

SECTION 4 – RURAL

INTRODUCTION

The Rural area contains all of Waimate District's significant physical resources and features and with this, the productive capacity of the District.

The topography of the rural area is varied, including coastal alluvial plains and river terraces, large inland basins of the Hakatamea and Waitaki Rivers, rolling to hilly downlands, and the higher hills and mountains of the Hunters Hills and Kirkliston and Grampian Mountain Ranges. Soils tend to be fertile, and a lack of moisture is the most common limitation to higher production from land which can be cultivated. The climate is temperate and relatively dry. Summer drought, and winter frosts with snow at higher altitudes are characteristic of the area.

The Rural area of the Waimate District contains some landscapes and areas of cultural significance to Ngāi Tahu Whānui. These landscapes are very important to Ngāi Tahu culture, identity and well-being. The cultural values that make a particular landscape significant include traditional mahinga kai (food and resource gathering sites), ara tawhito (traditional travel routes) and wahi ingoa (traditional Maori place names).

The area is characterised by a variety of farming and forestry activities. Crop and livestock farming are the main activities on the fertile plains and easy hills with more extensive grazing on less fertile or steeper country. Dairying has expanded significantly with dairying now occupying the majority of the areas served by irrigation schemes. Intensive arable farming and horticulture occurs in suitable areas. Shelter trees and forestry are important features of the visual landscape.

A range of recreation activities occurs within the rural area with many of these focusing on the Waitaki Lakes and River and areas of native bush.

RURAL ZONE DESCRIPTION

The Rural Zone encompasses all the non-residential areas of the District including lakes and rivers.

OBJECTIVES AND POLICIES

Objective 1 - Conservation Values

Safeguard the life supporting capacity of indigenous biodiversity and ecosystem functioning of the District through recognition of Ki Uta ki Tai and the protection and enhancement of significant flora and fauna habitat and riparian areas; the maintenance of natural biological and physical processes; and the retention of indigenous vegetation and wetlands generally.

Explanation and Reasons

- Ki Uta ki Tai is the concept used to describe the overall approach to natural resource management by Ngāi Tahu - from the mountains to the sea. It is Ngāi Tahu's way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately. It involves not only a planning and policy framework, but the development of monitoring, reporting, geographical information system analysis, information databases, area management and succession tools for natural resource management.
- Safeguarding ecosystems and indigenous biodiversity will enable cultural benefits such as ensuring that mahinga kai sites are protected.
- It is appropriate that the values of areas of particular conservation significance are protected both because of their intrinsic ecological worth and their value to the people of the District. The sustainable management of ecosystems and the protection of remaining areas of indigenous fauna and vegetation in the District is

also important for maintaining the integrity of the District's landscapes, natural character and amenity values.

- Despite the continuing modification of the land, the Waimate District contains many areas of indigenous vegetation. Such areas include the alpine vegetation and extensive tussock and scrubland areas in the High Country; remnant indigenous forest and regenerating areas within the Hunter's Hills; and coastal river mouths, wetlands and lagoons, including the Waihao and Hook rivers. Many of these areas provide specialised habitats for indigenous species, such as the Canterbury mudfish.
- Wainono Lagoon is of particular importance to fisheries and wildlife due to its extensiveness, diversity of habitats and the important link it provides between coastal wetlands. It is a wetland of national importance and represents 20-25% of saline/estuarine wetland area in South Canterbury. The significance of Wainono Lagoon to wetland bird species is demonstrated by the number of species present, being 57.

Policy 1A - Significant Natural Areas

- (a) To achieve more comprehensive identification of significant natural areas within the District by:
- Applying the criteria listed in Appendix 3 of the Operative Canterbury Regional Policy Statement which includes representativeness, rarity, distinctiveness, diversity and patterns and ecological context.
 - Utilising existing and available databases and information;
 - Encouraging and contributing to the survey work and educational role of the Department of Conservation and other agencies and groups.
- (b) To protect identified significant natural areas in Appendix G "List of Significant Natural Areas" from adverse effects and ensure that any reduction in the overall ecological integrity and functioning, viability, habitat values, cultural and amenity values of these areas is avoided.
- (c) To preserve the natural character within wetlands, lakes, rivers, and their margins where located within identified significant natural areas by ensuring any adverse effects are avoided, remedied or mitigated.
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Explanation and Reasons

- As for Objective 1
 - Activities involving vegetation clearance, land disturbance through earthworks and the planting of trees can destroy indigenous plants and animals directly, or indirectly through the modification of habitat. These activities can also destroy or damage geological or geomorphological features.
 - Reductions in the overall ecological integrity and functioning, habitat values, natural character or amenity values of areas of conservation significance are to be avoided.
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Policy 1B - Enhancement of Degraded Areas

To promote the enhancement of areas of conservation significance that exist in a degraded state where it will achieve long term improvement and:

- a) contribute to the indigenous biodiversity of that area, particularly for ecosystem types that are threatened or under-represented in protected areas; or
 - b) improve the life supporting capacity of indigenous ecosystem; or
 - c) improve or establish connections between habitats and create corridors for wildlife dispersal.
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Explanation and Reasons

- As for Objective 1

- Much of the Waimate District now has only scattered remnants of formerly extensive indigenous habitats. Many of these exist in a degraded state and some are at risk of being so diminished as to lose their usefulness as part of a larger whole. Integrated management and recognition of the strategic significance of ecological connections between these scattered habitats, and the processes that maintain them, is essential.

Policy 1C - Enhancement of Conservation Values

To promote protection and enhancement of the district's natural conservation values, and in particular to safeguard indigenous biodiversity and ecosystem function, consistent with the Biodiversity Strategy for the Canterbury Region.

Explanation and Reasons

- As for Objective 1
 - It is important to recognise not only Significant Natural Areas, but also those other areas of natural conservation value within the District that may not have national importance but whose protection is important to the overall indigenous biodiversity and ecosystem functioning within the District, and can be achieved through education and other non-regulatory processes.
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Policy 1D - Adverse Effects of Development and Subdivision

To ensure when considering consent applications, that the adverse effects of any development or subdivision on any area of indigenous vegetation or habitat of indigenous fauna, including culturally significant areas, will be avoided, remedied or mitigated.

Explanation and Reasons

- As for Objective 1
- It is appropriate for the Council to take account of any adverse effects on indigenous vegetation and habitats of indigenous fauna that may occur from any development or subdivision proposed in a consent application, and the methods to be used to avoid, remedy or mitigate such adverse effects.

Objective 2 - High Country Land

That High Country land use be managed to maintain or enhance the life supporting capacity of ecosystems, water and soil.

Explanation and Reasons

- The high country is an important resource for the people who live and work in the area, as well as for many New Zealanders and overseas visitors. Extensive pastoralism in the tussock grasslands of the South Island has, to some extent, become part of the cultural identity of New Zealand.
- Sustainable management of the land resources of the high country has importance for many aspects of the District's well-being. Stable and viable rural communities depend upon the implementation and maintenance of sustainable land use systems which retain soil quantity, fertility and health; protect water and air quality; and are energy efficient. The range of cultural, landscape, recreational and nature conservation values associated with the District's high country is also dependent on the implementation of land use systems which sustain these values.
- It is necessary that future management of high country lands maintains or enhances the life supporting capacity of the high country ecosystems, water and soil in order to meet the reasonably foreseeable needs of future generations.

- In recent decades parts of the High Country in Waimate District have experienced changes in vegetation including the spread of hawkweed, wilding pines and woody species which reduce grazing and in some cases threaten nature and conservation values. In addition there have been periodic surges in rabbits causing a loss of livestock feed and in some cases loss of topsoil through wind erosion.

Policies for Objective 2

- 2A To encourage land use activities which maintain or enhance a robust and intact vegetation cover.
- 2B To encourage the continuation or establishment of local landholder stewardship groups that facilitate land uses and land management practices which are appropriate for the environment.
- 2C To monitor the need and practicality of developing performance standards to facilitate appropriate land management practices.
- 2D Consistent with objectives 1 and 4 and subsequent policies, to maintain or enhance the conservation and landscape values of the high country.
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Explanation and Reasons

- As for Objective 2
- Tussock grasslands are the predominant vegetation type in the high country. The health of the tussock grasslands is therefore important. They form the basis of extensive pastoralism, as well as being a significant contributor to the natural and landscape values of the high country. The development of indicators which monitor the health of the tussock grasslands should be a priority. These are likely to include indicators of soil quality and indicators of vegetation cover and composition.
- Other vegetation types that may be considered appropriate in the high country, i.e. woodlot or plantation forestry, will also need to be monitored to ensure they can be managed in the high country in a sustainable manner.
- Activities should ensure that overall ecosystem functioning and natural character of open space values of the High Country are maintained by:
 - retaining, as far as possible, indigenous vegetation and habitat.
 - maintaining unmodified landform and natural processes.
 - avoiding adverse effects on visual amenity.

Objective 3 - Downlands and Plains Soils

Subdivision, cultivation and livestock management of downlands and plains areas which maintains the life-supporting capacity of the soil and avoids fragmentation which may foreclose the ability to use soil for productive purposes.

Explanation and Reasons

- Land comprising of versatile soils is a valued resource throughout the region. The Waimate District contains a large resource of versatile soils and has been identified by the New Zealand Land Resource Inventory as comprising of 108ha of Class I land and 44,031ha of Class II land, which constitutes over 12% of the total land area of the district. Versatile soils support the widest range of productive uses with the least level of inputs and have many inherent qualities, such as soil depth and water holding capacity. These attributes make these soils particularly suitable for primary production.
- There is a concern that some crop rotations can result in soil becoming compacted and structureless over time. There can also be problems with loss of topsoil from cultivated paddocks as a result of high intensity rainfall and/or high winds.
- It is appropriate that management of downlands and plains lands avoid practices which cause soil loss and loss of soil quality.

Policies for Objective 3

- 3A To liaise with Canterbury Regional Council, Government Departments, Crown Research Institutes, Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu to increase knowledge about the degree to which farming practices impact on the long-term sustainability of the soil resource and also encourage research into identifying management practices with the potential to minimise soil erosion.
- 3B To encourage the provision of information that promotes land management practices which do not cause accelerated erosion or depletion of soil quality.
- 3C Ensure that subdivision in the downlands and plains areas safeguards the life supporting capacity of soils and does not foreclose the ability to use the soils which are, or foreseeably could be, valued for rural productive purposes.
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Explanation and Reasons

- As for Objective 3
- Fragmentation of land through successive subdivision, and in particular small lot subdivision, has the potential to limit or discourage productive use of land that is subdivided as well as adjoining land in response to reverse sensitivity pressures.

Objective 4 – Outstanding Natural Landscapes and Features

Protection and enhancement of the District's outstanding natural landscapes and natural features from subdivision, use or development that would detract from these landscapes or features or their values

Explanation and Reasons

- Section 6(b) of the Resource Management Act 1991 requires the Council to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.
- The identification of outstanding natural landscapes and features in many cases will include natural character areas associated with wetlands, lakes and rivers and their riparian areas.
- Values associated with Outstanding Natural Landscapes and Features typically include cultural, recreation and amenity values that can be degraded by inappropriate subdivision, use or development either directly or indirectly. See the Waimate Landscape Study for further details.

Policy 4A – Identification and Controls

To identify outstanding natural landscapes and natural features and to control buildings and subdivisions within these to enable full assessment of visual and landscape impacts. Development should be of a type and density that avoids loss of landscape coherence and degradation or modification of landscape values, including the unspoiled openness of hill and high country landscapes.

Explanation and Reasons

- As for Objective 4
- Council has identified outstanding natural landscapes and features within the District, all of which, other than Wainono Lagoon, are in the high country centred on the Hunter Hills, Kirkliston, Big and Little Ranges and the Grampians Mountains.
- To avoid inappropriate subdivision and development additional controls (beyond those in the Rural zone rules) have been placed on outstanding natural landscape areas and features. These controls require larger minimum lot sizes and specify restricted discretionary activity status for farm buildings, discretionary status for other buildings and non-complying status

for buildings at Wainono Lagoon. This provides an opportunity for scrutiny of individual proposals recognising the varying capacity of physical settings and landscapes to absorb further subdivision and development.

- Because most the areas are above 900m and/or contain Significant Natural Areas it has not been necessary to control activities such as earthworks and vegetation clearance as these are already controlled through rules relating to sensitive environments.

Policy 4B – Enabling Continued Productive Use

To retain the character of identified areas and high landscape and natural environment values present, whilst enabling the continued operation of the productive activities undertaken.

Explanation and Reasons

- As for Objective 4
 - To protect outstanding landscaping in a sustainable manner it is considered necessary to provide also for the community's economic, social and environmental viability. In this way, communities can be sustained over time providing a situation where continued pastoral use and extensive runs can be maintained and developed.
 - It is not considered reasonable or appropriate in achieving the Act's purpose to prevent all future development in areas of landscape and natural character value. Sustainable development require a balance to be found that provides for the social, economic and cultural well-being of the community, while sustaining the natural and physical resources and safeguarding the environment from adverse effects.
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Policy 4C – Wainono Lagoon

To retain and enhance the unique landscape, natural character, cultural and ecological values of Wainono Lagoon and its margins and to acknowledge the sensitivity of this lake and wetland environment by restrictions on development and subdivision.

Explanation and Reasons

- As for Objective 4
- The Wainono Lagoon remains as the most significant coastal wetland between Lake Ellesmere and the Karitane Estuary in Otago. In recognition of the significance of the lagoon to takata whenua and its sensitivity as a lake, wetland and as very important habitat for birds, buildings are not provided for within the Lagoon and margins.
- The Lagoon has exceptional natural science and transient values due to its being significant habitat for many importance wildlife species, including waterfowl, migrating birds, coastal birds and native fish. It also supports many threatened bird species and is an internationally important wetland.

Objective 5 - Landscape Character and Natural Features

Maintenance and enhancement of significant landscape values of the District, and of those natural processes and features and cultural values which contribute to the overall character and amenity.

Explanation and Reasons

- Residents and visitors to the District value the natural, unbuilt quality of land in the vicinity of the major waterbodies of the District. These areas are valued both

because of their visual qualities and their ability to provide for the natural functioning of ecosystems in and adjacent to these areas.

- Significant areas within Waimate contain largely unmodified landscapes, natural features and land forms, particularly in the hill and high country areas. These areas and features, and the natural processes that shape them contribute to the amenity values and quality of the environment generally. Some landscapes and natural features may require protection from inappropriate use, while others may require enhancement.

Policy 5A - Waitaki Lakes

To avoid the adverse visual effect of development on the landscape and visual values of the lakeshore and the hinterland of the Waitaki Lakes by:

- Requiring buildings to be set back from Lakes Aviemore, Benmore and Waitaki.
 - By providing for new buildings as Controlled Activities in the hinterland area (Lakeside Protection Area 2) to achieve development which is sensitive to the landscape character of the area.
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Explanation and Reasons

- As for Objective 5
 - The shoreline and areas up to the crest of the hills surrounding Lakes Benmore, Aviemore and Waitaki provide a dramatic visual setting for productive and recreation activities in the District.
 - The building setback in the Lakeside Protection Area 1 recognises the high sensitivity of the shoreline areas to buildings and the obvious potential for development of the Lake Aviemore shoreline for residential or recreational use.
 - Control over the appearance and location of buildings in the Lakeside Protection Area 2 will assist in achieving sensitive development while recognising that development pressure in this area is unlikely to be high.
 - Section 6(a) of the Resource Management Act 1991 requires the Council to recognise and provide for the preservation of the natural character of wetlands, lakes and rivers and their margins from inappropriate subdivision, use and development.
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Policy 5B - Adverse Effects

Avoid, remedy or mitigate the adverse effects of activities which could mask or detract from important landforms and other natural features, or adversely affect areas of the District which have a high degree of naturalness, visibility, aesthetic value, or expressiveness.

Explanation and Reasons

- As for Objective 5
- It is appropriate to recognise the values of natural features which are sensitive to land use change.

Objective 6 - Rural Amenity and Environmental Quality

A level of rural amenity which is consistent with the range of activities anticipated in rural areas, but which does not create unacceptably unpleasant living or working conditions for the District's residents or visitors, nor a significant deterioration of the quality of the rural environment.

Explanation and Reasons

- While a wide range of activities is desirable in the rural area it is important that the effects of these activities do not significantly impact on the enjoyment of the area for residential or recreational use or on the efficient carrying out of productive uses.
- There is considerable potential for activities such as intensive livestock farming and extractive uses to adversely affect the natural environment of the rural area. Because of this potential impact it is desirable that these activities be controlled to ensure an acceptable level of environmental quality is maintained.

Policy 6A – Livestock Farming

To avoid, remedy or mitigate adverse effects of livestock farming in order to protect the amenity of rural areas and the quality of its physical environment.

Explanation and Reasons

- As for Objective 6
- Policy 6A, recognises the potential for livestock farming to impact on the natural environment and amenity of the rural area. A number of means to avoid, remedy or mitigate these impacts have been chosen by the Council including education and general promotion of good management practices. In response to specific concerns relating to dairying, the Council has adopted performance standards for new dairy operations. Council will continue to monitor the environmental impact of all livestock farming, as well as the effectiveness of the various methods chosen to maintain or enhance environmental quality.
- Many problems associated with intensive farming and intensive livestock farms occur as a result of poorly designed buildings and enclosures and poor farm management and waste disposal methods. Given that adverse effects are so dependent on management practices and the sensitivity of the surrounding environment it is appropriate to consider each proposal on its merits and have the necessary standards attached to each operation.
- In response to adverse effects resulting from dairying operations, the Council has adopted a number of controls to reduce or avoid these effects. Stock underpasses are now required where regular stock crossing occurs to overcome the safe and efficient functioning of roads being impeded. Heavy vehicle movements are often focussed on milking sheds, wintering/feeding barns and the like and this can give rise to odour, noise, lighting and safety issues. These buildings are therefore required to be well setback from road and property boundaries and from existing houses on adjoining sites. Carcass disposal can create a health hazard and there is potential for contamination of waterways by physical damage to banks causing sediment deposition and increased run-off effects from pugging. Contamination of both ground and surface waterways by dairy effluent and fertiliser particularly in areas with border dyke irrigation or in areas with high water tables is also of concern. The controls require that irrigation water is applied to avoid waterways being contaminated with effluent and to ensure there is no surface flooding on roads or spray encroachment occurs which create nuisance or safety issues for road users. In addition stock are to be managed to ensure no effluent contamination of waterways and wetlands occurs.

Policy 6B - Setback of Buildings

To require residential dwellings to be setback from property boundaries to reduce the probability of the residents of these dwellings being exposed to significant adverse effects from an activity on a neighbouring property, and to maintain the visual character of the rural area.

Explanation and Reasons

- As for Objective 6
 - It is wise to avoid any nuisances being experienced by rural residents resulting from their proximity to neighbouring properties.
 - The setback gives adjoining land owners greater flexibility in their land management practices.
 - The setback from boundaries, in particular the front boundary assists in maintaining the distinct low density rural character of the District.
 - The additional setback requirement associated with legally established intensive pig farms and forestry is intended to give the consent holders the freedom to exercise their consent without being unreasonably restricted by the potential for complaint by newer residents.
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Policy 6C - Extractive Industry

To recognise the potential effects of extractive operations, including mineral exploration, on the rural environment, and to require consent for such operations to enable assessment of the sensitivity of an area and the degree to which an operation will minimise any adverse effects on amenity and the environment including impacts on natural features and indigenous vegetation and habitats of indigenous fauna.

To recognise prospecting as an activity with limited environmental impact for any area.

Explanation and Reasons

- As for Objective 6
 - Controls are necessary on individual extractive operations because the scale of the operations, the sensitivity of the area and the management of these can vary considerably. These matters affect amenity values such as privacy, rural outlook, spaciousness and quietness valued by residents, recreationalists and visitors to rural areas.
 - The Plan can place sufficient performance standards on prospecting to maintain rural amenity values as prospecting is essentially a low impact activity.
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Policy 6D - Forestry and Trees

To control those aspects of forestry and trees which adversely impact on the amenity and environment of the rural area, in particular the more sensitive environments of the hill and high country and Outstanding Natural Landscapes and Features.

Explanation and Reasons

- As for Objective 6
- Forestry and tree planting can have a number of adverse impacts on the rural environment and rural amenity and in particular can cause shading and icing of roads, obscure visibility on roads, and affect production and amenity of adjoining land. In addition disturbance of soil and poor management of tracking and harvest operations can result in sedimentation of waterways and reduced water quality. It is considered prudent to avoid these adverse effects by setting environmental standards in the Plan.

- Forestry has significant potential to detract from the values of Outstanding Natural Landscapes and Features by masking landforms, reducing spaciousness and openness and changing natural character elements.

Policy 6E - General Amenity Controls

To set performance standards, or control by conditions those aspects of activities such as noise, dust, fumes and visual impacts which can adversely impact on the amenity of rural areas. To require the Council's consent for activities which are likely to have impacts on the amenity of rural areas which cannot be anticipated.

Explanation and Reasons

- As for Objective 6
 - Performance standards are required for effects such as building height, noise, traffic generation and lighting to maintain an acceptable level of amenity for people living and working in, or visiting the rural area.
 - Activities such as industries which process rural produce, or which have space requirements which cannot be met within settlements or recreational and accommodation which are based on rural resources may be best located in the Rural Area. However the types of impacts of these non-landbased or non-productive activities cannot be anticipated and it is appropriate therefore that Council assess these activities individually to determine their appropriateness and the need to mitigate adverse impacts.
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Policy 6F - Pattern of Subdivision

To limit the minimum size of subdivisions in the Rural Zone to provide for flexibility in house siting while limiting the possibility of:

- occupiers of new lots being adversely affected by existing neighbouring activities.
 - cumulative adverse impacts of septic tank disposal systems on the quality of groundwater and surface water
 - adverse impacts (including cumulative impacts) on the lower density character of the rural environment
 - degrading or modifying the important landscape values of identified outstanding natural landscapes and features
 - increasing the exposure of the community to natural hazards;
 - adverse effects on infrastructure;
 - loss of the rural productive capacity of the Rural Zone;
 - uneconomic extensions to, or maintenance of, services;
 - adverse effects on indigenous vegetation and habitats of indigenous fauna
- (Refer Section 10 Subdivision Objectives and Policies).
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Explanation and Reasons

- There is a need and expectation by the community that groundwater quality should be maintained and/or enhanced because of the biological needs of natural systems. The retention of cultural values attributed to water and its availability for domestic and stock consumption. Small lot subdivision with its associated residential use which can impact on groundwater quality by seepage from septic tank disposal fields should therefore be avoided where possible.
- It is wise to ensure that lot sizes are of a sufficient size to enable flexibility in house location while being set back from neighbouring properties to reduce the impact of neighbouring farming or forestry activities.
- An essential element of rural character is the low density of buildings and residential use. To maintain this character and to avoid amenity and reverse sensitivity effects, a control is needed on the density of residential development. This control is also required to reduce the demand for

- increased or improved services such as roading, water and power which can be costly and uneconomic to supply.
- To avoid inappropriate subdivision and development additional controls (beyond the general Rural Zone rules) have been placed on outstanding natural landscapes and features. These controls require larger minimum lot sizes and limit buildings in order to retain an open, un-built character.
 - Natural Hazards – refer Rural Objective 8 and Policies 8A to 8D
 - Small lots provide less flexibility in the location of houses and buildings which may limit available setbacks from servicing infrastructure such as high voltage power lines, poles and towers. In addition, the operation of these services has the potential to impact on rural residents which may then result in reverse sensitivity effects.
 - While small rural lots have the theoretical potential to retain much of their productive capacity, this capacity can be lost or reduced due to the predominant residential use of the site and the layout of buildings and access on the site. This impact on productive capacity most frequently occurs on the fringe of towns.
 - The creation of new rural residential lots has the potential to create a demand for urban standard services and infrastructure including sealed roading, street lighting and extensions of reticulated services. Due to the limited number of properties served (as compared to townships) supplying and maintaining these services can be costly and uneconomic over time.
 - It is appropriate at the time subdivision consent is sought to take into account likely impacts on indigenous vegetation and habitats from the resulting small lot rural residential development.

Policy 6G – Recreational Settings And Amenity

To avoid, remedy or mitigate the adverse effects of activities on recreation settings and amenity.

Explanation and Reasons

- As for Objective 6
 - It is the quality of the rural environment that contributes to its recreational value. The enjoyment of recreational settings and activities in the rural environment depends on the maintenance of those settings. Activities on or adjacent to sites used for recreation have the potential to degrade the natural environment which is part of the recreational experience.
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Policy 6H - Public Access

To identify and retain existing legal public access facilities, where these are required for public access and recreational use and to consider future public access opportunities.

Explanation and Reasons

- As for Objective 6
- Legal unformed roads are a physical resource of the District which provide public and recreational access, however some legal roads serve no particular public access or recreational purpose, therefore it is appropriate that the Council only identify and retain those roads which serve such a purpose.
- Future opportunities for additional public access which enhances the existing network should be considered and taken where practicable.

Policy 6I – Non-Rural Uses

To recognise that the Rural Zone may be the most appropriate environment for some utility, industrial, service or commercial uses to establish, provided the amenity and character of the rural area is maintained.

Explanation and Reasons

- As for Objective 6
- A wide variety and scale of industrial or services activities may want or need to establish in the Rural Zone. These activities often serve the productive use of the Rural zone or they may require large areas of land only available within the rural area. Examples of such activities include a contractors' yard, transport companies, timber mills and dairy processing plants.
- The rural environment may be able to absorb these activities better than other more developed parts of the District. However, there is a need to ensure that the amenity and character of the environment in which such activities may locate is maintained. Given the wide variety and scale of such activities, the Council has reserved its discretion over these activities so they can be assessed on a case-by-case basis.

Objective 7 - Waterbodies and Their Margins

Protection, restoration and enhancement of the coastal environment, waterways and wetlands and their margins to avoid degradation of the natural character, amenity, cultural and recreational values of these areas and their associated waterbodies.

Explanation and Reasons

- The margins of waterbodies have value because of the natural function of filtering runoff prior to water entering waterways. These areas also have considerable value, as a conservation, recreation and access resource.
- Activities such as human and animal effluent disposal, intensive livestock farming, earthworks, clearance of vegetation, inappropriate planting, and erection of structures can interfere with the environment and the quality of waterways.
- Wetland areas have important ecological values which should be retained.

Policy 7A - Effects Controls

To avoid, remedy or mitigate the adverse effects of a range of activities and structures on the natural functioning, natural character and values of the coastal environment, waterways, waterbodies, wetlands and their margins.

Explanation and Reasons

- As for Objective 7
- Earthworks, structures, vegetation clearance and forestry plantings all have the potential to reduce the effectiveness of the natural vegetation and topography of riparian areas to function in a way which assists in maintaining the water quantity and quality of adjacent water bodies and wetlands and which provides habitat for indigenous wildlife

Policy 7B - Livestock Farming

To avoid, remedy or mitigate the adverse effects of livestock farming so as to not cause a deterioration in the environmental quality and natural functioning of riparian areas, their adjacent waterbodies and groundwater.

Explanation and Reasons

- As for Objective 7
- Animal farming in proximity to waterways has considerable potential to cause contamination of riparian areas and waterways, by discharge of effluent particularly in areas which are flood irrigated or which have a high water table. In addition high rates of organic and inorganic fertiliser can cause contamination of groundwater. A number of means to avoid, remedy or mitigate these impacts have been chosen by the Council including education and general promotion of good management practices. In response to specific concerns relating to dairying, the Council has adopted performance standards for new dairy operations. Council will continue to monitor the environmental impact of all livestock farming, as well as the effectiveness of the various methods chosen to maintain or enhance environmental quality.

Policy 7C - Protection of Wetlands

To recognise that wetlands have significant cultural, amenity, recreational and ecological functions and values and provide habitats for indigenous flora and fauna.

To control activities so that the depletion of wetlands which have significant ecological values is avoided.

To have particular regard to the National Policy Statement for Renewable Energy Generation 2011.

Explanation and Reasons

- As for Objective 7
- Wetlands are relatively scarce and generally under greater pressure for development than waterways. Remaining wetland areas with significant values should be retained and protected.

Policy 7D - Maintenance of Wetlands

Council will maintain and enhance wetland areas as part of its management of utilities and public works.

Explanation and Reasons

- As for Objective 7
- Council considers that as a public body it has a responsibility to design, construct and maintain its works in a way which enhances or at least maintains the intrinsic values of wetland areas.

Policy 7E - Riparian Vegetation

To advocate and encourage the establishment and maintenance of riparian vegetation, especially indigenous vegetation typical of the local areas, to reduce the adverse effects of landuse on water quality and to enhance conservation and amenity values.

Explanation and Reasons

- As for Objective 7

- The riparian zone is a traditional area between land and water and has the ability to act as a buffer between land and water processes. The management of riparian vegetation is an important part of the buffering capacity and also contributes to conservation and amenity values of riparian areas.

Objective 8 - Natural Hazards

Avoid loss of life, and avoid or mitigate damage to assets and infrastructure, or disruption to the community of the District, from natural hazards.

Explanation and Reasons

- The Act requires the Council to have objectives and policies and controls on the actual or potential effects of the use, development, or protection of land for the purpose of mitigation of natural hazards.
- Natural hazards that may occur within the District include flooding, severe climate events (e.g. snowfall, drought), coastal erosion, seawater inundation, and earthquakes and associated land movement and subsidence.
- Avoidance of loss and damage to life and property is generally preferable to restoration and compensation for loss where this is possible.
- Within the District, the Hunter Hills Fault Zone is one the main areas of potential seismic activity. A map showing the location of the fault zone is contained within the Planning Maps. Long recurrence intervals, means that movement within this fault zone is outside any normal planning horizon, however consideration of the potential earthquake hazard within the District needs to be taken into account when planning major utility projects.

Policy 8A - Proximity to Waterways

To control the proximity of buildings to waterways and stopbanks and to control the location and floor height of habitable buildings and some animal housing which could be subject to flooding, to limit potential loss of life and damage to property.

Explanation and Reasons

- As for Objective 8
- The adverse effects of flooding are most effectively mitigated by directing buildings away from hazard areas or by requiring elevation of buildings.

Policy 8B - Coastal and Riverbank Erosion

To encourage the relocation of existing settlements and buildings away from areas that are at risk from coastal or riverbank erosion and to discourage new buildings being sited in these areas, so as to avoid the potential loss of life and damage to property.

Explanation and Reasons

- As for Objective 8
- The adverse effect of coastal and riverbank erosion are effectively mitigated by directing new buildings away from these areas or by relocating existing buildings away from these areas.

Policy 8C - Natural Hazard Information

To maintain a high level of community awareness of the risk of natural hazards through the provision of advice and information.

Explanation and Reasons

- As for Objective 8.
 - Providing information is an effective means of enabling people to avoid the effects associated with natural hazards necessary to achieve Objective 8.
-

Policy 8D - Effects of Natural Hazard Mitigation Measures

To avoid, remedy or mitigate the adverse effects on the environment arising from natural hazard mitigation measures.

Explanation and Reasons

- As for Objective 8.
 - Adverse effects of natural hazard mitigation measures, such as on the natural character of riparian and coastal areas, should be adequately avoided, remedied, or mitigated where such measures are necessary to achieve Objective 8.
-

Policy 8E – Climate Change

To acknowledge the impact that climate change may have on natural hazards events when undertaking new development..

Explanation and Reasons

- As for Objective 8.
 - Climate change has the potential to increase the severity and/or occurrence of natural hazards events. For example the frequency and duration of floods may increase as a result of an increase in the intensity of rainfall. Within the District, climate change and its potential impact on natural hazard events needs to be acknowledged and taken into consideration when new development is undertaken.
-

Objective 9 - Surface of Waterways

Recreational activities being undertaken on the District waterways in a manner which minimises potential adverse effects on conservation values, wildlife habitats, public health and safety, recreational values, takata whenua values and general amenity values.

Explanation and Reasons

- There is potential for recreational activities on waterways to have a number of adverse effects including:
 - noise
 - reduction in navigational safety
 - conflict with other recreationalists
 - degradation of river, lake and adjoining wildlife habitats
 - increased bank erosion caused by wave action or activity on the banks
 - water contamination from turbidity, exhaust fumes and human effluent
 - litter and other wastes in the area
- It is appropriate in providing for recreation throughout the District that these adverse effects are minimised to enable environmental and recreational quality to be maintained.

Policy 9A – Moorings

To ensure that the location, design and use of moorings are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the waterways are avoided or mitigated.

Explanation and Reasons

- As for Objective 9
 - Moorings which intrude over or through water which enable greater recreational use of the water can thereby create a potential for conflicts between different recreationalists and cause problems associated with exceeding the carrying capacity of the existing shore vegetation and facilities.
 - Moorings can create safety problems for on-water users.
 - Moorings can significantly alter the character and visual appearance of riparian areas and waterways.
-

Policy 9B - Regulations

To seek the continued administration and control of navigational safety matters principally through regulations or equivalent mechanisms under the Harbour Act and its successor.

Explanation and Reasons

- As for Objective 9
 - Controls placed on water based recreational activities by the Water Recreation Regulations 1979 are considered to enforce suitable controls with respect to navigational safety.
 - Current upliftings of the Water Recreation Regulations within the District are considered appropriate to allow for certain recreational activities on the Districts waterbodies and should therefore be retained.
-

Policy 9C - Cross Boundary Co-Ordination

To co-ordinate with adjoining territorial authorities where activities on the surface of rivers and lakes cross territorial boundaries, including the co-ordination of resource consent processes.

Explanation and Reasons

- Because the Pareora River and the Waitaki River and Lakes form the part of the northern and southern boundaries of the District the Council considers a joint approach should be taken for the control of water based activities in conjunction with Timaru, Waitaki and Mackenzie District Councils.
-

Policy 9D - Wainono Lagoon

To avoid adverse effects on wildlife habitat values by controlling powered vessels and aircraft use on Wainono Lagoon.

Explanation and Reasons

- As for Objective 9
 - Wainono Lagoon is of particular importance to fisheries and wildlife due to its diversity of habitats and the important link it provides between coastal wetlands. The values of the lake are susceptible to activities on the water, therefore it is appropriate that the lake is kept free of mechanical craft.
-

Objective 10 - Protection of Drinking Water

Protection of the quality of drinking water.

Policy 10A - Catchment Protection

To identify the catchments of public water supply schemes and to control the effects of activities within these areas to avoid adverse impacts on the quality of water being taken for drinking purposes.

Explanation and Reasons

- It is appropriate that catchment areas where community water supplies are drawn are protected from adverse effects of land use.

Objective 11 - Rural Infrastructure

Rural infrastructure that enables the District and the wider community to maintain their economic and social well-being

Explanation and Reasons

- Rural infrastructure entails, but is not limited to, power generation and transmission facilities, communication facilities, roads and water supplies. These are of significance to both residents and visitors, as well as to the wider national community. Their significance is based on their ability to facilitate economic and social well-being of the rural and wider communities, as well as being a major component of the rural landscape.

Policy 11A - Rural Infrastructure

To recognise the economic and social importance of transportation, electricity generation and transmission, and rural servicing infrastructure, consistent with other objectives and policies of this Plan.

(Refer Section 11 Utilities Objectives and Policies)

Explanation and Reasons

- As for Objective 11.
- Transportation and communication networks (e.g. telephone lines, cellular phone sites, and radio transmitters) play an important part in the ability of the District to maintain its economic and social well-being.
- Power generation and transmission facilities within the District are an important part of the national electricity generation and supply network. These facilities form part of the Waitaki Hydro Scheme that produces a significant proportion of New Zealand's electricity.

Objective 12 – Development of Maori Land

To enable development on Maori land that:

- Meet the needs of the landowners
- Respects the relationship of takata whenua with their lands, water, sites and waahi tapu

Policy 12A – Papakainga Housing

Enable papakainga housing and associated activities that are appropriately serviced to be established on ancestral land for the occupation of one or more of the beneficial owners who all are members of the same hapu.

Policy 12B – Marae and Urupa

Enable marae, urupa and associated activities that are appropriately serviced to be established on ancestral land

- (i) in accordance with tikanga Māori; or
 - (ii) for the use of the beneficial owners
-

Explanation and Reasons

- Papakāinga housing and marae located on ancestral land are integral to the identity and development of tangata whenua. They are one of the essential elements that denote mana whenua.
- Ancestral land for papakāinga housing and marae is a finite resource at (generally) fixed locations. It is predominately located close to natural resources which are highly valued by takata whenua, such as the coast and waterways, reflecting their strong relationship with these natural resources. Papakāinga housing and marae, together with their associated activities on ancestral land, allow takata whenua to exercise their relationship, culture and traditions with this land and the surrounding natural resources, including through exercising kaitiakitanga.

Objective 13 – National Grid

Facilitate the operation and maintenance of the existing National Grid lines while managing the adverse effects of the network.

Policy 13A

To manage subdivision design and building location to avoid incompatibility between activities and National Grid lines which could interfere with their operation and maintenance and/or endanger people and property.

Explanation and Reasons

- It is important to manage incompatible development and reverse sensitivity effects associated with subdivision and development near the National Grid transmission lines as this has the potential to place individuals and the community at risk, and generate adverse effects on those lines. The National Grid transmission lines form a major asset and may act as a constraint to subdivision and associated development. This asset must be protected from activities that could adversely impact on the ongoing function of the lines (including activities which could cause reverse sensitivity effects).
- It is important that the location, nature, scale and requirements for the operation of regionally significant infrastructure is taken into account at an early stage when changes can be more readily made in response to identified issues. Accordingly, developers of all new subdivisions are advised to contact Transpower New Zealand directly to discuss how the presence of a transmission line can be taken into account.

RULES - RURAL ZONE

1. DISTRICT WIDE RULES

The following General Provisions containing District-Wide Rules shall apply in the Rural Zone:

- Signs - Section 7
- Heritage Protection - Section 8
- Transportation - Section 9
- Financial Contributions – Section 10
- Subdivision - Section 10
- Utilities - Section 11
- Hazardous Substances - Section 12

2. PERMITTED ACTIVITIES

The following activities shall be Permitted Activities provided they comply with each of the Site Standards in Rule 7 and Zone Standards in Rule 8.

- 2.1 Farming Activities** other than intensive farming.
(Refer Zone Standard 8.4.3 for animal housing in Flood Areas and areas close to stopbanks).
- 2.2 Forestry Activities** in the Rural Zone other than in the Hill and High Country Sub Zone identified on the planning map 36.
- 2.3 Residential Activities**
(Refer Zone Standard 8.4.3 for residential buildings in Flood Risk Areas and areas close to stopbanks).
- 2.4 Papakainga housing** on multiply-owned Maori or ancestral land
- 2.5 Home Occupations** provided that
- a. Goods, materials or equipment associated with a home occupation are to be stored inside a building or are to be screened from the view of neighbouring properties and/or the road;
 - b. All manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with a home occupation are carried on within a building; and
 - c. No more than one full-time equivalent person who resides elsewhere than on the site is employed in undertaking any home occupation on the property.
- 2.6 Commercial Activities** limited to retail sales of:
- a. farm and garden produce grown, reared or produced on the site; or
 - b. handcrafts produced on the site; or
 - c. refreshments served to group visits to sites used for farming or residential activities;
- 2.7 Recreational Activities** (other than on the surface of waterways or using aircraft) limited to:
- a. outdoor recreational activities which are not commercial;
 - b. commercial outdoor recreation activities where the scale is limited to no more than 10 people in one group;
 - c. group or individual visits to sites used for farming or residential activities;
 - d. buildings, associated with recreational activities specified under a-c above, which do not exceed 50m² in area and are limited to use for shelter including huts for overnight shelter, toilet facilities and information, except that group visits to sites used for farming or residential activities may use buildings principally used for farming or residential activities;

- e. buildings and structures associated with recreational access.

2.8 Mining and Investigation Activities limited to prospecting

2.9 Visitor Accommodation, limited to

- a. Homestays accommodating no more than 10 guests at any one time; and
- b. a maximum of two units with accommodation for a maximum of 10 guests in total.

2.10 Activities on the Surface of Waterways except moorings

2.11 Scheduled Activities listed as Permitted Activities in Rule 10.

2.12 Temporary Activities that meet Site Standard 7.17. Temporary Activities do not need to meet any other site or zone standard.

2.13 Aviation Activities limited to airstrips associated with:

- a. primary production;
- b. residential activities; or
- c. non-commercial recreation or transportation.

2.14 Clearance of Vegetation (refer Site and Zone Standards)

2.15 Construction Activities that meet Site Standard 7.18. Construction activities do not need to meet any other Rural site or zone standard. Note other District- Wide Rules may apply, Refer to Rule 1.

3. CONTROLLED ACTIVITIES

The following activities shall be Controlled Activities provided they comply with the Rural Zone Site and Zone Standards (Rules 7 and 8) for matters other than those over which the consent authority has reserved discretion.

The matters over which the consent authority has reserved discretion are listed below each Controlled Activity.

3.1 Community Activities in respect of;

- a. car parking provision,
- b. hours of operation,
- c. noise
- d. lighting

3.2 Mineral Exploration in respect of:

- a. terrain disturbance including vegetation clearance and volumes of material to be removed;
- b. rehabilitation of a site;
- c. siting of roads or any buildings
- d. noise, vibration, dust
- e. the number of vehicle movements
- f. impact on Outstanding Natural Landscapes and Features identified on the planning maps.

3.3 Buildings in the Lakeside Protection Area 2 with greater than 25m² floor area in respect of:

- a. External appearance
- b. Location

3.4 Problem Animals

The farming of animals other than commercial livestock within the Hill and High Country subzone identified in Planning Map 36 in respect of:

- a. adequate containment to prevent animal escapes
- b. provision of financial contributions to assist capture or destruction of escaped animals.

3.5 Schedule Activities listed as Controlled Activities in Rule 10.

4. RESTRICTED DISCRETIONARY ACTIVITIES

4.1 Farm Buildings within Outstanding Natural Landscape Areas as identified on the planning maps in respect of:

- a. external appearance, bulk and scale of building
- b. earthworks and tracking
- c. landscaping and planting (including tree removal)
- d. servicing
- e. effects on landscape and visual amenity values
- f. any cumulative effects of structures within the landscape

4.2 Any Permitted or Controlled Activity which does not comply with any Site Standard in Rule 7, but meets all of the Zone Standards in Rule 8, shall be a Restricted Discretionary Activity. The exercise of Council's discretion shall be restricted to the matter(s) specified in the standard which is not complied with.

5. DISCRETIONARY ACTIVITIES

5.1 Schedule Activities listed as Discretionary Activities in Rule 10

5.2 Non-Farm Buildings within Outstanding Natural Landscape Areas as identified on the planning maps.

5.3 Any activity which is not listed as a Permitted Activity, a Controlled Activity, or a Restricted Discretionary Activity, and which complies with all Zone Standards in Rule 8 shall be a Discretionary Activity.

6. NON-COMPLYING ACTIVITIES

6.1 Any activity which does not comply with any Zone Standard in Rule 8 shall be a Non-Complying Activity.

7. SITE STANDARDS

7.1 Height of Buildings, Structures etc

7.1.1 Maximum height of any building shall be 10m.

7.1.2 No building, mast, structure, tree or other object shall penetrate the following flight protection surface shown on Planning Maps 23 and 33.

Flight Protection Surface means a surface extending outwards and upwards from the centre-line of runways 04-22 and 09-27 of the Waimate Aerodrome at a gradient of 1:50 for a horizontal distance of 1200 metres from the edge of the runway.

7.2 Setback from Roads, Neighbours, Forestry and Intensive Pig Farming

- 7.2.1 Minimum setback of residential units from:
- an internal boundary shall be 20m;
 - a road boundary shall be 7.5m;
 - forestry activity under different ownership shall be 50m;
 - a legally established intensive pig farm on a separate site shall be 500m.

- 7.2.2 Minimum setback of Papakainga housing from:
- a road boundary shall be 7.5m
 - an internal boundary with a property under different ownership shall be 20m

There shall be no boundary setbacks from internal boundaries for land held in the same ownership.

- 7.2.3 The minimum setback for buildings, designed and/or used for the housing or feeding of commercial livestock, excluding milking sheds or buildings used to house or feed milking stock shall be:
- 50m from an internal boundary;
 - 200m from any public reserve or existing dwelling on a separate site;
 - 50m from a road boundary.

- 7.2.4 The minimum setback for other buildings greater than 10m² in gross floor area, except those referred to in rules 7.2.1 and 7.2.2 shall be:
- 7.5m from road boundaries;
 - a distance from an internal boundary at least equal to the height of the building.

Note: Rule 7.14 lists setbacks for effluent ponds, treatment ponds, storage ponds, carcass disposal, milking sheds and buildings used to house or feed milking stock.

7.3 Access

- 7.3.1 Each residential unit shall have legal access to a legal road.

- 7.3.2 Each site of papakainga housing shall have legal access to a legal road. A separate access for each unit within a papakainga site is not required.

7.4 Retail Sales

- 7.4.1 No retail sales shall be permitted on sites where the public access to the site is from State Highway 1 and 82 (from SH1 to Bathgates Road).

- 7.4.2 Any building used for retail activities shall be at least 25 metres from the road boundary of the site.

- 7.4.3 All accesses shall comply with the Standards in Section 9.

- 7.4.4 All signs shall comply with the Standards in Section 7.

7.5 Riparian Management

On any land within 100m of the bed of any lake or 20m of the bed of any river:

- 7.5.1 No earthworks shall:
- exceed 10m³ (volume) in any one year, or
 - exceed 30m² (area) in any one year, or
 - be located on slopes with an angle greater than 20°

except that the following earthworks shall be permitted provided they comply with all other provisions of the Plan:

- earthworks associated with the maintenance and upkeep of existing tracks, roads, drains, culverts, crossings, bridges, stock yards, erosion control works, dykes and sea walls.

- 7.5.2 There shall be no clearance of indigenous vegetation.
- 7.5.3 Cut or cleared berm vegetation shall not be placed in a river or placed in a position that it may enter a river.
- 7.5.4 Topsoil is not to remain exposed longer than it takes to resow or replant the area. This time period shall not exceed twenty-four months from the time of disturbance.
- 7.5.5 All harvesting of trees shall be carried out so as to prevent detritus and soil from entering the bed of any river or lake.
- 7.5.6 No buildings shall be erected.
- 7.5.7 There shall be no forestry activity planting or woodlot planting i.e. planting for timber production.

7.6 Water Supply Protection Areas

Within any Water Supply Protection Areas:

- 7.6.1 No buildings shall be erected which require septic/sewage facilities.
- 7.6.2 All dead stock must be removed and no burials shall be permitted. This rule also applies to the Lower Waihao Water Supply Outer Protection Area.
- 7.6.3 If mob stocking takes place all waterways must be protected to ensure that stock effluent and pugging does not pollute the waterway.
- 7.6.4 The storage of silage or the disposal of silage or similar organic matter is not permitted.
- 7.6.5 No earthworks shall:
- exceed 20m³ (volume) per hectare in any continuous period of 5 years, or
 - exceed 50m² (area) per hectare in any continuous period of 5 years, or
 - be located on slopes with an angle greater than 20 degrees.
- except that** the following earthworks shall be permitted provided they comply with all other provisions of the Plan:
- earthworks associated with the maintenance and upkeep of existing tracks, roads, drains, culverts, crossings, bridges, stock yards, erosion control works, dykes and sea walls.
- 7.6.6 No clearance of vegetation or indigenous vegetation shall exceed 150m² in any one hectare in any continuous period of 5 years.
- 7.6.7 There shall be no exotic tree planting greater than 20ha per Certificate of Title in the Timaru Water Supply Protection Area.

7.7 Forestry Activity - Water Quality, Shading, Visibility, Wilding Trees

- 7.7.1 Cut or cleared berm vegetation shall not be placed into a river or placed in a position that it may enter a river.
- 7.7.2 Topsoil is not to remain exposed longer than it takes to resow or replant the area. This time period shall not exceed twenty-four months from the time of disturbance.

- 7.7.3 All harvesting of trees within 50m of any wetland, 100m of the bed of any lake or 20m of the bed of any river shall be carried out so as to prevent detritus and soil from entering the wetland or the bed of the lake or river.
- 7.7.4 Forestry activity shall not be planted within 15 metres of the boundary of any site under separate Certificate of Title without the prior written permission of the landowner of that site. A copy of the written permission shall be submitted to the Council at least 20 working days prior to planting.
- 7.7.5 Forestry activity shall not be located within 50 metres of an existing dwelling on a separate site under different ownership.
- 7.7.6 Trees shall not be in such a position that they would:
- damage power or telephone lines if blown over or felled by any other means
 - restrict visibility of drivers within 50 metres of an intersection or corner of a road
 - restrict views from SH82 of Significant Nature Feature G12 (The Limestone Cliffs - Waihao Forks/Downs - Planning Map 18)
 - cause icing of a road pavement being perpetrated as a result of shading of the road between 10am and 2pm on the shortest day of the year
- 7.7.7 It shall be the responsibility of forest owners, occupiers, leasees and licensee or other persons responsible for any forestry activity to eliminate tree spread and growth of wilding trees emanating from that forest on all land within 500 metres of the forest edge.
- 7.7.8 There shall be no planting of *Pinus contorta*, *Pinus sylvestris* (Scots Pine), *Pinus uncinata* (Dwarf Mountain Pine) or *Pinus mugo* (Mountain Pine).
- 7.7.9 Earthworks, clearance of indigenous vegetation and tree planting associated with any Forestry Activity shall not exceed the thresholds set in Rural Site Standards 7.5, 7.6.5, 7.6.6, 7.13, 7.16 and Rural Zone Standards 8.1, 8.3, 8.5 and 8.7.

7.8 Surface of Waterways

- 7.8.1 Boating on the Dead Arm upstream from Poingdestres Road Bridge, including Wainono Lagoon and its tributaries shall be restricted solely to craft powered by oars or paddles.

7.9 Noise

- 7.9.1 Activities, other than residential activities shall be conducted such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit, other than residential units on the same site as the activity:
- during daytime 55dBA L10
 - during night-time 45dBA L10
 - On any day between 9pm day and 7am on the following 75dBA Lmax
- except that for farming activities these standards shall only apply to noise from stationary motors or equipment.
- 7.9.2 Noise levels shall be measured in accordance with the provisions of NZS 6801 *Acoustics - Measurement of environmental sound* and assessed in accordance with the provisions of NZS 6802 *Acoustics - Environmental noise*.

- 7.9.3 Noise limits shall not apply to:
- a. activities of a normal recreational nature, such as sporting events, that do not involve powered motorsport, powered aviation, gunfire or amplified music; or
 - b. warning devices used by emergency services.

(For daytime and night-time refer Section 13 - Definitions)

7.10 Lighting

- 7.10.1 All fixed exterior lighting shall be directed away from adjacent properties.
- 7.10.2 All exterior lighting on properties shall be designed, installed and maintained so that the light emitted does not cause a distraction or glare which could create a traffic hazard on any road.

7.11 Relocated Residential Units

- 7.11.1 Residential units for permitted activities shall comply with the following:
- a. Any relocated building intended for use as a residential unit shall have previously been designed, and built as a residential unit.
 - b. A building pre-inspection report by a suitably qualified professional shall accompany the application for a building consent for the destination site. That report shall identify all reinstatement works that are required to ensure the exterior of the building is in good order and has a tidy appearance.
 - c. The building shall be located on permanent foundations approved by building consent, no later than three months of the building being moved to the site.
 - d. All other reinstatement work required by (b) above and the building consent to reinstate the exterior of any relocated residential unit shall be completed within six months of the building being delivered to the site. Without limiting (c) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
 - e. The proposed owner of the relocated building must confirm in writing to the Council that the reinstatement work has been completed within the six month period.
 - f. (a) to (e) above shall not apply to accessory buildings designed or used for other than human habitation.

7.12 Flooding

- 7.12.1 Residential, Commercial, Recreational, Community and Visitor Accommodation Buildings and Buildings for the housing of 6 or more animals on a permanent or seasonal basis within Areas of Flooding Risk identified on the Flood Risk Maps that are assessed to have a Low Flood Risk shall be a Controlled Activity in respect of:
- a. siting and potential for inundation, riverbank erosion, or coastal erosion,
 - b. floor heights.
- 7.12.2 There shall be no Residential, Commercial, Recreational, Community and Visitor Accommodation Buildings and Buildings for the housing of 6 or more animals on a permanent or seasonal basis within Areas of Flooding Risk identified on the Flood Risk Maps that are assessed to have a High Flood Risk.

(Refer also Zone Standard 8.4 below)

- 7.12.3 Rules 7.12.1 and 7.12.2 shall not apply:
- a. to extensions to buildings where the extension will not increase the total floor area existing at 1 May 1998 by more than 15%.

- b. to accessory buildings designed or used for purposes other than human habitation or the housing of less than 6 animals on a permanent or seasonal basis.

Note: - A person proposing a building as specified above in a flood risk area shall obtain a flood risk assessment to establish whether the site is within an area with a Low Flood Risk or a High Flood Risk. This assessment shall be undertaken by a suitably qualified person or body, i.e. Canterbury Regional Council.

Note: Where an on-site assessment indicates that the proposed building or site is not within an actual flood risk area no resource consent shall be required under this rule.

7.13 Earthworks

7.13.1 Earthworks shall not exceed 150m² or 50m³ on slopes of more than 20 degrees in any one hectare in any continuous period of 5 years.

7.14 Dairying

All dairying activity shall comply with the following standards:

7.14.1 All effluent holding tanks, treatment ponds, storage ponds and any carcass disposal shall be located at least 300 metres from any public reserve or dwelling on an adjoining property, and 100 metres from an adjoining property boundary or public road.

7.14.2 All milking sheds or buildings used to house or feed milking stock shall be located at least 400 metres, or 300 metres with the written consent of the owner and occupier, from any existing dwelling on an adjoining property or public reserve, and 100 metres from an adjoining property boundary or public road.

Advisory Note: The reference to "any existing dwelling" in Rule 7.14.2 acknowledges that people who choose to locate new dwellings within 400m of the buildings referred to in Rule 7.14.2 are not protected by this rule.

7.14.3 Stock shall be managed in a way which ensures no waterways or wetlands are contaminated by stock or their effluent.

7.14.4 All irrigation shall be applied to ensure that contamination of waterways and wetlands by effluent is avoided, and to ensure that no surface flooding or spray encroaches onto adjacent properties or roads.

7.14.5 Movement of milking dairy herds across any of the following roads shall only be by means of an underpass:

- Bathgates Road (Starts: SH82, Ends: Molloys Road)
- Blue Cliffs Road (Starts: Kane Lane, Ends: Talbot Road)
- Brasells Bridge Road (Starts: Pareora River Road, Ends: District Boundary)
- Browns Road (Starts: High Street, Ends: Parsonage Road)
- Craigmere Valley Road (Starts: Pareora River Road, Ends: Timaunga Road)
- Foleys Road (Starts: SH1, Ends: Hannaton Road)
- Glenavy-Tawai Road (Starts: SH1, Ends: Old Ferry Road)
- Hakataramea Valley Road (Starts: SH82, Ends: Homestead Road)
- Holme Station Road (Starts: Pareora River Road, Ends: Pareora River Bridge)
- Horsnells Road (Starts: SH1, Ends: Morven Road)
- Ikawai Middle Road (Starts: SH82, Ends: Tawai-Ikawai Road)
- Lower Hook Road (Starts: SH1, Ends: Waimate Hunter Road)
- Lucks Road (Starts: SH1, Ends: Fletchers Road)
- Makikihi Hunter Road (Starts: SH1, Ends: Teschemaker Valley Road)
- Manchesters Road (Starts: Molloys Road, Ends: Mitchell Road)

- Maytown Road (Starts: Timaru Road, Ends: Hannifins Road)
- McNamaras Road (Starts: Molloy's Road, Ends: SH1)
- Mill Road (Starts: Hunts Road, Ends: Kirks Road)
- Molloy's Road (Starts: McNamaras Road, Ends: SH1)
- Morven Road (Starts: Maclean Street, Ends: Horsnells Road)
- Old Ferry Road (Starts: SH1, Ends: Glenavy-Tawai Road)
- Pareora Gorge Road (Starts: Evans Crossing Road, Ends: Pareora River)
- Pareora River Road (Starts; SH1, Ends: Evans Crossing Road)
- Parsonage Road (Starts: Butchers Lane, Ends: Waimate Hunter Road)
- Racecourse Road (Starts: Williams Street, Ends: Park Road)
- Serpentine Valley Road (Starts: SH82, Ends: Zig Zag Road)
- Stokes Road (Starts: Crowes Road, Ends: Morven Beach Road)
- Tawai-Ikawai Road (Starts: Ikawai-Middle Road, Ends: Old Ferry Road)
- Te Akatarawa Road (Starts: Fishermens Bend Road, Ends: Benmore Dam)
- Waihao Back Road (Starts: SH82, Ends SH1)
- Waimate Hunter Road (Starts: Whitneys Road, Ends: Makikihi Hunter Road)
- All other roads within the District Plan zoned Residential

Note: The design and location of the underpass will require approval from the Road Controlling Authority.

7.15 Extensive Pig Farming

All extensive pig farming shall comply with the following standards:

- 7.15.1 All land used as part of an extensive pig farm shall be located at least 500m from any existing habitable dwelling (other than any existing habitable dwelling on the extensive pig farm).
- 7.15.2 Vegetative cover shall be maintained on the property at all times. Any paddocks which become 25% bare ground must be destocked until pasture is re-established.
- 7.15.3 All springs and waterways are to be fenced to exclude pigs from gaining access to them.

7.16 General Indigenous Vegetation Clearance

7.16.1 Clearance of indigenous vegetation shall not exceed the following standards:

- a. Tall tussock of the genus *Chionochloa* - maximum clearance of 100m²
- b. Indigenous vegetation which has an average canopy height greater than 3 metres - maximum clearance of 100m²
- c. Indigenous shrubland which has an average canopy height greater than 1.5 metres – maximum clearance of 100m²
- d. Indigenous vegetation other than that specified in (a) and (b) above - maximum clearance of 0.1 hectare (1000m²) per certificate of title over a 5 year period is cleared

Note: Additional rules relating to clearance of vegetation/indigenous vegetation in Significant Natural Areas, Significant Natural Features, areas over 900m in Altitude, Water Supply Protection Areas, Riparian Areas and Wetlands are contained in Rural Zone Site Standards 7.5, 7.6 and 7.7 and Zone Standards 8.1 and 8.3.

7.17 Temporary Activities

- 7.17.1 Temporary activities (refer Definitions) provided they do not exceed a period of eight days at any one time, and do not occur more than six times in any one year.

7.18 Construction Activities

- 7.18.1 Temporary Construction Buildings,(refer Definitions) established on a construction site for the duration of the project or twelve months whichever is the lesser.
- 7.18.2 Construction noise shall not exceed the recommended limits in, and shall be measured and assessed in accordance with, the provisions of NZS 6803: *Acoustics - Construction Noise*. Discretionary adjustments provided in rule 6.1 of the Standard shall be mandatory within the District.

7.19 Noise associated with helicopter landing areas

- 7.19.1 Any proposed new activity within the scope of NZS 6807 *Noise Management and Land Use Planning for Helicopter Landing Areas*, shall be a discretionary activity in all Zones.
- 7.19.2 Noise associated with helicopter landing areas shall not exceed the limits in Table 4.1 below and shall be measured and assessed in accordance with the provisions of NZS 6807 *Noise management and land use planning for helicopter landing areas*, substituting Table 4.1 below for Table 1 in the Standards (NZS6807).

Table 4.1 - Limits of acceptability for helicopter area noise

Zone	Ldn (night*-weighted sound exposure) Pa ² s	Ldn (day-night average sound level) dBA	L _{max} (night-time maximum sound level) dBA
Business 3 Zone (Industrial)	1000	75	n/a
Business 1&2 Zones	100	65	n/a
Residential Zone (at site boundary) Rural Zone (at notional boundary)	3.5	50	70
Residential (internal)	0.3	40	55

* The hours for night time L_{max} shall be 10:00 pm to 7:00 am the following day for the purpose of this section.

7.20 Blasting

- 7.20.1 Vibration from a site due to blasting shall not exceed a peak practice velocity of 5mm/sec provided this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level should not exceed 10mm/sec at any time.
- 7.20.2 Airblast overpressure from blasting on any land shall not exceed a peak non-frequency weighted (linear or flat) level of 115dB, provided this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level should not exceed 120dBA (Ln Peak) at any time.

7.21 Watercraft Noise

- 7.21.1 Powered watercraft shall be fitted with effective mufflers during all movement on water and shall not exceed the following noise limits at any point within the notional boundary of any residential dwelling:

On any day	
7.00am to 9.00pm - Sound Exposure Level (SEL)	85dBA
9.00pm to 7.00am the following day - Sound Exposure Level (SEL)	78dBA

Providing no motor craft shall emit noise in excess of a Sound Exposure Level of 90dBA in any single drive by measured at any stationary point more than 25m from the line of travel of the craft.

- 7.21.2 Sound exposure levels shall be measures in accordance with the provisions of NZS 6801: *Acoustics - Measurement of environmental sound*.

Provided further that on four occasions in any 12 month period, the noise limit may be unrestricted for any portion of waterway for the purpose of an approved special event.

7.22 General Tree and Vegetation Planting

- 7.22.1 Vegetation, including trees, which has a mature height of 5m or more shall not be planted within 15 metres of the boundary of any site under separate Certificate of Title without the prior written permission of the landowner of that site. A copy of the written permission shall be submitted to the Council at least ten working days prior to the planting occurring.

- 7.22.2 Vegetation, including trees, which has a mature height of 5m or more shall not be planted within 50 metres of a road intersection.

- 7.22.3 Trees shall not be in such a position that they would:

- damage power or telephone lines if blown over or felled by any other means
- restrict views from SH82 of Significant Nature Feature G12 (The Limestone Cliffs - Waihao Forks/Downs - Planning Map 18)
- shade a dwelling on an adjoining property.
- cause icing of a road pavement being perpetrated as a result of shading of the road between 10am and 2pm on the shortest day

Advice Note: Vegetation to be planted underneath or near the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line especially works within 20m of those lines, contact the line operator.

7.23 Heavy Vehicle Movements

- 7.23.1 No activity shall exceed 20 heavy vehicle movements per day, per site (averaged over a one week period)

- 7.23.2 Rule 7.23.1 does not apply to:

- a. vehicle movements between sites within a property or the relocating of premises; or
- b. vehicle movements on states highways; or
- c. activities which have a duration of less than 31 consecutive days.

8. ZONE STANDARDS

8.1 Significant Natural Areas, Significant Natural Features and High Altitude Areas

- 8.1.1 In the areas identified on the Planning Maps and listed in Appendix G as being Significant Natural Areas or Features or land over 900m in altitude.

- a. There shall be no earthworks, except that the following earthworks shall be permitted provided they comply with all other provisions of the Plan:
 - earthworks associated with the maintenance and upkeep of existing tracks, roads, drains, culverts, crossings, bridges, stock yards, erosion control works, dykes and sea walls.
- b. There shall be no clearance of indigenous vegetation
- c. There shall be no tree planting except amenity tree planting in Significant Natural Areas or Features
- d. There shall be no tree planting, except restoration planting, above 900m in altitude.
- e. No buildings shall be erected.
- f. There shall be no pastoral intensification within any Significant Natural Area or Significant Natural Feature.
- g. There shall be no pastoral intensification (except fencing) on land above 900m in altitude.

8.2 Lakeside Protection 1 Area

- 8.2.1 No building with greater than 25m² floor area shall be built within the Lakeside Protection 1 area identified on the Planning Maps.

8.3 Wetlands

- 8.3.1 Within any wetland or within 50m of any wetland, there shall be:
 - a. no drainage, earthworks, or reclamation of any wetland
 - b. no clearance of indigenous vegetation or other vegetation, except pest plants as identified in the Canterbury Regional Pest Management Strategy.
 - b. no building shall be erected
 - c. no tree planting, except for planting associated with restoration or enhancement of a wetland.

8.4 Setback from Coastlines, Waterways, Stopbanks, Sewage Ponds and Glenavy Cliffs

- 8.4.1 All buildings shall be setback a minimum of 7 metres from the bank or edge of any open watercourse or open drain.
- 8.4.2 All residential, commercial, recreational and visitor accommodation, community and industrial buildings shall be setback a minimum of 300 metres from the Waimate sewage treatment ponds.
- 8.4.3 All residential, commercial, recreational and visitor accommodation, community and industrial buildings and buildings for the housing of 6 or more animals on a permanent or seasonal basis shall (because of the high velocity of flood waters in these areas) be setback a minimum of 100 metres from stopbanks on the following rivers identified on the Flood Risk Plans.
 - Pareora River
 - Waimate Creek
 - Lower Waihao River
 - Dog Kennel Stream
 - Morven Drain
 - Ikawai beside SH 82
 - Penticotico Stream at SH 82
 - Hakataramea River at SH 82
 - Waitaki River at SH 82
- 8.4.4 All buildings shall be north (landward) of the 50 year erosion line on the northern side of the Waitaki River mouth. (Refer to Planning Map 24).
- 8.4.5 All buildings shall be setback a minimum of 100m from the permanent vegetation line along the coast.

- 8.4.6 No buildings shall be located on the riverside of stopbanks
- 8.4.7 No buildings shall be located within seawater inundation areas identified in the Regional Coastal Environmental Plan for the Canterbury Region.

8.5 Tree Planting in High Altitude Areas – Protection of Ecological Functions

- 8.5.1 There shall be no tree planting (except restoration planting) above 900m in altitude.

8.6 Businesses of Prostitution provided for as Home Occupations

- 8.6.1 No business of prostitution that is provided for as a home occupation shall be established or operated within 250 metres distance in any direction of a children's day care centre, primary school or secondary school, or a place of worship.
- 8.6.2 No business of prostitution that is provided for as a home occupation shall be established or operated within 75 metres of an existing business of prostitution.

8.7 Wainono Lagoon Outstanding Natural Feature

- 8.7.1 Within the Outstanding Natural Feature identified on the planning maps for Wainono Lagoon:
 - a. No building shall be erected
 - b. There shall be no clearance of indigenous vegetation.

8.8 Setback from National Grid

- 8.8.1 Setback from National Grid Support Structures (Lines are marked as High Voltage Electricity Lines on the Planning Maps):

No building or structure shall be located within 12m (in any direction) of the visible outer edge of a National Grid support structure, with the following exceptions:

- a. Fencing up to 2.5m in height that is at least 5m from the outer edge of any support structure;
- b. Network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.

Note: The NZECP was prepared under the Electricity Act 1992 and sets minimum safe electrical distance requirements primarily to protect persons and property, vehicles and mobile plant from electrical hazards. Compliance with this Code is mandatory. Compliance with these provisions will not necessarily ensure compliance with this Code.

Note: Vegetation to be planted underneath or near the National Grid should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line especially works within 20m of those lines, contact the line operator.

Note: The NZCEP34:2001 (and regulations under the Electricity Act) apply to Transpower. If Transpower carries out any new works in the District that cause a landowner's buildings or structures not to comply with NZCEP34:2001, Transpower must make that building or structure safe/rectify than non-compliance.

Note: These rules are required to give effect to policies 10 and 11 of the National Policy Statement on Electricity Transmission. These rules do not provide a property right to Transpower.

8.8.2 Setback from centreline of National Grid lines (Lines are marked as High Voltage Electricity Lines on the Planning Maps):

No building or structure shall be located within 12m (in any direction) of the centreline of any electricity transmission supported by a tower or pi-pole or 10m of the centreline of an electricity transmission line supported by a single pole, with the following exceptions:

- a. Ancillary buildings and structures associated with residential activities that are less than 10m² in area and under 2.5m in height can be located within the above setback distances, provided they are at least 12m from the visible outer edge of any support structures and are not used for habitation;
- b. Fencing up to 2.5m in height that is at least 5m from the outer visible edge of any support structure;
- c. Alterations to existing buildings that do not increase the building envelope or footprint provided that they are at least 12m from the visible outer edge of any support structure;
- d. Network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid;
- e. Buildings and structures associated with farming or horticultural activities may be located within 10m of the centreline of an electricity transmission line supported by single poles and 12m of any other transmission line provided they are:
 - i) sited at least 12m from the visible outer edge of any support structure;
 - ii) Not a milking shed/dairy shed building (excluding stockyards and ancillary platforms), or a commercial glasshouse/hothouse;
 - iii) No closer than 10m vertically from the lowest point of the conductor associated with a transmission line, or otherwise maintain a safe separation distance as set out in the New Zealand Code of Practice for Electrical Safe Distances (NZCEP34); and
 - iv) Not a dwelling.

8.8.3 Community activities shall be at least 12m from a National Grid tower, pole or centreline of a National Grid line shown on the Planning Maps as High Voltage Lines.

9. NON-NOTIFIED RESOURCE CONSENTS

9.1 Resource consents in relation to the following matters shall be non-notified and shall not require the written approval of affected parties, except that in relation to access onto, or shading of a State Highway, the written approval of the NZ Transport Agency shall be required:

- a. Setback from roads – 7.2
- b. Access – 7.3

9.2 Resource consents in relation to the following matters shall be non-notified and shall not require the written approval of affected parties other than Transpower New Zealand Limited:

- a. National Grid – 8.8

9.3 Resource consents in relation to Relocated Residential Units (7.11) shall be non-notified and shall not require the written approval of affected parties.

10. SCHEDULED ACTIVITIES

10.1 General

- 10.1.1 The activities in Rules 10.2, 10.3, 10.4 and 10.5 are Scheduled Activities within the Rural Zone.
- 10.1.2 The provisions of Rule 10 replace the Rural Zone rules and the rules for Utilities in Section 11, unless otherwise stated, for the specified activity on the site on which the Scheduled Activity is located.
- 10.1.3 Any activity, other than that for which the site is specifically scheduled, shall be subject to the normal Rural Zone Site and Zone Standards that apply to the site.

10.2 Timber Mill - Maytown Road – Permitted Activities

Timber mills, sawmills, timber processing, and any undertaking which is ancillary to the sawmilling and timber industries on Lot 2 DP 44861 comprising 4.1730 hectares, situated on Maytown Road, shall be a Permitted Activity, provided that the following standards are met, in addition to the site standards of the Rural Zone:

- 10.2.1 All sawdust, waste, effluent or other waste material shall at all times be disposed of in such a way as to not create a physical or visual detraction from the amenities of the local area or any pollution to any stream, or underground water supply.
- 10.2.2 All activities on the site shall be carried out in such a way as to not cause undue noise, smoke, smell, effluent, vibration, dust, glare or other objectionable element to any nearby residents.
- 10.2.3 The property shall be kept in a tidy condition at all times as seen from any road, street, or neighbouring property.
- 10.2.4 All loading, unloading, turning and parking of vehicles associated with the use of the site shall take place on the site.
- 10.2.5 In order to monitor the ground water conditions in the area with particular reference to Arsenic concentration sampling and testing of 3 wells at 12 monthly intervals is required. This testing is to be carried out or arranged by the company or body operating on the site in which case all results of such tests must be immediately forwarded to Council. If it is inconvenient or unsuitable for the operator to carry out the testing the operator shall inform Council who will then carry out the tests, the costs of which shall be borne by the operator.

If the Arsenic concentration equals or exceeds 0.05mg/litre all activities on the site must immediately cease and shall not recommence until the Council have determined that recommencement would not cause an increase in arsenic concentration.

If the Arsenic concentration increases but does not equal or exceed 0.05mg/litre the Council may require more frequent tests as are necessary to adequately monitor the concentrations.

10.3 Waimate Landfill – Permitted Activity

The collection, recycling, and disposal of waste subject to compliance with the following requirements:

- 10.3.1 The area shall be limited to those parts of RS 41093 not occupied by Knottingly Park.
- 10.3.2 All operations shall comply with the Waimate Landfill Operation Plan.

- 10.3.3 There shall be a landscaping strip of a width of 10m where the site adjoins private property
- 10.3.4 All operations shall be screened from public roads by landscaping.
- 10.3.5 Access to the site shall be limited to that part of Racecourse Road, south east of Park Road.

11. ENFORCEMENT

- 11.1 Enforcement provisions under the Act will be used by the Council, where any activity, including a scheduled activity, produces vibration, smell or dust or manufactures, stores, uses, transports or disposes of hazardous substances in such a way that has or is likely to be either noxious, dangerous, offensive or objectionable, to such an extent that it has or is likely to have an adverse effect on the environment.

12. REASONS AND ASSESSMENT MATTERS FOR RURAL ZONE RULES

The Council may have regard to the following form, purpose, reasons and assessment matters in considering whether or not to grant consent or impose conditions on a resource consent application.

12.1 Height of Buildings

Form: Maximum height (m) of buildings above ground level.

Purpose: As for Residential Zones.

Reasons: As for Residential Zones; and

The maximum height of buildings has been set at a level which is in keeping with the existing general scale and character of the rural areas within the zones, taking into account the type of rural building and structure likely to be required in the rural areas.

Assessment Matters: The extent to which:

- a. The proposed building is compatible with the character of the local environment.
- b. The proposed building has adverse effects on neighbouring properties including effects on privacy, outlook, sunlight and daylight admission.
- c. Any adverse effects can be mitigated.

12.2 Setback from Roads

Form: Minimum distance (m) from road.

Purpose: To provide for an attractive road outlook and allow adequate daylight admission to roads.

Reasons: As for Residential Zones; except that

A greater setback has been required than in the Residential Zones, in order to maintain a greater degree of openness of sites as viewed from the roads and neighbouring properties, with ample opportunities for tree planting of frontages, consistent with the rural character of the zone.

Assessment Matters: The extent to which:

- a. The intrusion allows for more efficient or practical use of the site.
- b. The intrusion is compatible with the appearance, layout and scale of other buildings and site in the surrounding area.
- c. The intrusion has adverse effects on outlook and privacy on adjoining sites.
- d. Adequate parking and manoeuvring can be provided on site.
- e. Adverse effects can be mitigated by landscaping, road widths and orientation of existing buildings.

12.3 Setback from Neighbours

Form: Minimum distance (m) from internal boundaries and from existing intensive animal farming.

Purpose: To provide space around buildings for the purposes of:

- a. providing access for emergency services, vehicles, etc to the rear of the property
- b. ensuring a degree of visual and aural privacy and protection from noise and odour from neighbouring properties.
- c. ensuring the establishment of residential uses does not jeopardise the operation of legitimate rural activities.

Reasons: As for Residential Zones; except that

The permitted intrusions into the setbacks are more limited and a greater setback from internal boundaries has been required than in the Residential Zones, due to the larger site sizes and greater opportunities to locate buildings efficiently on the site. The setback also reflects the expectations of residents in the Rural Zones for greater privacy and separation from buildings and the need to protect rural activities from encroaching residential activity.

Assessment Matters: The extent to which:

- a. The intrusion allows for more efficient and practical use of the site.
- b. The intrusion adversely effects the adjoining site in terms of outlook, amenity, access, noise, glare and visual dominance.
- c. There is a risk of fire or shading resulting from the proximity of a dwelling to forestry planting.

12.4 Access

Form: Requirement for legal access to a formed road for each residential unit.

Purpose: To ensure long-term legal accessibility to each residential unit prior to the construction of that unit.

Reasons: Throughout the District there are existing sites which could accommodate a residential unit, but the legal access to which has never been formed or adequately formed for use in all weather. This standard is intended to ensure that prospective residents will be assured long-term formed and legal access to their residential units in all weather conditions, without the Council being called upon to upgrade roads at the general ratepayers' expense after a residential unit has been completed.

Assessment Matters:

- a. Whether alternative access can be assured to the residential unit in the long term.
- b. Whether it is unlikely that access will ever be necessary given the use and nature of the residential unit.
- c. The level of financial contribution required to be made to the Council towards the formation of the road to a standard suitable for residential access, taking into account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road.

12.5 Retail Sales and Commercial Activities

Form: Limit on types of commercial activities, retail sales.

Purpose: As for Residential Zones.

Reasons: As for Residential Zones; except that

The sale of goods grown, reared or produced on the site is permitted subject to standards and Council consideration of access, parking and layout. This recognises that sales of such goods may be an integral and necessary part of farming activities or home occupations on the site and may assist in providing home-based employment and income generation for

residents or occupiers of a site. By limiting retail sales from home occupations and rural selling places to those items produced on site a limit on the potential number of customers is created. With the larger site sizes and greater separation from neighbours, it is considered that such retail sales can be accommodated within the Rural Zones, subject to the standards and conditions developed for each site. Similarly, the sale of refreshments to group visits to sites in the zone is often an integral part of a garden visit, for example, and has no additional adverse effects on the surrounding environment.

Assessment Matters: Adverse effects of the proposed activity in terms of:

- a. adequacy of access, parking, loading and monitoring areas;
- b. traffic generation;
- c. visual and safety impacts of signage;
- d. location and design of buildings;
- e. loss of privacy and remoteness

12.6 Recreational Activities

Form: Limitations on the scale and nature of permitted recreational activities.

Purpose: To ensure that building developments associated with recreational activity and commercial recreation activities have limited adverse effects to the amenity, landscape, or natural conservation values in rural areas.

Reasons: Large scale recreation activities and recreational activities involving buildings have the potential to create the adverse impacts on rural values by creating noise, lighting, visual distraction, loss of privacy and security, as well as land disturbance, loss of natural conservation values and traffic generation. In some instances the nature of the impact of commercial recreation activities is no different from those carrying out similar activities non-commercially, particularly if their scale is small. However, commercial reality often dictates that commercial activities operate regularly and in some cases with significant numbers or with substantial facilities. It is these factors which can cause conflicts with other rural users and values. Buildings, in particular, tend to act as a focus for concentrated recreational activity and potentially significant adverse effects on rural amenity and values. The controls on commercial recreation activities and on the floor area of buildings are intended to limit the scale and nature of activities prior to assessment through resource consents and to limit potential adverse effects to rural areas.

Residents of and visitors to the District require a range of recreational opportunities to meet their needs. These differ from more adventurous activities and those requiring substantial facilities to passive types of recreation in tranquil surroundings. Conflicts can often occur between those seeking peace and tranquillity and those using mechanised forms of transport or regularly bringing large numbers of people into an area. Conflict between commercial operators involved in some forms of recreational activity can also result in unacceptable levels of public safety, such as jet boating or heli-skiing. Consequently commercial recreation activities are generally subject to resource consent to enable consideration of these issues.

Assessment Matters: Adverse effects of the proposed activity in terms of:

- a. the level of traffic or pedestrian activity;
- b. noise vibration and lighting;
- c. loss of sense of remoteness
- d. compatibility of buildings with character of area;
- e. reduction in opportunities for passive recreation and enjoyment of the environment;
- f. compromising safety, particularly where there are potential conflicts between operators.

12.7 Scale and Nature of Home Occupations and Employment of Persons

As for Residential Zones

12.8 Intensive Farming

Form: Controls on intensive farming as a discretionary activity.

Purpose: To avoid unacceptable effects of odour, noise, dust, visual detracting and traffic generation from the establishment of intensive farming within the rural environment.

Reasons: The high concentration of animals and the growing of mushrooms even in a rural area has the potential to cause significant adverse impacts, such as odour, noise, dust, visual detracting and traffic generation, particularly if located in close proximity to residential units or settlements. Although occasional smells and other effects from farming activities can be expected in rural zones nuisance conditions should not prevail.

To mitigate these effects, operations need to establish away from higher density rural and urban environments, from neighbouring properties, and to have adequate separation distances for effluent spreading. Although management methods play an important role in avoiding nuisance from intensive farming, experience has shown that some separation from such activities is necessary to avoid nuisance conditions occurring at times. A combination of management techniques and separation provide the most appropriate solutions to adverse effects from intensive farming, but the most appropriate combination will vary substantially depending on the nature and scale of the proposal and the surrounding environment. The standards, therefore, include separation distances which allow small-scale operations to establish as-of-right; and resource consent assessment for larger-scale operations to enable consideration of the particular nature and scale of the proposed operation, the management techniques proposed and the nature of the surrounding environment.

Assessment Matters:

- a. The degree to which the proposed intensive farming operation is likely to lead to odour, dust, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:
 - the size of the proposed intensive farming operation and its associated site;
 - the design of the buildings, facilities, and waste and noise management systems;
 - the management and operation of the waste and noise management systems;
 - waste treatment measures employed;
 - odour and noise abatement measures employed.
- b. The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- c. The extent to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.

12.9 Visitor Accommodation

As for Residential Zones.

Assessment Matters: Adverse effects of the proposed activity in terms of:

- a. adequacy of access, parking, loading and monitoring areas;
- b. traffic generation;
- c. visual and safety impacts of signage;
- d. location and design of buildings;
- e. loss of privacy and remoteness

12.10 Significant Natural Areas

Form: Council retains discretion as to whether earthworks, buildings, clearance of vegetation, and tree planting occur in areas of significant landscape or natural conservation value, including the beds and margins of rivers, lakes and wetlands.

Purpose: To ensure that the adverse effects of these activities on natural conservation values in these areas are avoided.

Reasons: Earthworks, clearance of vegetation, and tree planting have a significant potential to diminish natural conservation values, particularly in areas identified as having significant landscape or natural conservation value. Buildings also have the potential to adversely affect landscape values. The Council therefore retains discretion to refuse consents to these activities or set conditions to mitigate possible adverse effects to landscape and natural conservation values.

Earthworks, clearance of vegetation, and tree planting have a significant potential to diminish natural conservation values of riverbeds, and in particular the habitat of indigenous birds that reside on the District's braided riverbeds. In addition, disturbance to vegetation on riverbeds, or to the riverbeds themselves, can impact on fish in these rivers. Therefore, the Council retains discretion to refuse consents to these activities or set conditions to mitigate possible adverse effects to natural conservation values and fishery values.

Assessment Matters:

- a. The significance of a species or community of indigenous plants and animals at the specific locality of the proposed activity. In particular:
 - The status of a particular species, for example whether it is rare, vulnerable or endangered in the District, Region or nationally.
 - The general rate of decline of a particular species in the District, Region or nationally.
 - The distinctiveness or uniqueness of a particular community, or group of communities of plants or animals, to the District, Region or nationally.
 - The natural diversity expected in a particular plant or animal community.
 - The importance of an area providing habitat to animals.
- b. The extent to which the activity threatens the indigenous plants or animals identified at the site.
- c. The extent to which the environment in and adjoining the site is sensitive to modification.
- d. The extent to which the activity will adversely affect the overall natural character of an area, and indigenous ecosystem integrity and functioning
- e. The degree to which the activity will adversely affect natural features, geological and geomorphological sites.
- f. The degree to which river, lake or wetland habitat is adversely affected through run-off and sedimentation caused by earthworks.
- g. The degree to which fresh water habitat may be compromised by a decline in water yields due to tree plantings.
- h. The extent of any alteration of a wetland and the subsequent loss of habitat.
- i. The degree to which any increased nutrient levels of a lake or wetland may occur.
- j. The degree to which any possible alternative locations or methods for undertaking the activity could occur.
- k. In the beds and margins of rivers, lakes and wetlands:
 - The extent to which the activity threatens birdlife; and the degree of significance a particular bird species has to the District following the criteria in a above.
 - The degree to which public access would be restricted.
 - The degree to which trout, salmon or fresh water habitat are adversely affected by disturbance, including the clearance of vegetation.
 - The extent to which the activity will result in a loss of natural character and any recreational values associated with the water body.
 - The degree to which any possible alternative locations or methods for undertaking the activity could occur.
- l. The extent to which previous management practices have already significantly modified the characteristics of the site and the cost to the landholder of being unable to undertake the proposed activity.
- m. Any particular cultural values associated with the site.
- n. The need for an Accidental Discovery Protocol for any excavations undertaken.

12.11 Surface of Waterways

Form: Requirement for resource consents for moorings.

Purpose: Protection of the natural and recreational characteristics of the different waterways of the District.

Reasons: Moorings on waterways are considered to require resource consent assessment, because of their ability to impact upon landscape, recreational, safety and conservation values associated with a shoreline or shore waters. Use of moored boats for permanent or long-term residence is of concern in relation to other lake and lakeshore users. Such concerns relate to visual impacts, effluent disposal and loss of public enjoyment of the adjoining lakeshore and waters, to the extent it is considered that such uses should be excluded.

Assessment Matters:

- a. The extent to which any motorised craft is compatible with, and will not adversely affect significant natural conservation values or wildlife habitat of Dead Arm upstream from Poingdestres Road Bridge, including Wainono Lagoon and its tributaries.
- b. The extent to which the water-based activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.

12.12 Water Supply Protection Areas

Form: Controls on buildings, stock-feed storage, earthworks, clearance of vegetation, tree planting and disposal of stock within WSPAs.

Purpose: To ensure that the quality of the drinking water within the District is not jeopardised.

Reasons: Drinking water supply is a vital resource. Effects of activities which may adversely affect the quality of the drinking water need to be controlled to ensure an available and adequate supply of drinking water.

Assessment Matters:

- a. The degree to which the activity will result in soil erosion and sedimentation of the waterways.
- b. The degree to which the activity threatens indigenous plants or animals or their habitat identified in the waterway beds and margins.
- c. The degree to which nutrient levels of a lake, river or wetland may be increased.

12.13 Noise

Form: Numerical noise limits in decibels

Purpose: To avoid adverse effects of noise on health and amenity values.

Reasons: As for Residential Zones; and

Prevailing noise levels within the existing rural areas are low and the Standards seek to protect these pleasant conditions. There is, however, noticeable environmental noise from wind, birds, the sea near the coast and traffic near main roads, for example. A wide variety of noises from rural activities are an accepted feature of the rural areas, such as from animals, vehicles and equipment. Vehicle noise from legal roads is not subject to control in this District Plan. However, although noise intrusion from these activities can be expected at times on parts of rural properties, it is considered that rural residents should be protected from noise which exceeds the normal background levels within, and in the immediate vicinity of, their residential units.

Noise from residential activities can vary greatly. Although residential noise levels within the rural environment are generally low, on occasions higher levels are generated, such as from raised voices, children's play and garden equipment. These noise levels are an anticipated and accepted part of any noise environment and are, therefore, not controlled by the Plan standards. Any particular problems with residential noise, such as from noisy parties, can be dealt with through the excessive noise provisions of the Act.

Assessment Matters:

- a. The degree to which excessive noise generation will affect the enjoyment of any public place or residential area in the vicinity.
- b. The degree to which the noise contrasts with the characteristics of the existing noise environment in terms of level, duration and timing, and the impact of any cumulative increase.
- c. The nature of measures to mitigate excessive noise levels and the degree to which they are successful.

12.14 Lighting

Form: Direction of external lighting.

Purpose: To limit the amount of illumination received on properties from lights on neighbouring properties.

Reasons: Because illumination from lighting can interfere with the enjoyment of a property and with traffic safety, the standard seeks to limit light spillage onto adjacent properties. A general requirement to direct exterior lighting away from adjacent properties is considered to give adequate protection to rural properties, given the substantial separation required for residential units from property boundaries.

Assessment Matters:

- a. The degree to which glare may affect the enjoyment, character or amenity of any public place or residential area in the vicinity having regard to the time, duration and intensity of the light and the extent to which it illuminates adjoining land areas.
- b. The location of the source of glare and the potential to relocate or redirect the source within the site to mitigate any nuisance, including the safety of vehicles travelling along adjoining road networks and the degree to which this can be achieved successfully.
- c. The extent to which the light source is necessary to enable certain activities to take place.

12.15 Tree Planting

Form: Minimum distance of trees from boundaries. Location of trees to avoid shading on shortest day of the year.

Purpose: To prevent shading which results in icing of roads. To prevent shading of neighbouring properties tree roots growing onto neighbouring properties and damage to fencing etc resulting from the harvest of trees on or close to the boundary.

Reasons: Icing of roads can create dangerous driving conditions which can be avoided at least in part by the avoidance of trees creating shading of roads during periods when icing is a possibility.

Shading can result in reduced (and sometimes increased) growth on neighbouring land. Tree roots can interfere with cultivation and the harvesting of trees close to boundaries can result in damage to property and inconvenience for neighbours. It is desirable therefore that trees should only be located close to boundaries where the neighbouring property owner is in agreement.

Assessment Matters:

- a. The extent to which the location, orientation, species and maximum height of the proposed trees will result in shading of the carriageway and a potential for icing which could endanger the safety of motorists.

12.16 Riparian Management - Margins of Lakes, Rivers, Streams

Form: Control of particular activities within a specified distance (m) from lakes, rivers, streams, the coastal and water supply intakes through assessment as discretionary activities.

Purpose: To promote the protection of vegetation, wildlife, amenity, recreation and general in-stream values by controlling activities beyond a certain scale.

Reasons: Earthworks, clearance of vegetation, and tree planting have significant potential to diminish or destroy natural conservation values, amenity values and recreational values found within, or at the margins, of these water bodies and wetlands. Vegetation clearance and earthworks can also reduce capacity of the margins to buffer the water bodies or wetlands from nutrient and sediment run-off. As the vegetation and habitat values vary considerably and the scale and impact of these activities vary considerably, it is considered that each of these activities need to be subject to individual consideration by way of a resource consent.

Assessment Matters:

- a. The degree to which public access and enjoyment and recreation values are impacted.
- b. The degree to which the activity threatens indigenous plants or animals or their habitat identified in the waterway beds and margins.
- c. The degree to which nutrient levels of a lake, river or wetland may be increased.
- d. The extent to which the natural character of the waterway margin and surrounding hinterland will be retained.
- e. The extent to which the proposal lowers wetland water tables from drainage, extraction or uptake by exotic vegetation; diverts natural flooding by stopbanking; alters the flow of stormwater on the water table by filling or dumping; displaces native wetland species from the use or introduction of exotic aquatic species; destroys indigenous wetland vegetation through browsing or trampling by stock; causes contamination, sedimentation or enrichment of indigenous wetlands from adjoining land use.
- f. The effect on any cultural values associated with the site.
- g. The need for an Accidental Discovery Protocol for any excavations required to establish services.

12.17 Setback from Sewage Ponds and Waterways, Coastline and Areas of Flooding Risk

Form: Minimum distance of buildings from the coast, sewage ponds and waterways.

Purpose: Buildings are required to be setback from the coast to avoid future damage from erosion, to limit their effect on that erosion and to protect the natural character of the coast. Buildings are setback from waterways to enable the efficient functioning and maintenance of those waterways and to avoid property damage from flooding. Buildings are required to be setback from the sewage ponds to avoid occupiers experiencing potential nuisance or health hazards particularly in relation to odours produced by the ponds.

Reasons: Parts of the Waimate coast are eroding at a rate which could endanger buildings located close to the coast within the next 20 or more years. In addition the coast is in the majority a natural landscape which is appropriate to retain.

Buildings built close to waterways can be subject to damage from flooding. In addition they can interfere with maintenance of these waterways or prevent them functioning naturally by impeding natural flood channels or preventing natural vegetation to grow in riparian areas.

Assessment Matters:

- a. The extent to which protection works could limit damage to property and life from flooding and erosion.
- b. The probability of a natural hazard occurring which would cause loss of life or property damage, and if so the extent of such damage
- c. The topography, vegetation and climatic factors that might reduce the impact of potential odour from the sewage ponds.
- d. The use of the buildings proposed, and in particular whether people will reside in them.
- e. The impact climate change may have on the level of risk and potential loss of life and/or damage to property and infrastructure.

12.18 Mining Activities, Mineral Exploration and Gravel Extraction

Form: Permitted mining operations limited to mineral prospecting and exploration with Council retaining discretion as to whether other mining operations occur in rural areas.

Purpose: To ensure that the activities associated with mining avoid, remedy or mitigate adverse effects on amenity, landscape or natural conservation values.

Reasons: Mining operations have a significant potential to diminish landscape or natural conservation values. Accordingly the Council wishes to retain discretion as to whether mining operations should proceed, and if so, impose conditions to mitigate possible adverse effects. Mineral prospecting and exploration activities are, however, low impact activities carried out prior to full mining operations and can be permitted within the Rural Zones or, in the case of exploration, permitted subject to mitigating conditions as necessary.

Assessment Matters:

- a. The extent to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and natural conservation values.
- b. The extent to which roads or buildings impact on amenity values, landscape values and natural conservation values.
- c. The ability of the proposal to rehabilitate the site after mining so:
 - that the long term stability of the site is ensured;
 - that the landforms or vegetation on finished areas are visually integrated into the landscape;
 - that the land is returned to its life supporting capacity, where appropriate;
 - that water and soil values are protected.
- d. The ability of the operation to minimise dust, noise, lighting and vibration so that amenity or natural conservation values are not at risk.
- e. The ability of the company to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment.
- f. The ability of the company to provide a bond to the Council annually for the purpose of rehabilitating operation areas in the event of a premature closure.
- g. The ability of the company to adequately monitor the operations and its effects on the receiving environment.
- h. The effect on any cultural values associated with the site.

12.19 Scheduled Activities

Form: The identification of defined areas containing significant resources with specific rules applying to activities within those areas.

Purpose: To provide for and acknowledge the existence of significant resources or activities which are unable to comply with the standards and rules applying to activities within the surrounding zone.

Reasons: Some activities provide an important or essential role or service to the community with established and significant assets. The Plan may not always provide for these activities

and it is reasonable that they be given a separate means of identification to enable them to continue to operate without the limitations of existing use rights or potential future zone changes. For example, hospitals, and private schools.

Within a scheduled area specific rules will apply to the scheduled activity which will enable the continuation of the activity with some protection of the quality and amenity of the surrounding environment. Standards within the scheduled area will replace those that normally apply to those within the zone.

Assessment Matters:

- a. The extent to which the building or structure will have a visual impact on the amenities of the District, including the skyline and open landscape.
- b. The nature and type of any effects on fisheries, flora and fauna and the habitats of any flora and fauna.
- c. The nature of any adverse effects on the environment created from construction of the building or structure including earthworks, dust, run-off, sedimentation, noise and traffic and the extent to which they may affect the quality, amenity and character of the surrounding environment.
- d. Any mitigation measures and the extent to which they are likely to be successful.

12.20 Businesses of Prostitution

Form: Minimum of distances between different businesses of prostitution and between businesses of prostitution and particular activities.

Purpose: To ensure that inappropriate numbers of businesses of prostitution do not concentrate in particular areas and compromise the character and amenity of the local environment.

Reasons: Experience in other districts has shown that some members of the community express particular concern about the proximity of businesses of prostitution to schools and community facilities and the potential exposure of children and families to activities associated with the businesses of prostitution. Ensuring minimum distances are maintained between businesses of prostitution and certain schools and community facilities will help to allay those concerns.

Minimum separation distances between businesses of prostitution are also necessary to ensure the amenity of rural areas is maintained. Where businesses of prostitution cluster together, they can change the character of the area in which they locate and community perceptions regarding the safety and amenity of these areas can be adversely effected also.

12.21 Dairying

Form: Minimum distances of effluents holding tanks, storage ponds, carcass disposal, milking shed and feeding barns from road boundaries, dwellings, public reserves and property boundaries.

Management of stock near waterways.

Controlling application of irrigation water.

Requiring stock underpasses.

Purpose: To limit traffic, noise, odour, safety and water quality impacts of dairying on neighbours, road users, aquifers and waterways.

To limit the potential for irrigation water to flush effluent into waterways, and to avoid flooding and spray encroachment on roads.

To avoid regular stock crossings of roads at grade.

Reasons: Dairying operations often involve intensive activity involving stock driving and vehicle movements associated with feeding, effluent spreading, herding and maintenance. This can give rise to noise, dust, traffic and odour nuisances to people living and working in the area which can be mitigated by greater separation.

Well managed stock movement through or near waterways can:

- reduce stock losses from drowning and bogging
- reduce drain maintenance costs (less siltation)
- create better habitats for fish and other stream life because stock can't trample the stream bed and banks
- maintain better water quality
- maintain more stable banks

Irrigation water sprayed over roads or which floods roads has the potential to cause nuisance and create unsafe driving conditions.

Stock underpasses are necessary to avoid collisions with stock or drivers crossing the road. Traffic safety can also be compromised by at-grade stock crossing due to the wet muck and tapes left over the roads.

Assessment Matters:

- a. The extent to which water flow, including irrigation water, has the potential to move effluent towards waterways.
- b. The extent to which the contour of land in the vicinity of waterways can be modified to limit potential contamination of riparian areas by animal effluent.
- c. The extent to which disposal of carcasses avoids offence and health risks.
- d. The methods and timing of moving cattle beyond property boundaries and measures available to mitigate traffic hazards, damage to vehicles from dung and degradation of road verges.
- e. The location of effluent disposal and treatment facilities in relation to property boundaries and waterways, and the methods of disposal and treatment used.
- f. The extent to which fencing could limit the potential for contamination of riparian areas.
- g. The extent to which the rate of organic and inorganic fertiliser application can be controlled to limit or avoid contamination of groundwater or surface water.
- h. The capacity, efficiency and location of effluent disposal.
- i. The extent to which stock crossings and fencing avoid contamination of waterways.
- j. The extent to which methods and mitigation measures will provide for existing and likely future stocking rates on the property.
- k. Mitigation measures proposed to preserve the natural character of wetlands and streams on the property.
- l. The effect on any cultural values associated with adjoining waterways.
- m. Requiring stock underpasses on high volume roads listed in Site Standard 7.14.5.

12.22 Community Activities

Form: Controlled activity status for community activities in relation to car parking provisions, hours of operation, noise and lighting.

Assessment Matters:

- a. The nature of the activity, the hours of operation and the frequency with which the activity will take place and the extent to which these factors may affect the amenity and quality of the surrounding environment and privacy of adjoining residences.
- b. The extent of traffic that will be attracted to the activity and the ability of the site to accommodate parking, loading, manoeuvring and access requirements without adversely affecting the quality and amenity of the residential or rural environment or the safety and efficiency of the road network.
- c. The impact of noise and lighting that will be generated by the community activity, the location of the activity either indoors or outdoors and the extent to which this will affect the quality and amenity of the environment.
- d. In addition, regard should be given to the following assessment matters as described within this section.
 - Building Coverage
 - Height of Buildings
 - Setback from Roads
 - Setback from Neighbours

12.23 Forestry Activities

Form: Discretionary Activity status for forestry in the Hill and High Country Subzone; standards controlling vegetation clearance, earthworks, harvesting near waterways, planting near boundaries and houses, controls on wilding trees.

Assessment Matters:

- a. The scale of the proposed forest, its location, and its effect upon the amenity, character and quality of the environment, taking into account the following matters:
 - The likely spread of wilding trees from the plantation onto adjoining land and the methods to control such spread including:
 - the use of current tree species for the location and environment
 - location of plantings, especially regarding the ability of seed being able to take off and be deposited off site
 - management plans to eradicate wilding trees
 - The potential impact of any forestry plantation on the views of the public from SH82 of the Limestone Cliffs - Waihao Forks/Downs.
 - The potential for shading property, public places and roads and the likely impact this will have on the loss of sunlight to public places and private homes and create ice on roads in winter.
 - Any potential impact on waterways and methods to protect them from sedimentation.
- b. The extent to which the forest may cause a fire risk that could threaten adjacent properties and the measures taken to mitigate any threat to property or life including the establishment of fire breaks.
- c. The extent to which trees will result in loss of productive use and/or enjoyment of the adjoining property.
- d. The extent to which planting and harvesting will result in adverse effects on ecological functioning and life supporting capacity, including effects on riparian margins, water quality and yields, and soil conservation.
- e. The potential for adverse effects including shading, wetland loss, wilding tree spread, and loss of scenic or other amenity values to occur on adjacent lands, including protected areas administered under the Conservation Act or its First Schedule.

12.24 Industrial and Service Activities

Form: Discretionary activity status

Assessment Matters:

- a. The degree to which the activity is compatible with the amenity, quality and character of the area and extent to which the activity will impact on the surrounding rural community or natural resources, in particular the following:
 - traffic generation (and consequent pressure for road upgrading);
 - demand on water resources;
 - effect on margins of waterbodies and waterways;
 - volume, and methods of disposal of, refuse waste, hazardous substances and sewage;
 - impact on long term use of the District's Class I and II soils for primary production;
 - production of noise, odour, glare, fumes or vibration.
- b. The extent to which landscape or natural or conservation values, or the visual amenity generally, is adversely affected (refer to Assessment Matters - Sites of Natural Significance).
- c. In addition, regard should be given to the following assessment matters as described within this section.
 - Height of Buildings
 - Setback from Streets
 - Setback from Neighbours
 - Building Coverage

12.25 Earthworks

Form: Limit on the amount of earthworks

Assessment Matters:

- a. The extent to which the environment in an adjoining site is sensitive to modification.
- b. The degree to which water habitat may be compromised through runoff and sedimentation caused by earthworks.
- c. The extent to which the activity will result in a loss of natural character of the area.
- d. Any adverse effects on soil erosion, slope stability, and the banks and beds of adjacent waterbodies.
- e. The effect on any cultural values associated with the site and adjoining waterways.

12.26 Commercial Activities

Form: Limit on the type of products sold.

Assessment Matters:

- a. The extent to which the sale of goods or services other than those specified in the rules may adversely affect the amenity of the environment through increased generation of vehicles, noise, fumes or advertising.
- b. The extent to which a commercial activity may result in the loss of privacy on adjoining sites.
- c. The volume and type of traffic which may be generated to the site and the ability of the site to accommodate parking, loading, manoeuvring and access requirements.
- d. The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
- e. The extent to which retail sales or commercial activities on the site are an integral and necessary part of other activities being undertaken on the site and/or assist in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
- f. In addition, regard should be given to the following assessment matters as described within this section.
 - Building Coverage
 - Height of Buildings
 - Recession Lines
 - Setback from Streets
 - Setback from Neighbours.

12.27 Heavy Vehicle Movements

Form: Limit on the number of heavy vehicle movements from a vehicle access onto a road

Purpose: To control the movement of heavy vehicles onto roads from a vehicle access and to limit the impact on roading.

Reasons: The rule is not intended to prevent activities which generate higher volumes of traffic from occurring in the Rural Zone. Rather, it provides a means of assessing whether a road is of sufficient standard to accommodate the additional traffic volume safely and without significant deterioration. High vehicle use, particularly heavy vehicle use, can lead to deterioration in the road surface, formation and verges resulting in high maintenance costs for Council. The rule also allows the Council to consider effects of additional traffic on nearby residents and other road users.

Assessment Matters:

- a. The hourly, daily and weekly pattern of vehicle movements.

- b. The classification and formation of the roads providing access, in respect to their ability to adequately cope with greater traffic generation, in particular heavy traffic generation.
- c. The appropriateness of the proposed activity being located within a rural area.
- d. The extent to which the physical form of the frontage road may exacerbate or mitigate the adverse effects of the extra vehicle movements generated.
- e. The adverse effects of extra traffic, particularly heavy vehicles, generated by the development on the amenity and safety of the surrounding environment.
- f. Whether a financial contribution to road works would avoid or mitigate adverse effects on road formation and road safety and efficiency.
- g. The level of adverse effect on people living and working in an area from noise, dust and vibration generated by the heavy vehicle movements.

12.28 Setbacks from the National Grid

Form: Requirement in relation to the National Grid for buildings, structures and earthworks to meet setback distances and depths from poles, towers, and lines associated with the national grid.

Purpose: To provide buffer distances between the national grid and activities which could interfere with the operation of the national grid or result in safety risks to people and property.

Reasons: The high voltage transmission (national grid) network is important to district, regional, and national social and economic wellbeing. Buffer distances for earthworks, buildings and structures ensure that these activities do not interfere with the continued safe and efficient operation of the national grid, while also protecting people and property. The majority of farming activities are unlikely to compromise the operation, maintenance, upgrade and development of National Grid lines. The rules provide for many farming activities to be permitted activities, including pig stys, irrigating activity, moveable structure's, and barns (subject to being setback from the structures).

Assessment Matters:

- a. Risk to structural integrity of the transmission line
- b. Effects on the operation, maintenance and upgrading or the transmission network
- c. Where an intensive farm building, commercial greenhouse or milking shed building is proposed to be established in a gully or similar topography, effects on the maintenance of National Grid lines.
- d. Risk of electrical hazards affecting the public or individual safety and risk of property damage
- e. Risk of radio interference
- f. Compliance with NZECP34
- g. Location and extent of works including site reinstatement
- h. Effects on sensitive land uses