Area which complies with the Primary and Secondary Subdivision standards but does not comply with Primary Standard 6.a.ii(f) or Rule 4A.a shall be a Discretionary Activity unless Rule 5.b applies.

6.5 Amend Non-complying ~~Discretionary~~ Activities (sic) – Subdivisions Rule 5a and add new rule 5b and 5c as follows

5. Non-Complying Activities – Subdivision

5.a Any subdivision outside the MacKenzie Basin Subzone which does not comply with one or more Primary Subdivision Standards shall be a Non-Complying Activity.

5.b Except within ~~identified~~ defined Farm Base Areas within the MacKenzie Basin Subzone (refer Appendix R) any subdivision on any site within ~~the~~ a Lake Protection Area, Scenic Viewing Areas or Scenic Grasslands identified on the Planning Maps ~~or Appendix V (Areas of Landscape Management)~~ which is not provided for as part of an Integrated Farm Management Plan under Rule 4A.a shall be a **Non-complying activity**. [FFNZ Inc sub pt Rule 5]

- 5.c Any subdivision within the Mackenzie Basin Subzone which is not listed as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.