

PART G: CONSOLIDATED RMA RULES ASSESSMENT SOUTHERN LINK INLAND PORT

The following tables identify the relevant rules associated with the proposed activities of the SLIP under the Dunedin City Second Generation District Plan, Otago Regional Plan: Water for Otago, Otago Regional Plan: Waste for Otago, the National Environmental Standards For Freshwater 2020 (NES-FW), and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS).

To avoid doubt, SLPL seek all and any necessary resource consents require for the activities described in **Section 2** of the substantive application document.

For brevity and clarity purposes, detailed assessment against the provisions has only been done for the rules and standards relevant to the SLIP.

Activities that require resource consent have been highlighted in blue for identification purposes.

For provisions unnecessary to replicate here a placeholder ‘Refer to X for Y detail’ has been inserted.

For irrelevant sections of a rule or standard an ellipsis (...) is used to identify the provision has been shortened.

DUNEDIN CITY SECOND GENERATION DISTRICT PLAN RULES ASSESSMENT

The activity status and land use consent required is for a **non-complying activity** under the Dunedin City Second Generation District Plan. The following rules and performance standards have been considered for this substantive application.

Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Chapter 3 – Public Amenities			No public amenities are proposed by the application.
Chapter 4 – Temporary Activities			
Rule 4.3 Activity Status			



Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Construction and site investigation	4.3.2.2 Construction and site investigation Permitted subject to compliance with relevant performance standards which are: > 4.5.1 Development standards > 4.5.3 Maximum duration, frequency and site restoration > 4.5.4 Noise > 4.5.8 Light spill	Restricted discretionary	Compliance with the relevant Rules is assessed below. Compliance with Rule 4.5.1 cannot be achieved.
Rule 4.5 Performance Standards			
Construction and site investigation	4.5.1 Development standards 1. Any temporary building or structure, or earthworks or site development activity associated with temporary activities must meet the maximum height, height in relation to boundaries, setbacks, hazard exclusion areas, vegetation clearance standards, and earthworks performance standards of the zone in which they are located, except: a. temporary signs (see Rule 4.5.7); b. setbacks from coast and water bodies, provided the building or structure is set back from the coast or water bodies a minimum of 5m; c. any temporary building or structure associated with construction and site investigation are exempt from meeting performance standards for maximum height, height in relation to boundary, and boundary setbacks provided they are erected for no more than 90 days; and	Restricted discretionary	Construction cranes will be erected on the site for longer than 90 days and will infringe the maximum height performance standard for the Taieri Plain Rural Zone (standard 16.6.5 Maximum Height) for both the zone height and infringe the Taieri Aerodrome flight fan mapped area maximum height, contravening Rule 4.5.1.1 and requiring consent as a restricted discretionary activity under Rule 4.5.1.3.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	d. any structure associated with mobile trading or military exercises... 2. NA 3. Activities that contravene this performance standard are restricted discretionary activities.		
Construction and site investigation	4.5.3 Maximum Duration, Frequency, and Site Restoration 4.5.3.4 Construction and site investigation a. Off-site use and storage of plant, tools, gear, materials or relocatable site offices as part of construction and site investigation must: i. not exceed a maximum duration of 20 weeks per site in any 12 month period; and ii. only be accessed between 7.00am and 6.00pm on weekdays and Saturdays, except public holidays. b. The following activities are exempt from this performance standard: i. off-site use and storage of plant, tools, gear, materials in the Central Business District, CBD Edge Commercial North, CBD Edge Commercial South, Harbourside Edge, Princes, Parry and Harrow Street, South Dunedin Large Format, Warehouse Precinct, Centres, Trade Related, Port, Taieri Aerodrome, Campus, Industrial, and Industrial Port zones; and ii. off-site relocatable site offices in all zones where office activity is a permitted activity. c. Activities that contravene this performance standard are restricted discretionary activities.	Permitted	All plant, tools, gear, materials and relocatable site offices as part of construction and site investigation will be stored and used on the Site.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Construction and site investigation	4.5.4 Noise 4.5.4.1 Construction and site investigation noise <i>Refer to District Plan for performance standard detail.</i>	Permitted	Marshall Day Acoustics (2026) has undertaken a noise assessment (refer to Part B of this application) in accordance with NZS6803:1999 Acoustics Construction Noise and confirms construction noise can comply with Rule 4.5.4.1. Therefore, it is a permitted activity.
Construction and site investigation	4.5.4 Noise 4.5.4.X Construction and site investigation vibration <i>Refer to District Plan for performance standard detail.</i>	Permitted	Marshall Day Acoustics (2026) has undertaken a vibration assessment (refer to Part B of this application) and confirms construction vibration can comply with Rule 4.5.4.X. Therefore, it is a permitted activity.
Construction and site investigation	4.5.8 Light Spill Temporary activities must comply with Rule 9.3.5.	Permitted	It is anticipated that all construction lighting will comply with Rule 9.3.5 as assessed below or appropriate consents sought in due course.
Chapter 6 - Transportation			
Rule 6.3 Activity Status			
Use of the roading network	6.3.2.1 Operation, repair and maintenance of the roading network Permitted subject to compliance with relevant performance standards which are: > 6.5.1 Design and location - road signs > 6.5.3 Maximum duration, frequency, and hours of operation	Permitted	The use of the roading network is a permitted activity. No repair or maintenance is proposed as part of the application.
Use of the rail network	6.3.2.2 Operation, repair and maintenance of the rail network Permitted subject to compliance with relevant performance standards which are: > Noise > Light spill	Permitted	The use of the rail network is a permitted activity and will comply with Rule 9.3.6 Noise and Rule 9.3.5 Light Spill as assessed below. No repair or maintenance is proposed as part of the application.



Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Alterations to Dukes Road North	6.3.2.3 New roads or additions or alterations to existing roads No applicable performance standards.	Discretionary	Alterations are proposed to Dukes Road North, therefore being a discretionary activity.
Rule 6.6 Parking, Loading and Access Standards			
On-site Carparking	6.6.1 Car Parking Design <i>Refer to District Plan for performance standard detail.</i>	Permitted	It is anticipated all onsite car parking will either be designed to comply with Rule 6.6.1 at detailed design or appropriate consents sought in due course.
Vehicle loading	6.6.2 Vehicle Loading Design <i>Refer to District Plan for performance standard detail.</i>	Permitted	It is anticipated all onsite loading will either be designed to comply with Rule 6.6.2 at detailed design or appropriate consents sought in due course.
Vehicle Access	6.6.3.1 Maximum number of vehicle crossings a. The maximum number of vehicle crossings permitted on each road frontage of a site located on a strategic road with a frontage length greater than 200m is 2. b. No new vehicle crossings are permitted onto a commercial center street... c. For fire stations... d. Activities that contravene this performance standard are restricted discretionary activities.	Permitted	The project proposes one primary vehicle crossing onto Dukes Road North as well as an emergency exit. Dukes Road North is a Strategic Road and the frontage of the site onto Dukes Road North exceeds 200m, and therefore the permitted number of crossings is 2 as proposed.
Vehicle access	6.6.3.2 Minimum sight distance from a vehicle access a. The minimum sight distance from a new vehicle access onto any state highway... b. The minimum sight distance from a new vehicle access onto a road other than a state highway with an 80km/h speed limit is 111m.	Permitted	Dukes Road North is a strategic road that has a posted speed limit of 80km/h, which requires a 111m sight distance from vehicle access. Stantec (2026g) confirms compliance with this rule will be achieved with sight distances from both crossings exceeding 111m.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	c. Except, where the configuration of the site's boundaries do not allow a vehicle crossing to be constructed that complies with rule 6.6.3.2.b... d. Sight distances must be measured between the points shown on Appendix 6B, Figure 6B.13, at a height of 1.15m above the existing road surface and the proposed road surface level of the side road or vehicle access. e. Visibility inside the area bounded by the sight lines shown in Appendix 6B, Figure 6B.13 must not be obstructed. f. Activities that contravene this performance standard are restricted discretionary activities.		
Vehicle Access	6.6.3.3 Maximum width for a vehicle access a. The maximum width for a vehicle access for non-residential activities is 9m: b. Activities that contravene this performance standard are restricted discretionary activities.	Restricted Discretionary	The main vehicle access will exceed the maximum vehicle crossing width of 9m. Therefore, this activity is a restricted discretionary activity.
Vehicle access	6.6.3.4 Minimum distances of new vehicle crossing from intersections and level crossings a. The minimum distance of a new vehicle crossing from intersections on roads where the speed limit is less than 70km/h... b. The minimum distance of a new vehicle crossing from intersections on strategic roads where the speed limit is 70 - 90 km/h is 100m. c. Except, where the configuration of the site's boundaries do not allow a vehicle crossing to be constructed that complies with rule 6.6.3.4.a or 6.6.3.4.b...	Permitted	Dukes Road North is categorized as a Strategic Road with a posted speed limit of 80km/h. The proposed new crossings will be separated by more than 100m from the closest intersection (Dukes Road North and Stedman Road intersection) and more than 30m from the Dukes Road North rail crossing.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	d. The minimum distance of a new vehicle crossing from intersections on roads where the speed limit is greater than 90 km/h... e. The minimum distance of a new vehicle crossing from intersections on state highways... f. Distances will be measured as shown in Appendix 6B, Figure 6B.17. X. For state highways... g. The minimum distance between a new vehicle crossing and a level crossing on the same road is 30m. h. Activities that contravene this performance standard are restricted discretionary activities		
Vehicle access	6.6.3.6 Surfacing of driveways a. Driveways that adjoin a legal road that is hard surfaced, must be constructed with a hard surface for a minimum distance of 5m from the edge of the road (See Appendix 6B, Figure 6B.19). b. In all zones other than the rural and rural residential zones... c. Activities that contravene this performance standard are restricted discretionary activities.	Permitted	Both vehicle crossings will be constructed with a hard surface where the base course will have a 400mm thickness and the subbase course will have 350mm thickness. The 'driveways' / private roads will exceed the minimum distance of 5m from the edge of the road and will comply with this performance standard.
Vehicle Access	6.6.3.7 Gradient of driveways a. The maximum change in gradient without transition for driveways is 1 in 8 for summit grade changes or 1 in 6.7 for sag grade changes. b. The gradient of the first 5m measured from the road boundary into the site must be no greater than 1 in 8.	Permitted	The gradient of the 'driveways' / internal roads will comply with these performance standards and is a permitted activity.

Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	c. Activities that contravene this performance standard are restricted discretionary activities.		
Vehicle Access	6.6.3.8 Width of driveways a. The minimum widths of driveways for non-residential activities in the rural zone is a 6m minimum legal width and 5m minimum formed width. b. Activities that contravene this performance standard are restricted discretionary activities.	Permitted	The proposed 'driveways' / internal roads will comply with this standard.
Rule 6.7 General Performance Standards			
Signs visible from roads	6.7.3 Signs Visible from Roads <i>Refer to District Plan for performance standard detail.</i>	Permitted	It is anticipated all signs designed to be read by passing motorists will comply with Rule 6.7.3 or appropriate consents will be sought in due course.
Setbacks from rail corridor	6.7.4 Setback from Designated Rail Corridor 1. In the residential, commercial and mixed use, industrial and recreation zones...	n/a	The Site is zoned Taieri Plain Rural Zone and therefore this rule does not apply.
Chapter 7 – Scheduled Trees			No scheduled trees are located on the Site or within the vicinity of the Site.
Chapter 8 – Natural Hazard Mitigation Activities			No natural hazard mitigation activities are proposed – the proposed external stormwater swales
Chapter 8A - Earthworks			
Rule 8A.3 Activity Status			
Earthworks	8A.3.2.3 Earthworks – large scale Restricted discretionary subject to compliance with relevant performance standards which are: > 8A.5.2 Archaeological sites	Restricted discretionary	Large scale earthworks are proposed which is a restricted discretionary activity. Compliance with the relevant performance standards is assessed below.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	> 8A.5.3 Batter gradient > 8A.5.4 Setback from property boundary, buildings, structures and cliffs > 8A.5.5 Setback from National Grid (earthworks) > 8A.5.6 Setback from network utilities > 8A.5.X Setback from Critical Electricity Distribution Infrastructure (earthworks) > 8A.5.7 Sediment control > 8A.5.8 Removal of high class soils > 8A.5.9 NZ Environmental Code of Practice for Plantation Forestry > 8A.5.11 Setback from scheduled tree > 8A.5.12 Dust control > 8A.5.10 Setback from coast and water bodies		Compliance with Rules 8A.5.3, 8A.5.4, 8A.5.6, 8A.5.8 and 8A.5.10 is not achieved as assessed below.
Rule 8A.5 Earthworks Performance Standards			
Earthworks	8A.5.2 Archaeological Sites Earthworks must comply with Rule 13.3.3.	-	As assessed below, compliance with Rule 13.3.3 is achieved as an archaeological authority has been acquired for the Site in relation to disturbance of scheduled archaeological site Holmhead Farm.
Earthworks	8A.5.3 Batter Gradient 1. Earthworks must: a. have a maximum cut batter gradient of 1h:1v (i.e. rising 1m over a 1m distance); and	Restricted Discretionary	Earthworks associated with the construction of the Site may not comply with this standard following detailed design.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	b. have a maximum fill batter gradient of 2h:1v (i.e. rising 1m over a 2m distance). 2. Earthworks ancillary to forestry... 3. Activities that contravene this performance standard are restricted discretionary activities.		
Earthworks	8A.5.4 Setback from Property Boundary, Buildings, Structures and Cliffs 1. Earthworks over 600mm in height or depth must be set back from: property boundaries, foundations of buildings, structures greater than 10m² footprint, and the top or toe of any cliff, the following minimum distances: a. Earthworks not supported by retaining walls: i. a distance at least equal to the maximum height of the fill, as measured from the toe of the fill (see Figure 8A.5.4A); ii. a distance at least equal to 1.5 times the maximum depth of the cut, plus 300mm, as measured from the toe of the cut (see Figure 8A.5.4A); and iii. 300mm, as measured from the crest of any cut (see Figure 8A.5.4A). b. Retaining walls supporting a cut or fill must be set back a distance at least equal to the height of the retaining walls (see Figure 8A.5.4B), except: i. retaining walls supporting a cut that have been granted building consent are exempt from this standard.	Restricted Discretionary	Construction of the swales will potentially require earthworks over 600mm in depth within the specified setbacks from adjacent property boundaries.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	c. Earthworks ancillary to network utility activities, earthworks ancillary to the operation, repair and maintenance of the roading network, earthworks ancillary to the operation, repair and maintenance of the rail network, earthworks ancillary to the maintenance or replacement of underground fuel storage systems and earthworks ancillary to forestry are exempt from the setback from property boundary, buildings, structures and cliffs performance standard. 3. Activities that contravene this performance standard are restricted discretionary activities.		
Earthworks	8A.5.6 Setback from Network Utilities Earthworks must comply with Rule 5.6.2. 5.6.2 Setback from Network Utilities 1. Earthworks must be set back at least 1.5m from network utility structures, except where the network utility structure is a privately owned asset that is located on a privately owned property and the earthworks are being undertaken by an owner of the asset. X. Rule 5.6.2.1 does not apply to any of the following types of earthworks... Y. Earthworks are exempt from Rule 5.6.2.1 in relation to underground network utility structures where all of the following criteria are met: a. the maximum depth of excavation is no more than 350mm... Z. The setbacks required in Rule 5.6.2.1 are to be measured as horizontal distances from the outside edge of the network utility structure.	Restricted discretionary	Earthworks greater than 350mm in depth and within 1.5m of a watermain and telecom line will likely occur to construct the northern swale.



Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	2. Activities that contravene this performance standard are restricted discretionary activities.		
Earthworks	8A.5.7 Sediment Control 1. Earthworks must be undertaken using best practice sediment control management to prevent sediment entering water bodies, stormwater networks, or the coastal marine area, or going across property boundaries. 2. Activities that contravene this performance standard are restricted discretionary activities.	Permitted	Earthworks will be undertaken using best practice sediment control management. Erosion and Sediment Management Control Plans will be prepared for the proposed earthworks as a condition of consent.
Earthworks	8A.5.8 Removal of High-Class Soils 1. Earthworks must not remove topsoil or subsoil that is located within the high-class soils mapped area from the site, except this rule does not apply within: X. the Ayr Street structure plan mapped area. Y. the North Road structure plan mapped area. Z. the Henderson Street structure plan mapped area. AA. the South East Mosgiel structure plan mapped area. 2. Activities that contravene this performance standard are restricted discretionary activities.	Restricted Discretionary	Earthworks will remove soil from the site within the high class soils mapped area.
Earthworks	8A.5.10 Setback from Coast and Water Bodies Earthworks - large scale must comply with Rule 10.3.3 10.3.3 Setback from Coast and Water Bodies In all zones, other than the Harbourside Edge Zone, St Clair Neighbourhood Destination Centre, Dunedin Hospital Zone, Dunedin	Restricted Discretionary	Earthworks will occur within 20m of the bed of Silver Stream and therefore this standard is not complied with.

Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	International Airport Zone, Moana Pool Zone, Otago Museum Zone, Port Zone and Wakari Hospital Zone, new buildings and structures, additions and alterations, earthworks - large scale, storage and use of hazardous substances, and network utility activities must be set back a minimum of: 1. 20m from mean high water springs (MHWS); and 2. 20m from any wetland identified in Appendix A1.2, Schedule of Areas of Significant Biodiversity Value (ASBV); 3. 20m from any water body with a clearly defined bed of at least 3m in width in the rural zones; 4. 5m from any water body with a clearly defined bed less than 3m in width in the rural zones; 5. 5m from any water body with a clearly defined bed in all other zones; and X. 5m from a stormwater open watercourse mapped area; 6. Except, the following are exempt from this standard: a. natural hazard mitigation activities; b. hydro generators...; c. network utility poles and masts...; d. network utility structures...; e. the operation, repair, minor upgrading and maintenance of existing network utilities; f. river flow recording facilities; g. navigational aids;		



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	h. maimai and whitebait stands on the surface of water; i. post and wire fences; j. bridges, causeways, culverts and fords; k. jetties, boat ramps, and wharves; l. signs; m. new buildings and structures, and additions and alterations, used for port activities in the Industrial Port Zone; n. bird hides, viewing structures and viewing platforms...; o. earthworks associated with the operation, repair and maintenance of the existing roading network; p. irrigation pipes of any size, and other irrigation or stock water structures... ; X. wharflines, bunkerlines and associated ancillary equipment...; q. earthworks required for any of the activities in (a) - (X) above; and r. new buildings and structures, and additions and alterations, associated with the New Zealand Marine Studies Centre... Y. In addition to the exceptions in Rule 10.3.3.6, the following are exempt from Rule 10.3.3.X: a. fences; and b. structures with a maximum footprint of 2m². 7. For the purposes of this standard, setbacks will be measured from the bank of the water body at the point of its annual fullest flow or annual		



Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	highest level without overtopping its bank (see Figure 10.3.3A and Figure 10.3.3B). 8. Activities that contravene this performance standard are restricted discretionary activities.		
Earthworks	8A.5.12 Dust Control 1. Earthworks must be undertaken in a manner that avoids or minimises, as far as practicable, creating a dust nuisance beyond any property boundary, by using best practice dust control management. For the sake of clarity dust nuisance includes: a. suspended solids in the air beyond the site boundary; or b. suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site, or water. 2. Activities that contravene this performance standard are restricted discretionary activities.	Permitted	Dust will be managed appropriately in accordance with a Construction Management Plan (a draft Construction Management Plan has been submitted with the Application, refer to Part D) and to be submitted to certification by DCC. This activity complies with the permitted activity requirements.
Chapter 9 – Public Health and Safety			
Rule 9.3 Performance Standards			
Storage of hazardous substances	9.3.4 Hazardous Substances Quantity Limits and Storage Requirements 1. The storage and use of hazardous substances with explosive or flammable properties must not be located in the National Grid Yard except as provided for in Rule 9.3.4.2. The storage and use of all other hazardous substances must comply with the quantity limits and storage requirements specified in Appendix A6.	Permitted	No storage or use of hazardous substances on the Site are proposed under this Application. Should such activities be proposed in the future, approvals will be sought separately as necessary.
Lighting	9.3.5 Light Spill	Permitted	All lighting on the site is expected to comply with the light spill requirements.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	1. Light spill measured at any point of the vertical plane that marks the boundary of any site within a residential zone, or in any other zone the notional boundary of any residential building must not exceed the following limits: a. 7.00am – 10.00pm: 10 Lux b. 10.00pm – 7.00am: 3 Lux c. This standard does not apply to light spill from the headlights of motor vehicles or trains, or from street lighting. 2. Light spill must not be emitted in the angles above the horizontal. 3. All outdoor lighting, except street lighting, must be shielded from or directed away from adjacent roads and site boundaries. 4. Activities that contravene Rule 9.3.5.2 or Rule 9.3.5.3 or the limit in Rule 9.3.5.1 by 25% or less are discretionary activities. 5. Activities that contravene any light spill limit in Rule 9.3.5.1 by greater than 25% are non-complying activities.		Lighting along the Site boundaries will be maintained at 3 Lux overnight to meet the operational requirements of the SLIP. This lighting will be shielded away from the site boundaries and not emitted in angles above horizontal, and will be, therefore, a permitted activity.
Noise	9.3.6 Noise <i>Refer to District Plan for performance standard detail.</i>	Permitted	Marshall Day Acoustics (2026) has undertaken a noise assessment (refer to Part B of this application) and confirms operational noise can comply with Rule 9.3.6.

Chapter 10 – Natural Environment

Rule 10.3 Performance Standards

Vegetation clearance	10.3.2.1 Indigenous vegetation clearance - small scale thresholds a. The following types of indigenous vegetation clearance are always considered indigenous vegetation clearance - small scale...	Restricted discretionary	The proposed development is estimated to result in a maximum vegetation clearance of 40 ha, of which a minor percentage within the shelterbelts and stream buffer vegetation communities will be native vegetation based on the site surveys undertaken by e3 Scientific (2026a).
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Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	b. All indigenous vegetation clearance that occurs in an ASBV, ONF, ONCC, HNCC, or NCC... c. All other indigenous vegetation clearance within the Taieri Plain Rural Zone must not exceed 100m² over 5 years to be considered indigenous vegetation clearance - small scale: d. For the purposes of Rule 10.3.2.1.c: i. if the area of indigenous vegetation to be cleared straddles two zones... ii. the area to be cleared will be measured from stems at ground level; and iii. the time period will be measured as the total clearance over the indicated number of calendar years. e. All indigenous vegetation clearance that does not meet this standard is considered indigenous vegetation clearance - large scale, which is: i. a non-complying activity in ASBVs, ONCCs and HNCCs, except where Rule 10.3.2.1.e.X applies; X. a discretionary activity within the 3 Waters infrastructure mapped area, where the clearance is for the upgrade or extension of 3 waters infrastructure; and ii. a restricted discretionary activity in NCCs, ONFs, rural zones and rural residential zones.		Conservatively, these communities are assumed to meet the definition of indigenous vegetation. The clearance of these vegetation communities will exceed 100m² which is therefore considered indigenous vegetation clearance – large scale and a restricted discretionary activity.
Vegetation clearance	10.3.2.2 Protected areas (vegetation clearance) a. Vegetation clearance must not occur within: i. 20m of any wetland...; or	Restricted discretionary	Removal of vegetation will occur within 5m of Silver Stream for construction of the spillways.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard		Activity Status	Comment									
	ii. the following minimum setbacks from the coast and water bodies:			Conservatively, the stream buffer vegetation community is considered indigenous vegetation and will be cleared within 20m of Silver Stream.									
				Therefore, this activity is a restricted discretionary activity.									
	<table><tr><th>Activity</th><th>Minimum setback from mean high water springs</th><th>Minimum setback from any water body (except where Rule 10.3.2.2.a.i applies)</th></tr><tr><td>1. Indigenous vegetation clearance in the rural, rural residential and recreation zones</td><td>20m</td><td>20m from any water body with a clearly defined bed of at least 3m in width; 5m from any other water body</td></tr><tr><td>2. All vegetation clearance in the rural, rural residential, recreation and Ashburn Clinic zones</td><td>5m</td><td>5m</td></tr></table>		Activity	Minimum setback from mean high water springs	Minimum setback from any water body (except where Rule 10.3.2.2.a.i applies)	1. Indigenous vegetation clearance in the rural, rural residential and recreation zones	20m	20m from any water body with a clearly defined bed of at least 3m in width; 5m from any other water body	2. All vegetation clearance in the rural, rural residential, recreation and Ashburn Clinic zones	5m	5m		
Activity	Minimum setback from mean high water springs	Minimum setback from any water body (except where Rule 10.3.2.2.a.i applies)											
1. Indigenous vegetation clearance in the rural, rural residential and recreation zones	20m	20m from any water body with a clearly defined bed of at least 3m in width; 5m from any other water body											
2. All vegetation clearance in the rural, rural residential, recreation and Ashburn Clinic zones	5m	5m											
	b. Indigenous vegetation clearance must not occur within:												
	i. any coastal environment mapped area; or												
	ii. any wetland...												
	c. For the purposes of Rule 10.3.2.2.a, setbacks will be measured as follows:												
	i. for water bodies other than wetlands, setbacks will be measured from the bank of the water body at the point of its annual fullest flow or annual highest level without overtopping its bank (see Figure 10.3.3A and Figure 10.3.3B under Rule 10.3.3 Setback from Coast and Water Bodies); and												
	ii. for wetlands, setbacks will be measured from the edge of the wetland.												
	d. Except that Rule 10.3.2.2.a and Rule 10.3.2.2.b do not apply to vegetation clearance that is:												
	i. part of conservation activity...												
	ii. for the maintenance or alteration of fences...												
	X. clearance for the erection of fences...												

Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	iii. for the maintenance (but not extension) of existing network utilities, irrigation infrastructure, tracks, drains, structures, roads, or firebreaks; iv. for the construction of tracks... v. consistent with or provided for as part of a conservation management strategy... y. clearance for the purpose of the sustainable customary harvest of food or resources... vi. clearance required to remove material infected by unwanted organisms... vii. clearance of a pest plant listed in Appendix 10B; viii. necessary to maintain the flow of water free from obstruction or for natural hazard mitigation activities; ix. in the case of Rule 10.3.2.2.a, separated from mean high water springs or the water body by a formed legal road; x. incidental to the harvesting or maintenance of trees as part of forestry... xi. clearance of non-indigenous plant species and replanting within 3 months with indigenous or non-indigenous plant species, not on the pest plant list in Appendix 10B, that will attain at least the same height and coverage as the plants that have been cleared. e. Activities that contravene this performance standard are restricted discretionary activities.		



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Vegetation clearance	10.3.2.3 Protected species (indigenous vegetation clearance) a. In the rural, rural residential and recreation zones, indigenous vegetation clearance must not occur where the following are present in the area to be cleared: i. any of the threatened plant species listed in Appendix 10A.1; ii. any mature examples (greater than 15 years old) of the important indigenous tree species listed in Appendix 10A.3; or iii. any threatened indigenous fauna species listed in Appendix 10A.2. ...	Permitted	None of the indigenous vegetation species identified on the site (kohukohu (<i>Pittosporum tenuifolium</i>), lemonwood (<i>Pittosporum eugenioides</i>), koromiko (<i>Veronica salicifolia</i>) and <i>Muehlenbeckia australis</i>) are listed in Appendices 10A.1, 10A.2 or 10A.3.
Construction of new buildings and structures, earthworks, storage and use of hazardous substances	10.3.3 Setback from Coast and Water Bodies In all zones, other than the Harbourside Edge Zone, St Clair Neighbourhood Destination Centre, Dunedin Hospital Zone, Dunedin International Airport Zone, Moana Pool Zone, Otago Museum Zone, Port Zone and Wakari Hospital Zone, new buildings and structures, additions and alterations, earthworks - large scale, storage and use of hazardous substances, and network utility activities must be set back a minimum of: 1. 20m from mean high water springs (MHWS); and 2. 20m from any wetland... 3. 20m from any water body with a clearly defined bed of at least 3m in width in the rural zones; 4. 5m from any water body with a clearly defined bed less than 3m...	Restricted discretionary	The Silver Stream has a defined bed of more than 3m and requires a 20m setback for new buildings and structures and earthworks – large scale. As earthworks – large scale and erection of new structures will occur within 20m of Silver Stream, consent is required as a restricted discretionary activity.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	5. 5m from any water body with a clearly defined bed in all other zones; and X. 5m from a stormwater open watercourse mapped area; 6. Except, the following are exempt from this standard: a. natural hazard mitigation activities; b. hydro generators... c. network utility... d. network utility structures... e. the operation, repair, minor upgrading and maintenance of existing network utilities; f. river flow recording facilities; g. navigational aids; h. maimai and whitebait stands on the surface of water; i. post and wire fences; j. bridges, causeways, culverts and fords; k. jetties, boat ramps, and wharves; l. signs; m. new buildings and structures, and additions and alterations, used for port activities in the Industrial Port Zone; n. bird hides... o. earthworks associated with the operation, repair and maintenance of the existing roading network;		



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	p. irrigation pipes of any size, and other irrigation or stock water structures... X. wharflines, bunkerlines and associated ancillary equipment... q. earthworks required for any of the activities in (a) - (X) above; and r. new buildings and structures, and additions and alterations, associated with the New Zealand Marine Studies Centre... Y. In addition to the exceptions in Rule 10.3.3.6, the following are exempt from Rule 10.3.3.X: a. fences; and b. structures with a maximum footprint of 2m². 7. For the purposes of this standard, setbacks will be measured from the bank of the water body at the point of its annual fullest flow or annual highest level without overtopping its bank (see Figure 10.3.3A and Figure 10.3.3B). 8. Activities that contravene this performance standard are restricted discretionary activities.		
Chapter 11 – Natural Hazards			
Construction of new buildings and structures	11.3.1.1 Swale mapped area n/a	n/a	The site is not located within the swale mapped area, therefore this rule does not apply.
Vegetation clearance	11.3.2 Maximum Area of Vegetation Clearance in the Hazard Overlay Zones n/a	n/a	The site is not located within a Hazard 1 (land instability) or a Hazard 2 (land instability) overlay zone and therefore, this rule does not apply.



Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Storage of goods and materials	11.3.4 Outdoor Storage 1. In the hazard 1 (flood) and hazard 1A (flood) overlay zones, materials and goods must be stored in a way that prevents: a. potentially dangerous materials being mobilised in the event of a flood; or b. any materials or goods from obstructing or impeding water in a manner that may cause water to be diverted to another site. 2. Activities that contravene this performance standard are restricted discretionary activities.	-	All containers, materials and goods stored on the Site will be managed to avoid mobilization during flood events or diverting water to another Site.
Chapter 12 – New Urban Land Provisions			The Site is not identified as New Urban Land and therefore these provisions do not apply.
Chapter 13 - Heritage			
Disturbance of Holmhead Farm (scheduled archaeological site)	13.3.3 Archaeological Sites 1. Earthworks on a scheduled archaeological site must have an archaeological authority if required. 2. Activities that contravene this performance standard are non-complying activities.	-	An archaeological authority has been acquired for disturbance of scheduled archaeological site Holmhead Farm.
Chapter 16 – Rural Zone			
Rule 16.3.3 Land Use Activity Status			
All land use activities	16.3.3.1 Performance standards that apply to all land use activities > 16.5.1 Acoustic insulation (noise sensitive activities only) > 16.5.5 Light spill > 16.5.9 Noise	-	Compliance with the relevant performance standards is assessed below. Compliance with Rule 16.5.5 is not achieved as assessed below.

Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	> 16.5.11 Setback from National Grid (National Grid sensitive activities only)		
Trip generation	16.3.3.X. High trip generators: New or expansions of land use activities that result in the thresholds in Appendix 6C being exceeded.	Restricted discretionary	For port activities, the trigger for a high trip generating activity is exceeding a 10,000m ² gross floor area including warehouses. The Project will be a high generator activity and will trigger this restricted discretionary rule.
Major facility (port related)	16.3.3.61 All other activities in the major facility activities category <i>There are no specific performance standards applicable to the major facility activity.</i>	Non-complying	The proposed activity is considered a major facility activity which is a non-complying activity in the rural zone.
Rule 16.3.4 Development Activity Status			
All development activities	16.3.4.1 Performance standards that apply to all development activities > 16.6.2 Natural Hazards Performance Standards > 16.6.10.4 Setback from scheduled tree	-	Compliance with the relevant performance standards is assessed below.
All buildings and structures activities	16.3.4.2 Performance standards that apply to all buildings and structures activities > 16.6.10.1 Boundary setbacks > 16.6.1 Firefighting > 16.6.5 Maximum height > 16.6.7 Number, location and design of ancillary signs > 16.6.9 Reflectivity (landscape and coastal character overlays) > 16.6.10.5 Setback from coast and water bodies > 16.6.10.3 Setback from National Grid	-	Compliance with the relevant performance standards is assessed below. Compliance with Rules 16.6.10.1, 16.6.5, 16.6.7 and 16.6.10.5 is not achieved as assessed below.

Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	> 16.6.10.6 Setback from Critical Electricity Distribution Infrastructure		
Construction of buildings and structures	16.3.4.3 New buildings or structures or additions and alterations (except fences) Permitted subject to compliance with relevant performance standards which are: > 16.6.6.1 Area, number and location of buildings and structures – ONLs, SNLs, NCCs, ASBVs > 16.6.6.2 Area of residential buildings – Hill Slopes Rural Zone	Permitted	No ONLs, SNLs, NCCs or ASBVs are applicable to the Site, and the Site is not located within the Hill Slopes Rural Zone.
Construction of fences	16.3.4.4 Fences	Permitted	Fencing is a permitted activity.
Demolition	16.3.4.5 All other buildings and structures activities	Permitted	Demolition of existing buildings is a permitted activity.
Container stacks	16.3.4.18 Outdoor storage	Permitted	Container stacks are a permitted activity.
New parking	16.3.4.19 New or additions to parking areas that result in 50 or more new parking spaces. Restricted discretionary subject to compliance with relevant performance standards which are: > 16.6.8 Parking, Loading and Access Standards	Restricted discretionary	More than 50 new parking spaces are proposed on the Site. It is anticipated all onsite car parking will either be designed to comply with Rule 16.6.8 at detailed design or appropriate consents sought in due course.
New parking, loading and access	16.3.4.20 Parking, loading and access. Permitted subject to compliance with relevant performance standards which are: > 16.6.8 Parking, Loading and Access Standards	Restricted discretionary	Compliance with the relevant performance standards is assessed below, however compliance is not achieved with respect to 16.6.8 which is a restricted discretionary activity.

Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
Indigenous vegetation clearance	16.3.4.22 Indigenous vegetation clearance - large scale Restricted discretionary subject to compliance with relevant performance standards which are: > 16.6.11.1 Maximum area of vegetation clearance (UBMA) > 16.6.11.2 Indigenous vegetation clearance - small scale thresholds > 16.6.11.3 Protected areas (vegetation clearance) > 16.6.11.4 Protected species (indigenous vegetation clearance) > 16.6.11.5 Maximum area of vegetation clearance in a hazard overlay zone	Restricted discretionary	As assessed above under Rule 10.3.2.1, the indigenous vegetation clearance is conservatively considered large scale under Rule 10.3.2.1. Compliance with the relevant performance standards is assessed below, however compliance is not achieved with respect to 16.6.11.2 and 16.6.11.3 which is a restricted discretionary activity.
Vegetation clearance	16.3.4.23 All other vegetation clearance Permitted subject to compliance with relevant performance standards which are: > 16.6.11.1 Maximum area of vegetation clearance (UBMA) > 16.6.11.2 Indigenous vegetation clearance - small scale thresholds > 16.6.11.3 Protected areas (vegetation clearance) > 16.6.11.4 Protected species (indigenous vegetation clearance) > 16.6.11.5 Maximum area of vegetation clearance in a hazard overlay zone	Restricted discretionary	The grazed pasture, stream edge, northwest grassland and curtilage areas vegetation communities do not contain any indigenous vegetation. Compliance with the relevant performance standards is assessed below, however compliance is not achieved with respect to 16.6.11.3 which is a restricted discretionary activity.
Hazardous substances	16.3.4.24 Storage and use of hazardous substances n/a	n/a	No storage or use of hazardous substances is proposed as part of this Application. Any future applications for storage and use of hazardous substances on the Site will undertake the appropriate rule assessment.
Rule 16.3.6 Activity Status in Hazard 1 (Flood), Hazard 1A (Flood) and Hazard 2 (Flood) Overlay Zones			

Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
New port	16.3.6.2 New natural hazards potentially sensitive activities	Non-complying	The Site is subject to the Hazard 1 (Flood) and Hazard 2 (Flood) Overlay Zones, and port activities are classified as potentially sensitive activities.
New buildings	16.3.6.3 New buildings and additions and alterations to buildings that create within any two calendar-year period: more than 36m² of new ground floor area in the Henley mapped area, or more than 60m² of new ground floor area outside the Henley mapped area. For the sake of clarity, this includes relocation of existing buildings within the same site.	Restricted discretionary	Over 60m ² of new ground floor area is proposed.
Rule 16.5 Land Use Performance Standards			
Lighting	16.5.5 Light Spill - Light spill measured 1.5m above ground level at the boundary of a site must not exceed 1 Lux between 10:00pm and 7:00am. - Lights must be: - cut-off or fully shielded; and - directed away from roads and any adjacent property. - Light spill measured at the boundary of the residential zone or any site used for residential purposes between 7:00am and 10:00pm must not exceed 3 Lux, except this standard does not apply to light spill from the headlights of motor vehicles. - Activities that contravene rules 16.5.5.1 and 16.5.5.2 are discretionary activities. - Activities that contravene any light spill limit in Rule 16.5.5.3 by 25% or less are discretionary activities.	Discretionary	Lighting at the site boundaries will be maintained at up to 3 lux over night to meet the operational and security requirements of the SLIP.



Activity Status Summary – Dunedin City Second Generation District Plan			
Activity	Relevant Rule / Performance Standard	Activity Status	Comment
6. Activities that contravene any light spill limit in Rule 16.5.5.3 by greater than 25% are non-complying activities.			
Parking	16.5.8 Minimum Mobility Car Parking <i>Refer to District Plan for performance standard detail.</i>	-	More than 50 new parking spaces are proposed on the Site. It is anticipated all onsite car parking will provide minimum mobility car parks at detailed design or appropriate consents sought in due course.
Noise in the rural zone	16.5.9 Noise Land use activities must comply with Rule 9.3.6.	-	As assessed above under Rule 9.3.6, Marshall Day Acoustics (2026) has undertaken a noise assessment (refer to Part B of this application) and confirms operational noise can comply with Rule 9.3.6.
Boundary planting	16.5.13 Tree Species Forestry and shelterbelts and small woodlots must comply with Rule 10.3.4. 10.3.4 Tree Species <i>Refer to District Plan for performance standard detail.</i>	-	The proposed boundary planting species by Mike Moore Landscape Architect (2026) complies with Rule 10.3.4.
Rule 16.6 Development Performance Standards			
Container stacks	16.6.2.4 Outdoor storage Outdoor storage in the Hazard 1 and 1A (flood) Overlay Zones must comply with Rule 11.3.4.	-	As assessed above under Rule 11.3.4, all containers, materials and goods stored on the Site will be managed to avoid mobilization during flood events or diverting water to another Site.
Height of buildings and structures	16.6.5 Maximum Height 1. New buildings, new structures, and additions and alterations must not exceed a maximum height above ground level of 10m.	Restricted discretionary	The warehouses, lighting towers and container stacks on the Site will exceed the maximum building height of 10 m but will comply with the Taieri Aerodrome flight fan mapped area height restrictions.

Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	2. Rooftop structures are exempt from the performance standard for height provided they do not exceed the maximum height limit for all other buildings and structures by more than one third of that limit. 3. New buildings and structures, additions and alterations must not protrude through the height restriction for the Taieri Aerodrome approach and take-off fans shown on the Taieri Aerodrome flight fan mapped area. 4. Activities that contravene this performance standard are restricted discretionary activities.		As assessed above under Rule 4.5.1, temporary construction cranes will exceed the maximum building height of 10 m and the Taieri Aerodrome flight fan mapped area height restrictions.
Signage	16.6.7 Number, Location and Design of Ancillary Signs 16.6.7.1 General a. A maximum of one sign attached to a building and one freestanding sign is allowed per site, except: i. only one sign may be located in any part of a site in an ONF, ONL, SNL, ONCC, HNCC or NCC overlay zone. b. Signs visible from a public place must meet all of the following performance standards, except that regulatory signs, directional signs and warning signs that do not exceed 0.25m² are exempt from these standards. c. Signs that only give address, occupant or place name information (not including any commercial business names) do not count toward maximum sign numbers. d. Signs must comply with Rule 6.7.3 where visible from a road. e. Signs must not be illuminated or digital.	Restricted discretionary	The site will exceed the maximum number of signage, some of which will be illuminated. Failure to comply with performance standard 16.6.7 is a restricted discretionary activity under 16.6.7.1(f).



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	f. Signs that contravene the performance standard for number, location and design of ancillary signs are restricted discretionary activities.		
Signage	16.6.7 Number, Location and Design of Ancillary Signs 16.6.7.2 Signs attached to buildings a. The maximum height above ground level, at the highest point of any sign, attached to a building is 4m, except: i. the maximum height is 2m in an ONF, ONL, SNL, ONCC, HNCC or NCC... b. Signs must not be attached to roofs. c. Signs must not project higher than the lowest point of the roof, except where mounted flat against a parapet or gable end. d. The maximum area of signs, per display face, is 2m², except: i. the maximum area of signs, per display face, is 0.6m² in an ONF, ONCC or HNCC ... ii. the maximum area of signs, per display face, is 1m² in an ONL, SNL or NCC.... e. In an ONF, ONCC or HNCC overlay...	Restricted discretionary	Signage designs and locations are not finalised at this stage. It is likely that signage will not comply with one or more of the signage rules. Failure to comply with performance standard 16.6.7 is a restricted discretionary activity under 16.6.7.1(f).
Signage	16.6.7.3 Freestanding signs a. Maximum dimensions of freestanding signs are: i. maximum height of 4m, except: 1. 2m in an ONF, ONL, SNL, ONCC, HNCC or NCC ... ii. maximum area of 2m² per display face, except: 1. 0.6m² per display face in an ONF, ONCC or HNCC...	Restricted discretionary	Signage designs and locations are not finalised at this stage. It is likely that signage will not comply with one, or more of the signage rules. Failure to comply with performance standard 16.6.7 is a restricted discretionary activity under 16.6.7.1(f).



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	2. 1m² per display face in an ONL, SNL or NCC... iii. maximum of 2 display faces per sign; iv. maximum width of 2m, except: 1. 1m in an ONF, ONL, SNL, ONCC, HNCC or NCC... v. maximum depth of 400mm. b. Freestanding signs must: i. not obstruct parking, loading and access areas; and ii. be positioned entirely within site boundaries. c. In an ONF, ONCC or HNCC overlay zone...		
Parking, loading and access	16.6.8 Parking, Loading and Access Standards Parking, loading and access must comply with Rule 6.6.	Restricted discretionary	As assessed above under Rule 6.6.3.3, the main vehicle access will exceed the maximum vehicle crossing width of 9m. Failure to comply with Rule 6.6.3.3 is a restricted discretionary activity.
New buildings and structures	16.6.10 Setbacks 16.6.10.1 Boundary setbacks a. New buildings, new structures, and additions and alterations, must be set back from boundaries as follows: X. Structures over 10m ² and 2m in height: 20m from road boundary and 40m from any residential building on any adjoining site. iii. Non-residential buildings that do not house animals (see Figure 16.6.10.1C) over 7m in height: 20m from road boundary and twice the maximum height of the building from sites held in separate ownership.	Restricted discretionary	14m high buildings will be setback less than 28m from the boundary with 245 Puddle Alley Wingatui.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	v. All other structures: No requirement. vi. except: 1. NA 2. NA 3. buildings associated with the New Zealand Marine Studies Centre in the Portobello Marine Science mapped area; 4. fences or holding pens; and 5. for water and other storage tanks greater than 10m² but less than 15m², and less than 3.5m in height, the minimum setback from side and rear boundaries is 1m. vii. Rooftop structures are exempt from any calculation of maximum height in this performance standard. viii. For the purposes of this standard, the separation between residential buildings is measured from the closest wall of each residential building. b. Activities that contravene this performance standard are restricted discretionary activities.		
Boundary planting	16.6.10 Setbacks 16.6.10.2 Forestry and shelterbelts and small woodlots setbacks a. Trees associated with forestry... b. Trees associated with shelterbelts and small woodlots: i. must be set back, or managed, so that they maintain a minimum distance of their own height from any residential building on an adjoining site, where the building exists at the time of planting;	Restricted discretionary	The boundary planting is considered shelterbelt for the purpose of screening the Site and will be planted within 10m of the designated rail corridor along the northern boundary.



Activity Status Summary – Dunedin City Second Generation District Plan

Activity	Relevant Rule / Performance Standard	Activity Status	Comment
	ii. not shade a motorway or a strategic road, arterial road or collector road between 10.00am and 2.00pm on the shortest day of the year; and iii. must not be planted within 10m of the boundary of the designated rail corridor. c. Activities that contravene this performance standard are restricted discretionary activities.		
Constructing a building or structure	16.6.10 Setbacks 16.6.10.5 Setback from coast and water bodies New buildings, new structures, additions and alterations, and storage and use of hazardous substances must comply with Rule 10.3.3.	Restricted discretionary	As assessed under Rule 10.3.3 above, new structures will be erected within 20m of Silver Stream. Failure to comply with Rule 10.3.3 is a restricted discretionary activity.
Indigenous vegetation clearance	16.6.11.2 Indigenous vegetation clearance - small scale thresholds Indigenous vegetation clearance - small scale must comply with Rule 10.3.2.1.	Restricted discretionary	As assessed above under Rule 10.3.2.1, the clearance of native vegetation on the Site is conservatively considered indigenous vegetation clearance – large scale which is a restricted discretionary activity.
Vegetation clearance	16.6.11.3 Protected areas (vegetation clearance) Vegetation clearance and indigenous vegetation clearance must comply with Rule 10.3.2.2.	Restricted discretionary	As assessed above under Rule 10.3.2.2, indigenous vegetation clearance will occur within 20m of Silver Stream and other vegetation clearance will occur within 5m of Silver Stream. Failure to comply Rule 10.3.2.2 is a restricted discretionary activity.
Indigenous vegetation clearance	16.6.11.4 Protected species (indigenous vegetation clearance) Indigenous vegetation clearance must comply with Rule 10.3.2.3.	Permitted	As assessed above under Rule 10.3.2.3, none of the indigenous vegetation species identified on the site to be removed are identified as protected and therefore compliance with Rule 10.3.2.3 is achieved.



OTAGO REGIONAL PLAN: WATER FOR OTAGO

SLPL seeks to obtain all necessary consents and permits under the Regional Plan: Water for Otago to authorise the activities for the construction, use, and operation of the SLIP (as detailed in Section 2 of the substantive application). The overall status of the application under the Regional Plan: Water for Otago is **Discretionary**.

Activity Status Summary – Otago Regional Plan for Water			
Activity	Relevant Rule	Activity Status	Comment
Water Take, Use and Management			
The taking and use of surface water	12.1	-	No surface water take is proposed as part of the application.
The taking and use of ground water	12.2	-	No ground water take is proposed as part of the application.
The damming and diversion or water	12.3	-	Diversion of water is proposed
Diversion of water for the purposes of allowing the erection, placement, repair or maintenance of a lawful structure	12.3.2.3 Unless prohibited by Rules 12.3.1.1 to 12.3.1.4, the diversion of water carried out for the purposes of allowing the erection, placement, repair or maintenance of a lawful structure, is a permitted activity, providing: (a) The course of the water always remains within the bed of the lake or river; and (b) The course of the water is returned to its normal course following the completion of the repair or maintenance, and no more than one month after the diversion occurs; and (c) No lawful take of water is adversely affected as a result of the diversion; and	Permitted	Construction of the two spillways in the margins of Silver Stream will require diversion of water while the spillways are constructed. Water would be diverted around the location of the spillways while they are constructed but remain within the bed of Silver Stream. Diversions would be removed following completion of the works. No take of water / dewatering would occur during the works as all diverted water would remain within the bed of the Silver Stream.

Activity Status Summary – Otago Regional Plan for Water

Activity	Relevant Rule	Activity Status	Comment
	(d) Any structure within a Regionally Significant Wetland was lawfully established prior to 2 July 2011; and (e) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and (f) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland; and (g) The diversion does not cause any erosion, land instability, sedimentation or property damage.		All works would be undertaken in accordance with best practice stream works and sediment and erosion controls, ensuring no erosion, land instability, sedimentation or property damage occurs.
Discharge of human sewage	12.A	-	No discharge of human sewage is proposed.
Discharge of hazardous substances, hazardous wastes, specified contaminants, and stormwater; and discharges from industrial or trade premises and consented dams	12.B	-	Discharge of stormwater and industrial trade waste is proposed
Discharge of stormwater to water, or onto or into land in circumstances where it may enter water	12.B.3.1 Except as provided for by Rules 12.B.1.8 and 12.B.1.9, the discharge of stormwater to water, or onto or into land in circumstances where it may enter water, is a restricted discretionary activity. In considering any resource consent for the discharge of stormwater in terms of this rule, the Otago Regional Council will restrict the exercise of its discretion to the following: (i) Any adverse effects of the discharge on:	Restricted Discretionary	Discharge of stormwater to land will occur during construction. Stormwater is proposed to be treated onsite via the onsite stormwater system and attenuation pond before being discharged via the western spillway into Silver Stream. The treatment and attenuation will prevent discharge of contaminants and control the flow rate of the discharge to prevent scour or erosion, ensuring the adverse effects of the discharge are managed.



Activity Status Summary – Otago Regional Plan for Water

Activity	Relevant Rule	Activity Status	Comment
	(i) Any natural and human use value identified in Schedule 1 for any affected water body; (ii) The natural character of any affected water body; (iii) Any amenity value supported by any affected water body; and (iv) Any heritage value associated with any affected water body; and (ii) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and (iii) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected; and (iv) The volume, rate and method of the discharge; and (v) The nature of the discharge; and (vi) Treatment options; and (vii) The location of the discharge point or area, and alternative receiving environments; and (h) The likelihood of erosion, land instability, sedimentation or property damage resulting from the discharge of stormwater; and (i) The potential for soil contamination; and (j) The duration of the resource consent; and (k) The information and monitoring requirements; and (l) Any bond; and		



Activity Status Summary – Otago Regional Plan for Water			
Activity	Relevant Rule	Activity Status	Comment
	(m) Any existing lawful activity associated with any affected water body; and (n) The review of conditions of the resource consent.		
Discharge of water (excluding stormwater) or any contaminant from an industrial or trade premises to water or land	12.B.4.1 The discharge of water (excluding stormwater) or any contaminant from an industrial or trade premises or a consented dam to water or to land is a discretionary activity, unless it is permitted by Rule 12.B.1.6, 12.B.1.7, 12.B.1.10 or 12.B.1.11.	Discretionary	In larger flood events, industrial waste water from the container wash bay may enter Silver Stream via overland flows. Therefore, approval is being sought for a discretionary activity.
Other discharges	12.C	-	No other discharges are proposed.
Land Use on Lake or Riverbeds or Regionally Significant Wetlands			
The use of a structure	13.1	-	Use of structures on the bed of Silver Stream will likely occur.
The use of any structure fixed in, on, under or over the bed of a river	13.1.1.1 The use of any structure that is fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland, is a permitted activity, providing: (a) The structure is lawfully established; and (b) In the case of a change in use, the effects of the new use of the structure are the same or similar in character, intensity and scale as the preceding use; and (c) Measures are taken to avoid animal waste entering the lake, river or Regionally Significant Wetland; and (d) The structure is maintained in good repair	Permitted	The two spillways will be lawfully established within the extent of Silver Stream via approval of this application and will be used for discharge of stormwater. Therefore use of the spillways is considered a permitted activity.

Activity Status Summary – Otago Regional Plan for Water			
Activity	Relevant Rule	Activity Status	Comment
The erection or placement of a structure	13.2	-	The installation of two spillways is proposed.
Erection of any structure fixed, in under, over the bed of a river	13.2.3.1 Except as provided for by Rules 13.2.1.1 to 13.2.2.1, the erection or placement of any structure fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland, is a discretionary activity.	Discretionary	The installation of the two spillways on the bed of Silver Stream will likely exceed 2m ² within the extent of Silver Stream and therefore does not comply with the permitted or restricted discretionary activities.
The repair, maintenance, extension, alteration, replacement or reconstruction of a structure	13.3	-	Not proposed.
Demolition or removal of a structure	13.4	-	Not proposed.
Alteration of the bed of a lake or river, or of a Regionally Significant Wetland	13.5	-	Alteration of the bed of Silver Stream is proposed for construction of the two spillways.
The alteration of the bed of any lake or river	15.5.3.1 Except as provided for by Rules 13.5.1.1 to 13.5.2.1 the alteration of the bed of any lake or river is a discretionary activity.	Discretionary	Alteration/disturbance of the bed of Silver Stream will be required for construction of the spillways and potentially during slope stabilization works. The disturbance will be undertaken in accordance with best practice but will exceed 10 hours in duration and therefore does not comply with the permitted or restricted discretionary activities.

Activity Status Summary – Otago Regional Plan for Water			
Activity	Relevant Rule	Activity Status	Comment
The introduction or planting of vegetation	13.6	-	No introduction or planting to the bed of Silver Stream is proposed.
The removal of vegetation	13.7	-	No clearance of aquatic plants is proposed.
Land Use other than in Lake or River Beds			
Bore construction	14.1	-	Bore construction is not proposed.
Drilling	14.2	-	Drilling of land is not proposed.
The erection, placement, extension, alteration, replacement, reconstruction, demolition or removal of a defence against water other than on the bed of any lake or river	14.3	-	No defences against water are proposed (the proposed drainage swales will direct <u>stormwater</u> and are not a defence against a water body).
Structures other than defences against water on the margins of lakes and rivers	14.4		Structures within 7m of the bank of Silver Stream are proposed.
Structures other than defences against water on the margins of rivers	14.4.1.1 The erection or placement of any structure, other than a defence against water, within 7 metres of the margin of any lake, or within 7 metres of the top of the bank of any river, is a permitted activity, providing: (a) It does not result in the physical prevention or obstruction of access for works to avoid or mitigate any natural hazard; and	Permitted	The proposal involves construction of structures (spillways, acoustic wall, lighting poles, etc) within 7m of the top northern bank of Silver Stream. These structures will not obstruct any natural hazard mitigation or avoidance structures and works.



Activity Status Summary – Otago Regional Plan for Water			
Activity	Relevant Rule	Activity Status	Comment
	(b) The Otago Regional Council is notified in writing, of the location and nature of the structure, at least seven working days prior to commencing the erection or placement.		
Earthworks for residential developments	14.5	-	No residential development is proposed.
Rural land uses	14.6	-	No rural land uses are proposed.
Animal waste systems	14.7	-	No animal waste systems are proposed.



OTAGO REGIONAL PLAN: WASTE FOR OTAGO

SLPL seeks to obtain all necessary consents under the Regional Plan: Waste for Otago to authorise activities for the construction, use, and operation of the SLIP. The overall status of the application under the Regional Plan: Waste for Otago is **Discretionary**.

Activity Status Summary – Otago Regional Plan – Waste for Otago			
Activity	Relevant Rule	Activity Status	Comment
Contaminated site rules	5.6	-	Remediation of contaminated land is proposed.
Hazardous wastes at contaminated sites	5.6.1 Hazardous wastes at contaminated sites (discretionary activity) 1. The disturbance of land; or 2. The discharge of hazardous waste into water; or 3. The discharge of hazardous waste onto or into land in circumstances that may result in that hazardous waste (or any other hazardous waste emanating as a result of natural processes from that hazardous waste) entering water; or 4. The deposit of any hazardous waste, in, on or under land; or 5. The discharge of hazardous waste into air at or from a contaminated site; Is a discretionary activity.	Discretionary	Remediation of the three identified HAIL sites is proposed which will involve the disturbance of land.
Hazardous substances and hazardous waste rules	6.6	-	No treatment, disposal or discharge of hazardous substances or waste is proposed as part of this application.
Landfill rules	7.6	-	No landfills are proposed.

OTAGO REGIONAL PLAN: AIR FOR OTAGO

No discharges to air are proposed as part of the SLIP application. SLPL will apply for any appropriate consents and permits in the future should discharges to air be proposed on the Site.

Activity Status Summary – Otago Regional Air Plan			
Activity	Relevant Rule	Activity Status	Comment
Discharges from domestic heating appliances	16.3.1	-	No discharges from domestic heating appliances to air are proposed as part of the application.
Outdoor burning	16.3.2	-	No outdoor burning is proposed as part of the application.
Burning or incineration of specified materials	16.3.3	-	No burning or incineration of specified materials is proposed as part of the application.
Products of combustion from fuel burning equipment	16.3.4	-	No fuel burning equipment is proposed as part of the application.
Discharges from industrial or trade processes	16.3.5	-	No discharges from industrial or trade processes is proposed as part of the application.
Abrasive blasting	16.3.6	-	No abrasive blasting is proposed as part of the application.
Waste management	16.3.7	-	No discharges from waste management is proposed as part of the application.
Intensive farming	16.3.8	-	No intensive farming is proposed as part of the application.

Activity Status Summary – Otago Regional Air Plan			
Activity	Relevant Rule	Activity Status	Comment
Agrichemical application	16.3.9	-	No agrichemical application is proposed as part of the application.
Water vapour, heat and energy	16.3.10	-	
Discharges of energy, including heat - permitted activity	16.3.10.2 Except as provided for by the Rules in section 16.3.1 to 16.3.9, the discharge into air of: (1) Air heated above ambient temperature, including but not limited to heated air from heat exchangers, and air used for the purpose of cooling plant and equipment; or (2) Energy from sources of electromagnetic radiation, including radio and television transmitters and other telecommunications facilities, cell phones, and generators; (3) Heat generated by transmission lines and ancillary equipment; is a permitted activity.	Permitted	Heat generated by the cooling of cool store warehouses will be a permitted activity.
Ventilation or vapour displacement	16.3.11	-	
Discharges for the purpose of ventilation or vapour displacement - permitted activity	16.3.11.1 The discharge of contaminants into air from: (1) Ventilation from indoor working spaces, unless otherwise covered in this Plan; or (2) Fume cupboards; or	Permitted	Discharge from ventilation of the buildings on the site will be directed within the Site, avoiding noxious, dangerous, offensive or objectionable discharge beyond the boundary of the Site, and is therefore a permitted activity.



Activity Status Summary – Otago Regional Air Plan			
Activity	Relevant Rule	Activity Status	Comment
	(3) Tanks used for the storage of liquids, excluding the storage of hydrocarbons as permitted by Rule 16.3.5.7 on any industrial or trade premises; or (4) The venting of gas pipelines, pumps, compressors, tanks or associated equipment when released for the purposes of refilling, servicing or repair, on any industrial or trade premises; is a permitted activity, providing any discharge of odour or particulate matter is not noxious, dangerous, offensive or objectionable beyond the boundary of the property.		
Nuclear power generation or nuclear weapon manufacturing	16.3.12	-	No nuclear activities are proposed as part of the application.
General permitted activities	16.3.13		
Discharges from miscellaneous activities - permitted activity	16.3.13.1 The discharge of contaminants into air from: (1) Vehicle engine maintenance and servicing; or (2) Building and construction activities, including road construction and maintenance, but excluding the remediation of asphalt surfaces (seal burning); or (3) Any outdoor general engineering activity; or (4) Using a smoke tracer to test underground drains or sewers; or (5) Fertiliser application; or	Permitted	The discharges to air from the development of the SLIP will be managed to avoid discharge of noxious, dangerous, offensive or objectionable material beyond the Site boundaries. Standard operation of motor vehicles and Port machinery on the Site will not result in discharge of noxious, dangerous, offensive or objectionable material beyond the Site boundaries.



Activity Status Summary – Otago Regional Air Plan			
Activity	Relevant Rule	Activity Status	Comment
	(6) The engine exhaust of any motor vehicle, train or aircraft on an industrial or trade premises; or (7) Any smokeless heater frost-fighting device not using waste oil; is a permitted activity, providing any discharge of smoke, odour, particulate matter or gas is not noxious, dangerous, offensive or objectionable at or beyond the boundary of the property.		
Other discretionary activities	16.3.14	-	No other discharge activities are proposed as part of the application.
Discharges of PM10	16.3.15	-	No other discharge activities are proposed as part of the application.



NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER 2020 (NES-FW)

The NES-FW contains standards that regulate activities that pose risks to the health of freshwater and freshwater ecosystems.

There are no onsite inland wetlands, and no structures (culverts, weirs, flap gates, dams, or fords) proposed in the bed of the stream, and therefore, no approvals are required under the NES-FW.

Activity Status Summary – NES-FW			
Activity	Regulation	Standard	Compliance / Non-Compliance
Farming activities	Part 2	-	No farming activities are proposed as part of the application.
Other activities that relate to freshwater – Natural inland wetlands	Part 3 – Subpart 1	-	There are no natural inland wetlands on the Site or located within vicinity of the site.
Other activities that relate to freshwater – Reclamation of rivers	Part 3 – Subpart 2	-	No reclamation is proposed as part of the application. The existing flow of water in the Silver Stream bed will be restored following construction of the spillway structures.
Other activities that relate to freshwater – Passage of fish affected by structures	Part 3 – Subpart 3	-	No culverts, weirs, flap gates, dams, or fords are proposed as part of the application.

NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH REGULATIONS 2011 (NES-CS)

Environmental Consultants Otago 2025 Limited (2026) prepared a Detailed Site Investigation (“**DSI**”) and have found that HAIL activities have occurred across parts of the site and contaminant concentrations exist above the applicable human and environmental health guidelines in the identified HAIL areas. The overall status under the NES-CS is **Restricted Discretionary**.

Activity Status Summary – NES-CS			
Activity	Regulation	Standard	Compliance / Non-Compliance
Disturbing Soil	10(2) Restricted Discretionary activities	Disturbing soil on a piece of land is a restricted discretionary activity while the following requirements are met: a) a detailed site investigation of the piece of land must exist: b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7: c) the consent authority must have the report: d) conditions arising from the application of subclause (3), if there are any, must be complied with.	A DSI exists, and it is provided for in Part B of this substantive application. The findings in the DSI find that the levels of contamination exceed the applicable standard in regulation 7 in three locations (‘HAIL sites’) on the Site. It is likely land disturbance in excess of 2 months and exceeding 25m³ per 500m², and removal of soils from the site exceeding 5m³ per 500m², will occur within the HAIL sites. Disturbance of soils for remediation of the Site is considered a Restricted Discretionary Activity.
Changing Use	10(2) Restricted Discretionary activities	Changing use of a piece of land is a restricted discretionary activity while the following requirements are met: a) a detailed site investigation of the piece of land must exist:	A DSI exists, and it is provided for in Part B of this substantive application. The findings in the DSI find that the levels of contamination exceed the applicable standard in regulation 7 in three locations (‘HAIL sites’) on the Site.

Activity Status Summary – NES-CS			
Activity	Regulation	Standard	Compliance / Non-Compliance
		b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7: c) the consent authority must have the report: d) conditions arising from the application of subclause (3), if there are any, must be complied with.	The change in use will introduce additional persons to the Site but the majority of the site will be covered in hardstand and the industrial activities are considered relatively unlikely to result in exposure of people on the Site to contaminated soils. For completeness, the change of use of land on the Site is considered a Restricted Discretionary Activity.

