

<i>District</i>	<i>Rural General Zone Equivalent</i>	<i>PERMITTED</i>	<i>CONTROLLED</i>	<i>RESTRICTED DISCRETIONARY</i>	<i>DISCRETIONARY</i>	<i>NON-COMPLYING</i>	<i>PROHIBITED</i>	<i>Relevant Policies</i>	<i>Relevant Objectives</i>
<b>Far North District Council</b>	Rural Production Zone	Helicopter landing areas and fixed wing airstrips that meet the noise limits and (for helicopter landing areas) a 200m setback from the nearest boundary of any Residential, Coastal residential, Russell Township or Point Veronica Zones pursuant to Rule 8.6.5.1(a) and (b)	N/A	Informal airports that fail to meet the Permitted Activity noise rule 8.6.5.1.7	Helicopter Landing Areas that fail the noise standards in the plan pursuant to Rule 8.6.5.4 (a) and (c) and which are within the 200m setback from the nearest boundary of any Residential, Coastal residential, Russell Township or Point Veronica Zones pursuant to Rule 8.6.5.4.3	N/A	N/A	<b>8.4.2</b> That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life Supporting capacity of soils and ecosystems is safeguarded.	<b>8.3.6</b> To avoid actual and potential conflicts between land use activities in the rural environment.  <b>8.3.7</b> To promote the amenity values of the rural environment.
<b>Westland District Council</b>	Rural Policy Unit	N/A	N/A	N/A	Discretionary Activity pursuant to Rule 6.5(d) for Helipads and other similar leisure activities.	N/A	N/A	<b>Policy 4.4 - Amenity (A).</b> The effects of activities which can have significant adverse effects on amenities and the well-being of residents shall generally be avoided, remedied or mitigated.	<b>3.2.1</b> To establish levels of environmental quality for Westland which enable people and communities to provide for their social, economic and cultural wellbeing, while meeting the principles of sustainable management of natural and physical resources.
<b>Western Bay Of Plenty District Council</b>	Rural G Zone	N/A	N/A	N/A	N/A	Non-Complying Activity for any activity not defined in the activity lists in the Proposed District Plan pursuant to Rule 4A1.4	N/A	<b>4A.1.3 Policy</b> The adverse effects of activities not specifically provided for in the District Plan should not be of an unanticipated nature and scale nor should such activities either individually or cumulatively create the potential for the integrity of the District Plan to be undermined.  <b>16.2.2</b> 10. Activities with a functional or other legitimate need for a rural location should not be established in rural areas unless they are able to be undertaken without constraining the lawful operation of productive rural land uses which are carried out in accordance with accepted management practices.	<b>4A.1.2 Objective</b> The avoidance and/or minimisation of the likely adverse effects on the environment and on District Plan integrity arising from activities not specifically provided for in the District Plan.  <b>16.2.1</b> 2. Appropriate provision for activities not directly based on primary production but which have a functional or other legitimate need for a rural location.
<b>Southland District Council</b>	Rural Resource Area	Airstrips associated with normal rural land management.	N/A	N/A	Discretionary Activity pursuant to Rule TRAN.11 Commercial Airports	N/A	N/A	<b>Policy RU.7</b> To mitigate or avoid the adverse effects activities have on the amenity value of the rural environment.  <b>Policy RU.9</b> To avoid the adverse effect of noise in the rural area.  <b>Policy TRAN.3 - Transportation Projects</b>	<b>Objective RU.4</b> To maintain where practicable and efficient, the amenity values of the rural environment.  <b>Objective TRAN.4</b> To avoid, remedy or mitigate the adverse effects of transportation activities on the environment, while enabling the continual development and upgrading of the transportation network.

								To make appropriate provision in the District Plan for the development of the transportation network while minimising adverse effects of these activities.	
<b>Mackenzie District Council</b>	Rural Zone	Take-off and landing of Aircraft for emergencies, fire fighting, farming, residential or non-commercial recreational purposes on DOC Estate and activities of the NZ Defence Force pursuant to Rule 14.1.1.1, Aircraft landings for commercial recreation within Public Conservation Land pursuant to Rule 14.1.2 and infrequent landing sites for commercial aviation provided that no more than 5 excursions occur per property per week pursuant to Rule 14.1.3	Aviation Activities at Aviation Sites (Rotary Wing Aircraft only) pursuant to Rule 14.2.1	N/A	Landing sites that do not comply with the standards for controlled activities, for commercial aviation other than within public conservation land and which is not provided for as a Permitted, Controlled or Discretionary Activity pursuant to Rule 14.3.2 and 14.3.3	N/A	N/A	<p><b>Rural Policy 6D - General Amenity Controls</b> To encourage and/or control activities to be undertaken in a way which avoids, remedies or mitigates adverse effects on the amenities and physical environment of rural areas.</p> <p><b>Rural Policy 9A - Commercial Aviation Operations</b> To control aviation operations and aircraft landing facilities to enable public safety and economic use of facilities to be taken into account by:</p> <ul style="list-style-type: none"><li>• recognising and providing for existing commercial airfields</li><li>• specifying landing areas for helicopter operations</li><li>• providing for snow landings as a discretionary activity</li></ul>	<p><b>Rural Objective 6 - Rural Amenity And Environmental Quality</b> 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 general rural and physical environment.</p> <p><b>Rural Objective 9 - Public Safety And Aviation</b> Aircraft operations, which are potentially dangerous, undertaken in a way which ensures a high level of public safety.</p>

**Far North District Council**



### 3 DEFINITIONS

**Note:** Any words included under this section shall have the meaning as defined here throughout this Plan unless specifically stated otherwise in the text of the Plan. Where the definition of a word is identified as being from the Resource Management Act 1991 (or any other Act), these words have been included in a Glossary.

#### **THE ACT**

The Resource Management Act 1991 and any amendments thereto.

#### **ACCESS LOT**

A lot owned in common in undivided shares by the owners of two or more adjacent lots for the principal purpose of providing road frontage and/or access to those lots, where their interests in the access lot are recorded in the Certificates of Title for those adjacent lots.

#### **ACCESSORY BUILDING(S)**

Garages, carports, sheds and similar non-habitable structures ordinarily associated with and accessory to a single residential unit/dwelling on a site.

**ACCESS STRIP** *(as defined in s2 of the Act including any amendments)* refer to **Glossary**

#### **ACOUSTIC INSULATION**

Insulation is fitted in the building that complies with national standards such that the noise level inside the building is reduced to Ldn 40 dBA.

#### **ADJOINING**

In addition to land that is physically contiguous with another site, land shall be deemed to be adjoining other land, notwithstanding that it is separated from the other land by a road, railway, drain, watercourse, river or stream.

#### **AGRICHEMICAL**

Any substance, whether inorganic or organic, manufactured or naturally occurring, modified or in its original state, that is used in any agriculture, horticulture, forestry, management of public areas, or related activity, to eradicate, or control flora and fauna.

**AIRPORT** *(as defined in s2 of the Act including any amendments)* refer to **Glossary**.

**ALLOTMENT** *(as defined in s218 of the Act including any amendments)* refer to **Glossary**.

**AMENITY VALUE** *(as defined in s2 of the Act including any amendments)* refer to **Glossary**.

**ARCHAEOLOGICAL SITE** *(as defined in the Historic Places Act 1993 including any amendments)* refer to **Glossary**.

**BED** *(as defined in s2 of the Act including any amendments)* refer to **Glossary**.

#### **BIO ENERGY**

Energy derived from biomass (recently living organisms such as wood, wood waste, manure, straw or their metabolic by-products, such as fallow from cows, other by-products of agricultural processes and landfill gas) used to generate heat or electricity or to produce fuel.

#### **BLADE (OR TOWER) GLINT**

Reflection of sunlight off a rotor blade when the sun strikes a rotor blade or the tower at a particular orientation.

**BOARDING KENNEL** [Definition has been relocated – see KENNEL]

Council reserves the right to require confirmation from a Licensed Cadastral Surveyor that a proposal complies with District Plan rules for height.

The definition of Ground Level above provides the baseline for measurement.

#### **HELICOPTER LANDING AREA**

Helicopter landing area means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of helicopters.

#### **HERITAGE RESOURCE**

Includes Historic Buildings, Sites and Objects, Sites of Cultural Significance to Maori, Archaeological Sites and Notable Trees.

#### **HYDRO POWER**

The use of flowing and falling water to produce electrical energy or mechanical work.

#### **IMPERMEABLE SURFACE**

In relation to any site means any building or surface on the land which will not easily allow natural percolation of surface water into the ground and includes:

- (a) decks less than 1m in height above the ground where these decks have an impermeable surface [i.e. non-slotted or solid decks];
- (b) pools, but does not include pools designed to operate as a retention pond;
- (c) any paved or otherwise impermeable area used for parking, manoeuvring, access or loading of motor vehicles but excluding any area having an unsealed surface;
- (d) any area paved either with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks, but excluding any area having an unsealed surface;
- (e) roof coverage area on plan.
- (f) In the case of multiple sites served by jointly owned access lots that contain impermeable surfaces within their boundaries, the total area of these impermeable surfaces are to be divided equally and considered as parts of the various sites for the purpose of determining compliance with the relevant impermeability rules among all of the registered owners of the shared access.

For the purpose of calculating impermeable surfaces, account shall not be taken of any additional areas that are overlapped by another form of impermeable surfaces.

#### **INDIGENOUS FAUNA**

Animals which belong naturally in the ecological locality. It does not include animals naturalised in New Zealand with human intervention.

#### **INDIGENOUS FLORA**

Plants which belong naturally in the ecological locality. It includes manuka and kanuka, but does not include plants naturalised in New Zealand with human intervention or varieties and cultivars of indigenous plants (and the term indigenous vegetation has the same meaning).

#### **INDIGENOUS FORESTS**

An area of naturally occurring indigenous forest that may be harvested under a sustainable harvesting plan or permit issued by the Ministry of Agriculture and Forestry under the Forests Act 1949.

#### **INDIGENOUS WETLAND**

An indigenous wetland is any naturally occurring wetland of 50m<sup>2</sup> or more (with a minimum width of 5m) which is permanently or seasonally wet (in that the water table is at or near the ground surface during high water table conditions) and which is dominated by indigenous wetland plant species including all or some of the following:

- (a) raupo;
- (b) flax;
- (c) sedge associations;

## GLOSSARY

**AIRPORT** *(as defined in s2 of the Act including any amendments)*

Any defined area of land or water intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft.

**ACCESS STRIP** *(as defined in s2 of the Act including any amendments)*

Means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of that Act)

**ALLOTMENT** *(as defined in s218 of the Act including any amendments)*

- (a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not:
  - (i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
  - (ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- (b) any parcel of land or building or part of a building that is shown or identified separately:
  - (i) on a survey plan; or
  - (ii) on a licence within the meaning of Part I of the Companies Amendment Act 1964; or
- (c) any unit on a unit plan; or
- (d) any parcel of land not subject to the Land Transfer Act 1952.

**AMENITY VALUES** *(as defined in s2 of the Act including any amendments)*

Those natural or physical qualities and characteristics of an area, that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

**ARCHAEOLOGICAL SITE** *(as defined in the Historic Places Act 1993 including any amendments)*

Means any place in New Zealand that:

- (a) either:
  - (i) was associated with human activity that occurred before 1900; or
  - (ii) is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.

**BED** *(as defined in s2 of the Act including any amendments)*

Means

- (a) In relation to any river –
  - (i) For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks;
  - (ii) In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and
- (b) In relation to any lake, except a lake controlled by artificial means, –
  - (i) For the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;
  - (ii) In all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and
- (c) In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level.
- (d) In relation to the sea, the submarine areas covered by the internal waters and the territorial sea.

## 8 RURAL ENVIRONMENT

### CONTEXT

The majority of the land in the Far North is, and will remain, rural. Rural land is characterised by relatively large land holdings, a relatively low intensity of built development and diverse activities. Even though there are big differences in the character of various areas of the rural environment, there is generally a greater sense of nature and of space in the rural area than in the more densely settled urban areas. It is this that distinguishes the rural from the urban environment.

Much of the rural environment is also coastal. The Act places particular responsibilities on councils to preserve the natural character of the coastal environment and for this reason it is differentiated from that part of the rural environment that does not have a significant coastal character.

Because of the general character of the rural area, the likelihood of adverse effects occurring from activities is less than it may be in more densely settled areas. The consequence is that controls on activities in the rural environment allow a wide range of activities. These controls are, however, supported by other controls in *Part 3 of the Plan – District Wide Provisions* that are designed to protect the natural and physical resources of the rural environment.

The character of the rural environment is constantly changing. These changes are largely in response to economic imperatives. They take the form of changes in farming and forestry practices and the type of productive activities that take place on the land, hence the zone name "Rural Production". They also result in the expansion of rural residential living on relatively small rural lots in some areas. Conflicts between land uses can arise due to these changes. For example, where countryside living occurs, the effects of odour, spraydrift and noise on residents becomes an issue. The Plan is designed to take account of the likely pressures for and consequences of change in the rural environment.

### 8.1 ISSUES

- 8.1.1 The subdivision, use and development of rural land can have adverse effects on the environment.
- 8.1.2 The requirement of the Plan to be effects-based places emphasis on the need to define effects and the minimum standards to be applied to those effects.
- 8.1.3 The loss of areas of significant indigenous vegetation and significant habitats of indigenous fauna as a result of land use activities in the rural environment.
- 8.1.4 The effects of activities within the rural environment and between the rural and urban environments are not always compatible. The management of the effects of the change in activities which occur within the rural environment and on the rural-urban fringe as a result of the expansion of urban areas onto rural land is an issue.
- 8.1.5 The requirement to sustainably manage rural resources has implications both for the use of land and for its subdivision.
- 8.1.6 The effects of inappropriate subdivision, use and development on outstanding natural features and landscapes.
- 8.1.7 There is a risk that adverse environmental effects can result from incompatible activities located close together.

### 8.2 ENVIRONMENTAL OUTCOMES EXPECTED

- 8.2.1 A rural environment where natural and physical resources are managed sustainably.
- 8.2.2 A rural environment in which a wide variety of activities is enabled, consistent with safeguarding the life supporting capacity of air, water, soil and ecosystems.
- 8.2.3 A dynamic rural environment which is constantly changing to meet the social and economic needs of the District's communities through the sustainable management of natural and physical resources.
- 8.2.4 The maintenance of areas of significant indigenous vegetation and significant habitats of indigenous fauna including aquatic habitats, and an increase in such areas that are formally protected.
- 8.2.5 Adverse effects arising from potentially incompatible activities are avoided, remedied or mitigated.

- 8.2.6 The maintenance of values associated with outstanding natural features and landscapes in the rural environment.

### **8.3 OBJECTIVES**

---

- 8.3.1 To promote the sustainable management of natural and physical resources of the rural environment while enabling activities to establish in the rural environment.
- 8.3.2 To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.
- 8.3.3 To avoid, remedy or mitigate adverse effects of activities on the rural environment.
- 8.3.4 To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- 8.3.5 To protect outstanding natural features and landscapes.
- 8.3.6 To avoid actual and potential conflicts between land use activities in the rural environment.
- 8.3.7 To promote the amenity values of the rural environment.
- 8.3.8 To facilitate the sustainable management of natural and physical resources in an integrated way to achieve superior outcomes to more traditional forms of subdivision, use and development through management plans and integrated development.

### **8.4 POLICIES**

---

- 8.4.1 That activities which will contribute to the sustainable management of the natural and physical resources of the rural environment are enabled to locate in that environment.
- 8.4.2 That activities be allowed to establish within the rural environment to the extent that any adverse effects of these activities are able to be avoided, remedied or mitigated and as a result the life supporting capacity of soils and ecosystems is safeguarded.
- 8.4.3 That any new infrastructure for development in rural areas be designed and operated in a way that safeguards the life supporting capacity of air, water, soil and ecosystems while protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding natural features and landscapes.
- 8.4.4 That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.
- 8.4.5 That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).
- 8.4.6 That areas of significant indigenous vegetation and significant habitats of indigenous fauna habitat be protected as an integral part of managing the use, development and protection of the natural and physical resources of the rural environment.
- 8.4.7 That Plan provisions encourage the efficient use and development of natural and physical resources.
- 8.4.8 That, when considering subdivision, use and development in the rural environment, the Council will have particular regard to ensuring that its intensity, scale and type is controlled to ensure that adverse effects on habitats (including freshwater habitats), outstanding natural features and landscapes on the amenity value of the rural environment, and where appropriate on natural character of the coastal environment, are avoided, remedied or mitigated.

### **8.5 METHODS OF IMPLEMENTATION**

---

#### **DISTRICT PLAN METHODS**

- 8.5.1 Policies will be implemented through the pattern of zoning and zone rules and through the rules relating to subdivision (*Chapter 13*).
- 8.5.2 Integrated development is provided for in the rules to promote innovative land uses, and to enable tangata whenua to utilise ancestral land.



- 8.5.3 Financial contributions (refer **Chapter 14**) towards provision of car parking associated with non-residential activities and esplanade areas may be required. The amount of contribution will take account of the need for such services.
- 8.5.4 Protection and enhancement of indigenous flora and fauna is provided for in **Section 12.2**.
- 8.5.5 Protection and enhancement of outstanding natural features and landscapes is provided for in **Section 12.1**.

#### **OTHER METHODS**

- 8.5.6 Non regulatory methods including education, publicity and incentives that encourage activities that are compatible with the surrounding environment.
- 8.5.7 Education is an important method. The Council will provide information to landowners and the public generally about sustainable management of the rural environment.
- 8.5.8 Liaison with the Northland Regional Council concerning education, co-ordination of work programmes, policy development and plan administration.
- 8.5.9 Incentives will be made available to assist landowners to protect areas of significant indigenous vegetation and habitats of indigenous fauna.
- 8.5.10 In conjunction with the Northland Regional Council, explore the feasibility of setting up a register of contractors who are specially trained in good environmental practices and licensed to carry out their work in accordance with approved codes of practice. Work undertaken by a licensed contractor that complies with the relevant Code of Practice would not require a property-specific resource consent.

#### **COMMENTARY**

*The objectives, policies and methods of the rural environment are intended to give effect to the purpose of the Act. They also take account of the particular nature of the rural environment of the district. Accordingly emphasis is placed on enabling a wide range of activities to take place, limited only by the need to ensure that environmental quality is maintained.*

## 8.6 RURAL PRODUCTION ZONE

### CONTEXT

---

The Rural Production Zone applies over the majority of the rural part of the District other than those areas defined as Coastal, Rural Living or set aside for Recreation, Conservation or Minerals. A wide range of activities are carried out in this zone at present and these are generally considered to be appropriate.

The zone contains environmental and amenity standards which will enable the continuation of the wide range of existing and future activities, while ensuring that the natural and physical resources of the rural area are managed sustainably. The provisions of the Rural Production Zone are complemented by the subdivision rules and the general rules relating to protection of environmental matters such as landscapes and indigenous flora and fauna, and having regard to amenity values.

The zone contains specific amenity standards designed to protect the special amenity values of the frontage to Kerikeri Road between SH10 and the urban edge of Kerikeri.

#### 8.6.1 ISSUES

---

These issues supplement those set out in *Section 8.1*.

- 8.6.1.1 People who are dependant on the use of land in the Rural Production Zone for their livelihood can be adversely affected by controls designed to ensure sustainable management of natural and physical resources.
- 8.6.1.2 The sustainable management of natural and physical resources in the Rural Production Zone could be under threat in the absence of controls designed to avoid, remedy or mitigate the adverse effects of activities.

#### 8.6.2 ENVIRONMENTAL OUTCOMES EXPECTED

---

These outcomes supplement those set out in *Section 8.2*.

- 8.6.2.1 A Rural Production Zone where a wide variety of activities take place in a manner that is consistent with the sustainable management of natural and physical resources.
- 8.6.2.2 A Rural Production Zone which enables the social, economic and cultural well-being of people and communities, and their health and safety, while safeguarding the life supporting capacity of the environment and avoiding, remedying or mitigating adverse effects on it.

#### 8.6.3 OBJECTIVES

---

These objectives supplement those set out in *Section 8.3*.

- 8.6.3.1 To promote the sustainable management of natural and physical resources in the Rural Production Zone.
- 8.6.3.2 To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.
- 8.6.3.3 To promote the maintenance and enhancement of the amenity values of the Rural Production Zone.
- 8.6.3.4 To promote the protection of significant natural values of the Rural Production Zone.
- 8.6.3.5 To protect the special amenity values of the frontage to Kerikeri Road between its intersection with SH10 and the urban edge of Kerikeri.

#### 8.6.4 POLICIES

---

These policies supplement those set out in *Section 8.4*.

- 8.6.4.1 That a wide range of activities be allowed in the Rural Production Zone, subject to the need to ensure that any adverse effects, including any reverse sensitivity effects, on the environment resulting from these activities are avoided, remedied or mitigated.
- 8.6.4.2 That standards be imposed to ensure that the off site effects of activities in the Rural Production Zone are avoided, remedied or mitigated.

- 8.6.4.3 That land management practices that avoid, remedy or mitigate adverse effects on natural and physical resources be encouraged.
- 8.6.4.4 That the intensity of development allowed shall have regard to the maintenance and enhancement of the amenity values of the Rural Production Zone.
- 8.6.4.5 That the efficient use and development of physical and natural resources be taken into account in the implementation of the Plan.
- 8.6.4.6 That the built form of development allowed on sites with frontage to Kerikeri Road between its intersection with SH10 and Cannon Drive be maintained as small in scale, set back from the road, relatively inconspicuous and in harmony with landscape plantings and shelter belts.

#### **COMMENTARY**

*The objectives and policies of the Rural Production Zone are a subset of those for the rural environment. As such they are aimed at a particular zone within the rural environment and the particular constraints and opportunities inherent in the environment of that zone. They are intended to be as flexible, permissive and enabling as possible because the expansive settlement pattern of the Rural Production Zone means that the effects of activities in this zone are likely to have less adverse impact here than in some other zones.*

*There is an emphasis on non-regulatory methods including education, incentives and publicity. This is because regulation has a negative connotation whereas non-regulatory methods are more positive.*

*The provision for integrated development clearly indicates that thinking “outside the square”, and development that is innovative but provides for the protection of the environment, is to be encouraged.*

*The entrance to the township of Kerikeri along Kerikeri Road from SH10 is an important part of the town's identity for local residents and visitors alike. The road side stalls, tourist orientated enterprises, extensive landscape planting and shelter belts, add to the character of the entrance to Kerikeri, which is one of a mature landscape in which built form is well integrated with the surrounding vegetation. Specific requirements for building setbacks, landscape planting, vehicle parking and vehicle access will ensure that these special amenity values are recognised and protected.*

*There are roads within the District that have comparatively high levels of vehicle use (over 1,000 vehicle movements per day). These require particular consideration in terms of the management of traffic effects.*

### **8.6.5 ZONE RULES**

---

Activities in the Rural Production Zone must comply not only with the zone rules but also with the relevant rules in **Part 3 of the Plan - District Wide Provisions**. An activity may be permitted by the zone rules but may require a resource consent because it does not comply with one or more of the rules in **Part 3**.

Particular attention is drawn to:

- (a) **Chapter 12 Natural and Physical Resources** (and the **District Plan Maps**);
- (b) **Chapter 13 Subdivision**;
- (c) **Chapter 14 Financial Contributions**;
- (d) **Chapter 15 Transportation**;
- (e) **Chapter 16 Signs and Lighting**;
- (f) **Chapter 17 Designations and Utility Services** (and the **Zone Maps**).

Attention is also drawn to **Section 18.3 Waimate North Zone** (and **Zone Maps**). This special zone replaces the general zone for an area of land centred on Showgrounds Rd, Waimate North.

#### **8.6.5.1 PERMITTED ACTIVITIES**

---

An activity is a permitted activity in the Rural Production Zone if:

- (a) it complies with the standards for permitted activities set out in **Rules 8.6.5.1.1 to 8.6.5.1.9** below; and
- (b) it complies with the relevant standards for permitted activities set out in **Part 3 of the Plan - District Wide Provisions**.

##### **8.6.5.1.1 RESIDENTIAL INTENSITY**

Residential development shall be limited to one unit per 12ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 3,000m<sup>2</sup> for its exclusive use surrounding the unit plus a minimum of 11.7ha elsewhere on the property.

Except that this rule shall not limit the use of an existing site, or a site created pursuant to **Rule 13.7.2.1 (Table 13.7.2.1)** for a single residential unit for a single household, provided that all other standards for permitted activities are complied with.

**Note:** There is a separate residential intensity rule applying to Papakainga Housing (refer to **Rule 8.6.5.2.2**).

**8.6.5.1.2 SUNLIGHT**

No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary (refer to definition of Recession Plane in **Chapter 3 - Definitions**).

**8.6.5.1.3 IMPERMEABLE SURFACES**

The maximum total site area covered by buildings and other impermeable surfaces shall be 15%.

**8.6.5.1.4 SETBACK FROM BOUNDARIES**

- (a) no building shall be erected within 10m of any site boundary;
- (b) except that no building shall be erected within 12m of any road boundary with Kerikeri Road on properties with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive;
- (c) and further except that no building for residential purposes shall be erected closer than 100m from any zone boundary with the Minerals Zone;
- (d) and further except that no building shall be erected within the building line restriction area as marked in **Appendix 6C**, located immediately north of the Te Waimate Heritage Precinct. Any proposed building to be erected within this building line restriction area shall be deemed a discretionary activity and the New Zealand Historic Places Trust will be considered an affected party to any such application made under this rule.

Attention is also drawn to the setback from **Lakes, Rivers, Wetlands and the Coastline** provisions in **Chapter 12.7**.

**8.6.5.1.5 TRAFFIC INTENSITY**

The Traffic Intensity Factor for a site in this zone is 60 daily one way movements. The Traffic Intensity Factor shall be determined by reference to **Appendix 3A** in **Part 4**.

This rule only applies when establishing a new activity on a site. It does not apply to existing activities, however, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account when assessing new activities in order to address cumulative effects.

**Exemptions:** A single residential unit, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.

**8.6.5.1.6 KEEPING OF ANIMALS**

Any building, compound or part of a site used for factory farming, boarding kennels or a cattery, shall be located no closer than 50m from any site boundary, except for a boundary which adjoins a Residential, Coastal Residential or Russell Township Zone, where the distance shall be a minimum of 600m.

**8.6.5.1.7 NOISE**

- (a) All activities except temporary military training activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits as measured at or within the boundary of any other site in this zone, or at any site in the Residential, Coastal Residential or Russell Township Zones, or at or within the notional boundary of any dwelling in any other rural or coastal zone:

0700 to 2200 hours	65 dBA L <sub>10</sub>
2200 to 0700 hours	45 dBA L <sub>10</sub> and 70 dBA L <sub>max</sub>

**Exemptions:** The foregoing noise limits shall not apply to airport operations at Kaitaia, Kerikeri and Kaikohe including aircraft being operated during or immediately before or after flight. For the purposes of this exemption

aircraft operations shall include all aircraft activity from start up to shut down of engines. The noise limits shall also not apply to activities periodically required by normal farming and forestry practice, such as harvesting, provided that the activity shall comply with the requirements of s.16 of the Act.

**Noise Measurement and Assessment:**

Sound levels shall be measured in accordance with *NZS 6801:1991 "Measurement of Sound"* and assessed in accordance with *NZS 6802:1991 "Assessment of Environmental Sound"*.

The notional boundary is defined in *NZS 6802:1991 "Assessment of Environmental Sound"* as a line 20m from any part of any dwelling, or the legal boundary where this is closer to the dwelling.

**Construction Noise:**

Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, *NZS 6803P:1984 "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work"*.

- (b) Noise limits for temporary military training activities are as follows:

Time (Any Day)	Limits (dBA)		
	L <sub>10</sub>	L <sub>95</sub>	L <sub>max</sub>
0630 to 0730	60	45	70
0730 to 1800	75	60	90
1800 to 2000	70	55	85
2000 to 0630	55		

Impulse noise resulting from the use of explosives, explosives simulators or small arms shall not exceed 122 dBC.

Temporary military training activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within the notional boundary of any dwelling, or residential institution, or educational facility within the district.

**8.6.5.1.8 BUILDING HEIGHT**

The maximum height of any building shall be 12m.

**8.6.5.1.9 HELICOPTER LANDING AREA**

A helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones

**8.6.5.2 CONTROLLED ACTIVITIES**

---

An activity is a controlled activity in the Rural Production Zone if:

- (a) it complies with all of the standards for permitted activities except for any one of the following *Rules 8.6.5.1.3 Impermeable Surfaces*; and/or *8.6.5.1.7(b) Noise Limits for Temporary Military Training* above; and
- (b) it complies with *Rules 8.6.5.2.1 Impermeable Surfaces*; *8.6.5.2.2 Papakainga Housing*; and/or *8.6.5.2.3 Noise Limits for Temporary Military Training* below; and
- (c) it complies with the relevant standards for permitted or controlled activities set out in *Part 3 of the Plan - District Wide Provisions*.

The Council must approve an application for a land use consent for a controlled activity but it may impose conditions on that consent.

**8.6.5.2.1 IMPERMEABLE SURFACES**

The maximum total site area covered by buildings and other impermeable surfaces shall be 20%.

In considering an application under this provision the Council will restrict the exercise of its control to:

- (a) the extent to which building site coverage and impermeable surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment;

- (b) the extent to which Low Impact Design principles have been used to reduce site impermeability in order to avoid, remedy or mitigate any adverse effects of stormwater runoff on receiving environments;
- (c) the ability to provide adequate landscaping for all activities associated with the site;
- (d) the degree to which mitigation measures are proposed for loss of open space and vegetation to the surrounding environment;
- (e) any cumulative effects on total catchment impermeability;
- (f) the extent to which building site coverage and impermeable surfaces will disturb the ground and alter the physical qualities of the soil type, soil pattern and natural contour of the site;
- (g) any adverse effects on the life supporting capacity of soils;
- (h) the availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites;
- (i) the extent to which paved, impermeable surfaces are necessary for the proposed activity;
- (j) visual amenity effects;
- (k) the extent to which prevailing climatic conditions and landscaping may reduce adverse effects;
- (l) any recognised standards promulgated by industry groups;
- (m) the ability to provide adequate landscaping for all activities associated with the site.

#### 8.6.5.2.2 PAKAINGA HOUSING

Papakainga housing is a controlled activity in the Rural Production Zone provided that:

- (a) it complies with all the standards for permitted activities in this zone and in **Part 3 - District Wide Provisions**, except for the standards for residential intensity; and
- (b) each residential unit has at least 3,000m<sup>2</sup> surrounding the unit for its exclusive use;

provided that the amount of land elsewhere on the site, in addition to the 3,000m<sup>2</sup> surrounding the unit, is not less than that required for the discretionary activity residential intensity standard (refer to **Rule 8.6.5.4.1**).

In considering an application under this provision, the Council will restrict the exercise of its control to the following matters:

- (i) the number and location of dwellings;
- (ii) the location and standard of access;
- (iii) screening and planting.

#### 8.6.5.2.3 NOISE LIMITS FOR TEMPORARY MILITARY TRAINING

In considering a controlled activity application resulting from a breach of **Rule 8.6.5.1.7(b) Noise Limits for Temporary Military Training** the Council will restrict the exercise of its control to:

- (a) the location, duration and frequency of any noise emissions.

#### 8.6.5.3 RESTRICTED DISCRETIONARY ACTIVITIES

---

An activity is a restricted discretionary activity in the Rural Production Zone if:

- (a) it does not comply with any one of the following **Rules 8.6.5.1.1 Residential Intensity, 8.6.5.1.2 Sunlight, 8.6.5.1.4 Setback from Boundaries, 8.6.5.1.5 Traffic Intensity, 8.6.5.1.7 Noise and 8.6.5.1.8 Building Height** as set out above; but
- (b) it complies with all of the other rules for permitted and controlled activities under **Rules 8.6.5.1 and 8.6.5.2**; and
- (c) it complies with **Rules 8.6.5.3.1 Traffic Intensity, 8.6.5.3.2 Building Height, 8.6.5.3.3 Sunlight, 8.6.5.3.4 Setback from Boundaries, 8.6.5.3.5 Noise and 8.6.5.3.6 Residential Intensity** below; and
- (d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities set out in **Part 3 of the Plan - District Wide Provisions**.

The Council may approve or refuse an application for a restricted discretionary activity, and it may impose conditions on any consent.



In assessing an application for a restricted discretionary activity, the Council will restrict the exercise of its discretion to the specific matters listed for each rule below, or where there is no rule, to the specific matters listed below under the appropriate heading.

#### 8.6.5.3.1 TRAFFIC INTENSITY

The Traffic Intensity Factor for a site in this zone is 61 - 200 daily one way movements. The Traffic Intensity Factor shall be determined by reference to **Appendix 3A** in **Part 4**.

This rule only applies when establishing a new activity on a site. It does not apply to existing activities, however, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account when assessing new activities in order to address cumulative effects.

**Exemptions:** A single residential unit, farming, forestry and construction traffic (associated with the establishment of an activity) are exempt from this rule.

In assessing an application under this provision the Council will restrict the exercise of its discretion to:

- (a) the time of day when the extra vehicle movements will occur;
- (b) the distance between the location where the vehicle movements take place and any adjacent properties;
- (c) the width and capability of any street to be able to cope safely with the extra vehicle movements;
- (d) the location of any footpaths and the volume of pedestrian traffic on them;
- (e) the sight distances associated with the vehicle access onto the street;
- (f) the existing volume of traffic on the streets affected;
- (g) any existing congestion or safety problems on the streets affected;
- (h) with respect to effects in local neighbourhoods, the ability to mitigate any adverse effects through the design of the access, or the screening of vehicle movements, or limiting the times when vehicle movements occur;
- (i) with respect to the effects on through traffic on roads with more than 1000 vehicle movements per day, the extent to which Council's "*Engineering Standards and Guidelines*" (2004) are met;
- (j) effects of the activity where it is located within 500m of reserve land administered by the Department of Conservation upon the ability of the Department to manage and administer that land.

#### 8.6.5.3.2 BUILDING HEIGHT

The maximum height of any building shall be 15m.

In assessing application under this provision the Council will restrict the exercise of its discretion to:

- (a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;
- (b) the ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.

#### 8.6.5.3.3 SUNLIGHT

In assessing an application resulting from a breach of **Rule 8.6.5.1.2 Sunlight** the matters to which the Council will restrict its discretion are:

- (a) the extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight;
- (b) the location and proximity of adjacent residential units, and the outdoor space used by those units;
- (c) the ability to mitigate any adverse effects of loss of sunlight.

#### 8.6.5.3.4 SETBACK FROM BOUNDARIES

In assessing an application resulting from a breach of **Rule 8.6.5.1.4 Setback from Boundaries** the matters to which the Council will restrict its discretion are:

- (a) the extent to which the building(s) reduces outlook and privacy of adjacent properties;
- (b) the extent to which the buildings restrict visibility for access and egress of vehicles;

- (c) the ability to mitigate any adverse effects on the surrounding environment, for example by way of planting;
- (d) for sites having a frontage with Kerikeri Road (between its intersection with SH10 and Cannon Drive:
  - (i) the scale of the buildings;
  - (ii) the extent of set back from Kerikeri Road;
  - (iii) the visual appearance of the site from the Kerikeri Road frontage;
  - (iv) the extent to which the building(s) are in harmony with landscape plantings and shelter belts;
- (e) for residential buildings located within 100m of Minerals Zone:
  - (i) the position of the building platform(s) in relation to the mine or quarry;
  - (ii) the likelihood of the mine or quarry causing environmental effects, especially noise and loss of amenity values, that will impact adversely on the occupiers of the proposed residential building;
  - (iii) the effectiveness of any mitigation measures proposed;

Where an application is required under this rule, the owner and/or operator of any mine or quarry within the adjacent Minerals Zone shall be considered an affected party. Where the written approval of the owner and the mine or quarry operator has been obtained, the application will be non-notified.

- (f) the extent to which the buildings and their use will impact on the public use and enjoyment of adjoining esplanade reserves and strips and adjacent coastal marine areas.

#### 8.6.5.3.5 NOISE

In assessing an application resulting from a breach of **Rule 8.6.5.1.7 Noise** the matters to which the Council will restrict its discretion are:

- (a) the character, level and duration of noise from any activity as received at the boundary, or notional boundary of another site;
- (b) the hours of operation in relation to the surrounding environment;
- (c) the effectiveness of any noise mitigation measures proposed.

#### 8.6.5.3.6 RESIDENTIAL INTENSITY

Residential development shall be limited to one unit per 4ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 3,000m<sup>2</sup> for its exclusive use surrounding the unit plus a minimum of 3.7ha elsewhere on the property.

Except that this rule shall not limit the use of an existing site, or a site created pursuant to **Rule 13.7.2.1 (Table 13.7.2.1)** for a single residential unit for a single household, provided that all other standards for permitted activities are complied with.

**Note:** There is a separate residential intensity rule applying to Papakainga Housing (refer to **Rule 8.6.5.2.2**).

When considering an application under this provision the Council will restrict the exercise of its discretion to matters relating to:

- (a) effects on the natural character of the coastal environment for proposed residential units which are in the coastal environment;
- (b) for residential units within 500m of land administered by the Department of Conservation, effects upon the ability of the Department to manage and administer its land;
- (c) effects on areas of significant indigenous flora and significant habitats of indigenous fauna;
- (d) the mitigation of fire hazards for health and safety of residents.

For the purposes of this rule the upstream boundary of the coastal environment in the upper reaches of the harbours is to be established by multiplying the width of the river mouth by five.

#### 8.6.5.4 DISCRETIONARY ACTIVITIES

An activity is a discretionary activity in the Rural Production Zone if:

- (a) it complies with **Rules 8.6.5.4.1 Residential Intensity**; **8.6.5.4.2 Integrated Development** and/or **8.6.5.4.3 Helicopter Landing Area** below; and

- (b) it complies with the relevant standards for permitted, controlled, restricted discretionary or discretionary activities set out in **Part 3 of the Plan - District Wide Provisions** unless it is an Integrated Development pursuant to **Rule 8.6.5.4.2** below; but
- (c) it does not comply with one or more of the other standards for permitted, controlled or restricted discretionary activities in this zone as set out under **Rules 8.6.5.1; 8.6.5.2 and 8.6.5.3** above.

The Council may impose conditions of consent on a discretionary activity or it may refuse consent to the application. When considering a discretionary activity application, the Council will have regard to the assessment criteria set out under **Chapter 11**.

If an activity does not comply with the standards for a discretionary activity, it will be a non-complying activity in this zone.

#### **8.6.5.4.1 RESIDENTIAL INTENSITY**

Residential development shall be limited to one unit per 2ha of land. In all cases the land shall be developed in such a way that each unit shall have at least 2,000m<sup>2</sup> for its exclusive use surrounding the unit plus a minimum of 1.8ha elsewhere on the property.

Except that this rule shall not limit the use of an existing site, or a site created pursuant to **Rule 13.7.2.1 (Table 13.7.2.1)** for a single residential unit for a single household, provided that all other standards for discretionary activities are complied with.

#### **8.6.5.4.2 INTEGRATED DEVELOPMENT**

Notwithstanding the rules in this zone relating to the management of the effects of activities, an application for integrated development of activities only on Maori freehold land and Maori customary land and Crown land reserved for Maori (as defined in Te Ture Whenua Act 1993) may be made where the proposed development does not comply with one or more of the rules.

This rule applies to Maori customary land, Maori freehold land and Crown land reserved for Maori for activities including papakainga housing and marae and associated buildings.

Integrated development plans will be considered in the context of other whanau and hapu lands in the vicinity, including an acknowledgement of areas of open space, reserve, natural vegetation and other amenities already provided by the land owning groups concerned.

A management plan for integrated development under this rule shall include information on the following where relevant and necessary for a sufficient understanding of the proposal:

- (a) a plan showing the location of the property (including property boundaries), topography, adjoining uses, location of the activities proposed in the application, existing vegetation (type and location), drainage patterns, existing and proposed access road/s, location of any outstanding landscapes or natural features, location of any covenanted or otherwise protected areas;
- (b) a description of the purpose of the application and the activities which are proposed;
- (c) a description of the degree (if any) to which the proposed development will exceed the standards set for permitted, controlled, restricted discretionary and discretionary activities in the zone;
- (d) details of the staging (if any) which is proposed;
- (e) a description of any heritage resources on the property;
- (f) other information which is relevant to any assessment of the effects of the application, is as follows:
  - (i) details of provisions made for sewage and stormwater disposal and the proposals for avoiding, remedying or mitigating any adverse effects on receiving environments of stormwater flows;
  - (ii) details of any earthworks;
  - (iii) details of the geotechnical aspects of the property;
  - (iv) details of any natural hazard areas and the measures which will be taken to avoid any adverse effects;
  - (v) details of the measures (if any) to protect indigenous vegetation and habitats, outstanding landscapes and natural features, heritage resources and riparian margins;
  - (vi) the extent to which areas of open space, reserves, natural vegetation and other amenities are already provided by the land owning group on other whanau and hapu lands in the vicinity.

- (g) The extent to which the application promotes energy efficiency and renewable energy development and use as provided for in Policy 13.4.15 through incorporating the following initiatives:
  - (i) development of energy efficient buildings (e.g. by providing a north-facing site with the ability to place a building on an east/west axis);
  - (ii) reduced travel distances and car usage by designing a layout with as many links to adjacent sites and surrounding roads as practicable;
  - (iii) encouragement of pedestrian and cycle use by designing a layout that allows easy direct access to and from, shops, schools, work places, reserves and other amenities;
  - (iv) access to alternative transport facilities;
  - (v) domestic scale renewable energy and/or community renewable energy development;
  - (vi) solar street lighting.

In assessing an application under this rule the Council will have regard to the following matters:

- (i) the objectives and policies of the Plan;
- (ii) the degree to which the application exceeds the standards for the zone;
- (iii) the degree to which the potential effects of the application have been avoided, remedied or mitigated;
- (iv) any other matter which it determines to be relevant to the application.

**Note:** Attention is drawn to *Rule 13.9.2 Management Plans* which provides for a once-off opportunity for integrated development which results in superior outcomes to more traditional forms of use and development for land which is not either Maori freehold land, Maori customary land or Crown land reserved for Maori (as defined in Te Ture Whenua Act 1993).

#### 8.6.5.4.3 HELICOPTER LANDING AREA

A helicopter landing area within 200m of the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.



**Southland District Council**

### **Rule TRAN.10 - Existing Airports**

Schedule 6.18 identifies the approach vectors of the District's airports. The following rules apply in those areas.

No activity that would prejudice the safety and satisfactory conduct of the airports operation by virtue of the emission of smoke, dust, glare or electrical interference or by attracting birds shall be permitted within these areas.

Structures and vegetation shall not exceed the heights that would compromise the approach vectors set out in Schedule 6.18.

#### **Reason**

*The effects of certain types of activities can have a significant impact on the safe and efficient operation of airports. By identifying the areas crucial to safety around an airport for the purposes of take off and landing, adverse effects can be controlled to maximise the safety and efficiency of airport operations.*

### **Rule TRAN.11 - Commercial Airports**

Airports providing public and private passenger and freight transport services require discretionary resource consent.

In deciding any application, Council will consider the location of the proposal on the following basis:

- (a) Noise effects on residential, rural-residential and recreational areas.
- (b) Visual effects.
- (c) Existing and potential activities at the site.
- (d) Alternative sites.
- (e) The effects of increased traffic flow that may be caused by the development of the airport.
- (f) Site values.
- (g) Effects on any national or regional arterial roads in the vicinity of or beneath the proposed flight paths.

#### **Reason**

*The development of new airports can have significant environmental effects and the preferred locations often cause a significant amount of controversy.*

*Council therefore considers it necessary that a notified discretionary resource consent, except where airports have been separately designated pursuant to Section 168 of the Resource Management Act 1991 and its amendments, be applied for in respect of any new development.*

### **Rule TRAN.12 - Rural Airstrips**

Airstrips associated with normal rural land management are a permitted activity provided there are no adverse effects on activities beyond the boundary of the property on which the airstrip is located.

#### **Reason**

*In the past Council has not been involved in the regulation of farm airstrips, and circumstances have not altered to justify intervention. As such strips are generally located in isolated areas, there are few adverse effects on the neighbouring environment.*

### **3.2.6 - WORKS PROGRAMME**

It is not the intention of Council to include any programme of capital works within the District Plan as this is more appropriately addressed in the "District Land Transport Programme".

In the short term this type of expenditure is identified in the Annual Plan and in the long term forms part of Council's Strategic Planning.

### **3.2.7 - ANTICIPATED ENVIRONMENTAL RESULTS**

- (a) A safe and efficient transportation system throughout the District.
- (b) A reduction in the effects that heavy vehicles have on the District's roading resource.
- (c) A reduction in the adverse effects of land use activities on the transportation system.
- (d) A reduction in the adverse effects of the transportation system on the environment.
- (e) A reduction in the emission of CO<sub>2</sub> and other greenhouse gases.



#### Explanation

*Movement of stock along and across roads has been a problem in the District for some time. This activity is controlled by the Stock Driving Bylaw 1993.*

- Construction and upgrading of the transportation network can have effects on natural, cultural, historic and recreational values.

#### Explanation

*Road construction, and to a lesser extent upgrading, can have effects on the natural, cultural, historic and recreational values in the areas where those activities are carried out. Not all of those effects will be adverse.*

### **3.2.3 - OBJECTIVES**

#### **Objective TRAN.1**

To mitigate the adverse effects of land use activities on the District's transportation system.  
(Refer Policy TRAN.1, 2, 4, 5 and 6)

#### **Objective TRAN.2**

To achieve appropriate public safety levels.  
(Refer Policy TRAN.1 to 3)

#### **Objective TRAN.3**

To ensure the efficient flow of people and goods along the District's transportation routes.  
(Refer Policy TRAN.1 to 9)

#### **Objective TRAN.4**

To avoid, remedy or mitigate the adverse effects of transportation activities on the environment, while enabling the continual development and upgrading of the transportation network.  
(Refer Policy TRAN.1, 2, 3 and 8)

#### **Objective TRAN.5**

To recognise links between transportation, energy and climatic changes by encouraging development of a sustainable transportation network.  
(Refer Policy TRAN.8)

#### **Objective TRAN.6**

To reduce the emission of greenhouse gases which result from transport activities.

### **3.2.4 - POLICIES**

#### **Policy TRAN.1(a) - Rooding Hierarchy**

To establish a roading hierarchy, based on the particular importance of the transport route to the District and the volume of traffic utilising those routes.

#### Explanation

*The roading hierarchy will be used to assist in determining:*

- The appropriateness of particular effects of land use activities in various localities.*
- The appropriate standards of access for properties and activities.*
- Appropriate environmental outcomes.*

*The roading hierarchy enables Council and the public to quickly determine the status of any particular transport route and assess what effect a new development will have on that route. The hierarchy has been determined upon the basis of the route's importance to the District, its main purpose, and the volumes of traffic it carries. Standards of access in relation to the hierarchy have been determined so as to mitigate the effect that particular activities may have on the route.*

*After considering several options, Council considers that the roading hierarchy is the most effective method of providing safe roading, and enhancing the general amenity of the District in relation to the effects of road transport.*

*(Refer Rule TRAN.1)*

#### **Policy TRAN.1(b) - Heavy Transport Network**

To establish within the road transport hierarchy a network of heavy transport link routes which as far as possible avoid the urban portions of the region and that will be developed to a standard capable of safely and efficiently carrying intensive concentrations of heavy traffic.

#### Explanation

*Forestry and dairying activities have been identified as becoming more active in the District in the future. Concentrated heavy traffic such as logging trucks and milk tankers, can have a major impact on the District's roading resource. In terms of roading maintenance, efficiency and impact on other users, Council has found that it is significantly cheaper to upgrade roads before they are subject to heavy traffic usage rather than it is to repair the subsequent damage. The use of a heavy traffic network reduces the adverse effects of heavy traffic has on the environment and greatly increases the efficiency of resource use in Council's road maintenance programme.*

*Council will consult with the affected parties and local authorities as to the most appropriate location for such routes.  
(Refer Rule TRAN.1)*

#### **Policy TRAN.2 - Construction Standards**

**To require that new roads and access points be constructed to a standard appropriate to their intended use, and that the adverse effects of upgrading and construction be avoided, remedied, or mitigated.**

##### **Explanation**

*Construction of new roads and access points and upgrading of roads and access points can have an adverse impact on water quality, vegetation, soil stability, visual amenity and safety. These aspects need to be recognised when new roads are planned and built.*

*(Refer Rule TRAN.1- Rule TRAN.6)*

#### **Policy TRAN.3 - Transportation Projects**

**To make appropriate provision in the District Plan for the development of the transportation network while minimising adverse effects of these activities.**

##### **Explanation**

*Council recognises that the continual development and upgrading of the District's transportation resource is vital to the District's economic well-being. However provision for such projects must recognise the adverse effects these projects can have on the environment. Rules have been developed to mitigate those effects.*

*(Refer Rule TRAN.1 to Rule TRAN.4 and Rule TRAN.8, 11 and 12)*

#### **Policy TRAN.4 - Loading and Manoeuvring**

**To require owners and occupiers to provide off-road loading for the servicing of premises to mitigate impact on the efficient operation of the roading network.**

##### **Explanation**

*The operation of retail type activities generally involves numerous loading and unloading operations during the normal course of business. Undertaking such activities on the road can greatly impede traffic flows.*

*However Council recognises that there are circumstances where the provision of off-road loading facilities is neither practical nor necessary and therefore waivers can be given.*

*(Refer Rule TRAN.6)*

#### **Policy TRAN.5 - Parking**

**To require that adequate off-street parking be developed for all land use activities to mitigate impact on the safety and efficiency of the roading system.**

##### **Explanation**

*Large scale developments such as shopping centres and hospitals, employ large numbers of people and attract a high density of traffic. Parking facilities associated with such activities reduce the pressure to park on the road and therefore do not compromise the safety and efficiency of the roading system.*

*Standards of construction will ensure that potential effects on adjoining properties such as dust and stormwater will be mitigated.*

*(Refer Rule TRAN.7)*

#### **Policy TRAN.6 - Roadside Vegetation**

**To minimise the adverse effects that vegetation plantings can have on the transportation network.**

##### **Explanation**

*Council recognises that trees, hedges and shelter belts, can have significant impact on the safety of the roading system. Vegetation can impede driver visibility, disrupt road drainage systems, or cause shading of the carriageway resulting in icing during the winter months, which can have severe consequences in terms of public safety.*

#### **Policy TRAN.7 - Sight Line Protection: Railways**

**To promote safety at road and rail intersections by minimising the effects buildings and the planting of vegetation can have in such situations.**

##### **Explanation**

*Council recognises that level railway crossings are particularly dangerous to the safety of motorists and accordingly adequate sight lines are to be preserved.*

*Council may consent to such a restriction being waived in whole or in part by way of a non-notified application subject to the written consent of the railway operator concerned.*

*(Refer Rule TRAN.9)*

#### **Policy TRAN.8 - Airports**

**To ensure the safe and efficient operation of the District's airports by:**

- identifying airport approach vectors, and

*Applying specific noise performance standards to any particular environment should minimise adverse effects on people's well-being.  
(Refer various Resource Areas of Section 4)*

### **Policy NSE.3**

**To minimise the adverse effect that noise generated from airports can have, while ensuring that the viability of the District's airports is not threatened.**

#### **Explanation**

*Airfields are a major transportation facility which have an important role in terms of the economic and social well-being of the District. The continuing operation of the District's airfields can be severely affected if activities which are sensitive to noise (eg residential uses), are established adjacent to them. Council proposes to investigate the establishment of an airport noise boundary which should avoid potential problems. Noise within that boundary would be controlled by the New Zealand Standard 6805 : 1992.*

*(Refer Method NSE.5)*

### **Policy NSE.4**

**To monitor noise trends throughout the District.**

#### **Explanation**

*Noise levels have been measured throughout the District to establish general background noise levels. This enables Council to measure the performances of activities against accepted amenity levels. Monitoring of noise will continue throughout the District to assess the effectiveness of this Plan.*

*(Refer Section 2.3 Monitoring)*

## **3.12.4 - METHODS AND RULES**

The following methods apply throughout the District and are intended to complement the specific provisions of particular areas.

### **Rule NSE.1 - Measurement**

- (a) Except where otherwise stated, all noise will be measured and assessed in accordance with the requirements of NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound.
- (b) The measurement period shall be not less than 15 minutes and the  $L_{10}$  level in dBA is defined as that level of sound equalled or exceeded for 10% of the measurement period.

#### **Reason**

*Recognised noise assessment and measurement techniques are to be used to ensure consistency is achieved and doubt is removed from the process.*

### **Rule NSE.2 - Construction Noise**

Noise resulting from construction which is ancillary to the principal use of the site shall meet with the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. Any activity that does not comply with this rule shall be considered as discretionary activity in accordance with the criteria set out in Method NSE.6.

#### **Reason**

*Construction site noise is often thought of as only a temporary inconvenience although major developments may take several years. Noise from such projects can often be a serious problem, however Council considers that existing New Zealand Standards are adequate to control this activity. The abatement procedures for excessive noise is available where such noise is becoming a major problem.*

### **Rule NSE.3 - Vibration**

Vibration emanating from a site shall meet the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 4403:1976 Code of Practice for Storage, Handling and Use of Explosives.

#### **Reason**

*Vibration from the operation of machinery or the use of explosive devices can be a nuisance. Once again, the New Zealand Standards are seen as an adequate control with abatement notice procedures controlling excessive noise problems.*

### **Method NSE.4 - General Responsibilities**

Every occupier of land or water and every person carrying out an activity on land or water, shall adopt the best practicable option to ensure emission of noise from that land or water activity does not exceed a reasonable level.

Where Council considers there to be unreasonable noise emission in terms of Sections 326 and 327 of the Act, Council may exercise the powers available under those sections.

#### (iv) Signs Standards

Signs (except as provided for in (iii) above) shall:

- be situated on the property to which they relate
- not exceed a total of 3 m<sup>2</sup> in area
- be erected at right angles to the roadway frontage but angled off the direction of the traffic by approximately 5 degrees to reduce headlight glare reflecting into the motorists vision
- not be constructed using retroreflective material unless it is necessary, flashing or animated signs, including those employing revolving lights, and
- business signs may be illuminated when the premises are open for business.

#### Reason

*Except as provided for in this rule, Council does not believe there is any valid reason that signs should be located off-site in the Rural Area. These rules should reduce the effect signs have on the safety and efficiency of the roading network.*

#### Rule PRA.8 - Noise Standards

- (a) The relevant provision of Section 3.12 Noise shall apply unless otherwise stated by these rules.
- (b) Corrected noise levels (L<sub>10</sub>) at the boundary of a site shall not exceed 60 dBA provided that corrected noise levels (L<sub>10</sub>) shall not exceed the following limits at the boundary of any Urban Resource Area or at the notional boundary of any residential, hospitality, tourist, educational or health activity site located in the Plains Resource Area:

Monday to Friday  
7.00 am to 10.00 pm                      L<sub>10</sub> - 50 dBA

Saturday  
7.00 am to 6.00 pm                      L<sub>10</sub> - 50 dBA

At all other times  
(including public holidays)      L<sub>10</sub> - 40 dBA

“Notional boundary” means a line 20 metres from the facade of any building used for residential, hospitality, tourist, educational or health activity, or the legal boundary of the site on which the building is located where the boundary is closer to the building than 20 metres.

- (c) Where an activity is established and a new activity locates where it will be affected by the 60 dBA noise maximum level, it shall be the responsibility of the developer of a newly located activity to ensure that buildings associated with that use are designed in such a manner that the day time and night time noise levels are met within that new activity.

#### Reason

*These noise levels have been established by Council's 1993 Noise Study of the District. Standard (c) has been added to ensure that noise sensitive activities cannot locate within close proximity to an established activity and claim to be affected by the noise it generates.*

#### Rule PRA.9 - Site Requirement

All activities and structures in these Resource Areas shall comply with the following site requirement:

- (a) The site associated with the activity or structure shall be of sufficient area and capability to dispose of effluent safely on site and without affecting water quality.

Or if the disposal is to be on a site removed from where the effluent is generated then the receiving site shall meet the criteria identified above.

#### Reason

*Effluent can have significant environmental effects in terms of odour, contamination of water supplies or pollution of water courses, and can be a health hazard. Certain methods of disposal are culturally offensive to both Māori and Pakeha.*

- (b) A potable supply of water is provided adequate to the needs of the occupier.
- (c) No uneconomic extension or development of Council's services will occur.

#### Reason

*Where Council services are available (for example, a Rural Water Supply Scheme) use or extension of them should not be at a cost to the general ratepayer.*

- (d) There shall be no adverse effect on the character or values of any natural or cultural heritage site listed at Schedules 6.8, 6.12 and 6.13.

#### Reason

*Buildings and structures can have an adverse impact on the value of natural heritage sites. Excavations for foundations and so forth can also disturb cultural heritage sites.*

## **Policy RU.6**

**To provide a development framework within the rural environment which is effects driven.**

### **Explanation**

*Provided effects are mitigated or controlled, the appropriate mechanism to determine where particular activities should locate is the market place. Activities will locate where site criteria are most suitable to that particular activity.*

*Activities of a commercial or industrial nature will be accommodated as appropriate depending on the effects they generate.  
(Refer Rules PRA.2, 3, 4, 5, and 6, and MRA.1 and 2)*

## **Policy RU.7**

**To mitigate or avoid the adverse effects activities have on the amenity value of the rural environment.**

### **Explanation**

*The relatively quiet, open-space amenity values of the rural environment can be significantly affected by some effects of activities.*

*With the market influencing the location of activities, adverse effects of activities will be addressed in the Plan by the use of performance standards.  
(Refer to Section 4.1.4 The Plains, Hills, Catlins and Mountains Resource Areas, Methods and Rules)*

## **Policy RU.8**

**To mitigate the adverse effects buildings, structures and vegetation can have on amenity values and the safety and efficiency of the roading network.**

### **Explanation**

*Buildings or structures erected directly on the boundary can have a significant effect on adjoining properties and the operation of public roads. Bulk and location requirements will be developed to reduce these impacts. Plantings directly on boundaries can have an adverse effect by shading neighbouring properties.  
(Refer Rules PRA.3 and MRA.1)*

## **Policy RU.9**

**To avoid the adverse effect of noise in the rural area.**

### **Explanation**

*The rural area of the District is generally considered to be relatively quiet, however it is recognised that as a working environment, noise associated with legitimate rural activities (eg farming, forestry, contractors yards etc) does occur and is accepted as part of rural life.*

*Such noises however, should not unduly impact on legitimate residential, educational, or health related activities located in the Rural Resource Area.  
(Refer Rule PRA.8 and Section 3.12 Noise)*

## **Policy RU.10**

**To mitigate or avoid the adverse effects that signs can have on amenity values and the safety and efficiency of the roading network.**

### **Explanation**

*The objective of a sign is to attract attention and this can distract motorists attention from the driving task. Signs can also have a significant visual effect and be of benefit to the drivers as a source of information.  
(Refer Rule PRA.7 and Section 3.11 Signs)*

## **Policy RU.11**

**To mitigate the adverse effects of activities on the significant landscapes of the District.**

### **Explanation**

*The District contains many landscapes that are significant. Outstanding landscapes are protected under Council's heritage register, while guidelines for sensitive use will be developed for other significant landscapes. This approach recognises that not all landscapes need formal protection and that most landscapes are also a working environment in which people live, work and partake in recreation. Council's register of outstanding landscapes in the District is included as Schedule 6.13 of the District Plan.  
(Refer Method PRA.2 and Section 3.4 Heritage)*

## **Policy RU.12**

**To mitigate the adverse effects of dwellings.**

### **Explanation**

*Dwellings can have significant effects in terms of disposing of waste, visual impact, and effects on the roading network.*

*Performance standards will ensure that adverse effects of dwellings on the rural environment will be minimised.  
(Refer Rule PRA.3 and Rule MRA.1)*

The Garvie Range has 10 threatened species and beech forest on it, and *Olearia Hectorii* is also found there. The dune systems in the Catlins are dominated by maram. Activities such as the erection of structures on the skyline and the clearance of native vegetation can adversely effect these areas. This leads to a loss of specie diversity and habitat fragmentation throughout the valley.

(Cross reference Section 3.4 Heritage.)

### **(iii) Issues Specific to The Mountain Resource Area**

- Erosion is a problem in specific areas of this steep environment due to the effects of inappropriate land uses, road development, other similar types of earthworks and from natural causes.

#### **Explanation**

The steep and fragile nature of this environment makes the area particularly susceptible to erosion. This has obvious effects on water and soil quality and visual amenity. The erosion that occurs at West Dome is a good example of this problem.

- This environment dominates the views from other resource areas of the District and is therefore an environment sensitive to changes in land use.

#### **Explanation**

The scenery of Southland is considered a major physical resource. The scenery is dominated by the Mountains Resource Area and while landscape is a subjective judgement it has different significance to different people. Sustainable management of this area needs to recognise the effects of large scale land use changes which have the potential to destroy the visual coherence of this Area.

- The headwaters of many of the District's major rivers originates in this area and the effects of land use in these headwaters can significantly impact on the incidence and the intensity of flooding.

#### **Explanation**

Inappropriate land use practices can often have a significant effect on freshwater fish habitat and flooding by increasing the intensity and incidence of such events. The permanent clearance of wooded vegetation and drainage of wetlands and catchment areas are two activities that impact on these issues.

(Cross Reference Section 3.5 Water.)

- The headwater valleys have intrinsic and natural values, as well as providing downstream benefit by providing low water flows and controlling natural flood events.

#### **Explanation**

Retaining natural vegetation in headwater valleys will protect aquatic and terrestrial habitat and contribute towards control of flood events. A good example of this value is in the Upper Mararoa which has many wetlands and tussock areas.

### **4.1.3 - OBJECTIVES AND POLICIES**

#### **(i) General**

##### **Objective RU.1**

To provide a management framework for the rural environment that promotes the sustainable management of resources within the District.

##### **Objective RU.2**

To maintain the quality of the District's water and soil resource to enable it to meet the needs of future generations.

##### **Objective RU.3**

To recognise the values of the District's outstanding landscape and significant indigenous habitats and ecosystems within the management framework.

##### **Objective RU.4**

To maintain where practicable and efficient, the amenity values of the rural environment.

##### **Objective RU.5**

To promote that land users and communities adopt a stewardship approach to resource management.

##### **Objective RU.6**

To establish a monitoring framework which will measure the effectiveness of this section.



**Westland District Council**



## Discretionary Activities

You are here: Welcome > Part 6 > Discretionary Activities

The following activities are discretionary throughout the District and are not subject to any performance standards other than those outlined in this part. Conditions, including financial contributions may be imposed on resource consents:

- (a) Relocation of buildings.
- (b) Formation, construction, maintenance or vesting or gazetting of road or state highway outside the existing road reserve, or designation, or gazette notice area that is not part of a controlled activity subdivision.
- (c) Any public or network utility not being a permitted activity or exceeding the Permitted Activity standards in 6.6 (B).
- (d) The following activities with the potential to distract traffic movement: helipads, and commercial operations of bungy jumping, hang gliding or similar types of leisure activities.
- (e) Any temporary military training activities not complying with the standards for permitted temporary military training activities as set out in 6.6(A).
- (f) Odorous Activities specified in Appendix G.



## Sustainable communities

You are here: Welcome > Part 3 > Sustainable communities

### Key Issue

⇒ The need to encourage community well being and viability in a manner that which will ensure the sustainable management of Westlands natural and physical resources.

### Background

Westland is well endowed with natural and physical resources on which the viability of Westland's communities depend, both directly and indirectly. Reliance on the resource base has been a feature of Westland's population for more than 100 years. As in other parts of New Zealand, the number of people living in the District has fluctuated as different resources are utilised. Population numbers peaked in the 1860's during the goldrush and now Westland District supports just over 9,200 people, of which approximately 40% live in Hokitika.

Loss of population can severely limit the viability of a range of services and has a negative impact on the economic and social structure, and the health of what in Westland are predominantly small, tight-knit and often isolated communities. The Council has given priority to the issue of community viability and recognises people as a most important asset to Westland District. The Council is very aware that sustainability of the natural and physical resource base is fundamental to, and is interconnected with, the continued welfare of the District's communities. For example, a safe and efficient state highway network is essential to enable people to move themselves and goods. Development should therefore not occur where it will mean that "bottom lines" are threatened, that is, that there will be a level of resource use or degradation at which severe or irreversible damage occurs. Above this, the Council will be guided by a number of performance standards designed to avoid, remedy or mitigate adverse effects.

### Objective

3.2.1 To establish levels of environmental quality for Westland which enable people and communities to provide for their social, economic and cultural well being, while meeting the principles of sustainable management of natural and physical resources.

### Reasons

⇒ Will allow clear provision to be made for establishing the level of environmental quality desirable in Westland.

⇒ Recognises the principle of sustainable management and also the importance of people and communities in Westland.

⇒ Will provide people and communities with the necessary power and freedom to use, develop and protect natural and physical resources as they see fit within a framework set by environmental "bottom-lines" and performance standards.



## Amenity

You are here: Welcome > Part 4 > Amenity

### PRIVATE Policies

- A. The effects of activities which can have significant adverse effects on amenities and the well being of residents shall generally be avoided, remedied or mitigated.*
- B. Noxious, offensive, and/or dangerous activities shall be segregated where there is potential to generate adverse effects on the environment.*
- C. The development and use of energy efficient design and technology should be encouraged within working, living and leisure environments.*
- D. The safe handling, management and disposal of hazardous substances in a manner which protects community well-being, road safety, and soil and water resources shall be encouraged.*
- E. The effects of activities which can be seen as adversely affecting the overall environmental amenity of the District shall be avoided.*
- F. To ensure that signs are appropriate to the character of the area and do not detract from the amenity values of that environment.*
- G. To avoid a proliferation of signs which have the potential to result in cumulative adverse effects on amenity values.*

Refer to Objectives: 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12

### Methods

- a. Industrial zones will be included in the Plan to provide for types of industrial activities which should be segregated because of noxious or otherwise objectionable elements.*
- b. Rules and standards have been developed to avoid any adverse effects of noxious, offensive or dangerous activities.*
- c. The Council will provide information where available on how to design buildings to take advantage of solar energy.*
- d. Regional Council initiatives to co-ordinate the establishment of a regional hazardous waste disposal facility shall be encouraged and supported.*
- e. General rules have been developed to ensure the safe handling, management and disposal of hazardous substances.*
- f. Rules have been developed to ensure that signs generally do not detract from the amenity of the area.*

### Explanation/Reasons

The Plan takes a permissive approach to providing opportunities for a range of activities to locate within settlements, thus allowing flexibility and choice to residents, potential investors and business. A wide range of activities is also permitted within rural areas, compatible with traditional rural amenities. However it is important that in taking this approach the amenities of residents and workers are protected. It is acknowledged however, that in some cases this may not be practicable, for example new electricity transmission lines may adversely affect amenities but overall may be desirable to enable the community to provide for their social and economic well-being.



In some instances it may be necessary to segregate activities from neighbouring land uses or to require buffers or other means of mitigation of adverse effects. Segregation allows activities with potentially adverse effects to establish in a specified area with minimum inconvenience. The policies allow activities with potentially noxious elements to still remain viable given an appropriate location and appropriate neighbouring activities. The types of adverse effects where control or segregation may be necessary include noise, smell, fumes, vibration or the need to operate 24 hours a day.

Amenity of residents can also be improved through design measures. For example the orientation of living spaces to maximise sunlight and outlook. Amenity provisions may also improve the energy efficiency of buildings. Design improvements can significantly reduce energy requirements as well as having a beneficial effect on the rate of in particular, finite energy resource use. While these are encouraged, rules are costly to administer and it is considered that most designers are responsible in considering amenity.

Poor storage and handling of hazardous substances poses a significant threat to amenities and to the general environment. Hazardous substances include oils, fuels, paint stripper and discarded batteries, to name a few. The management of hazardous substances is largely controlled by specific industry guidelines and Codes of Practice, and the District Plan aims to ensure that these rules are adhered to and integrated into general resource management practice.

The West Coast Regional Council also has responsibilities under the Act with regard to hazardous substances. It is to develop a facility to provide for storage, treatment, collection and disposal of hazardous substances. Co-ordination and co-operation with the Regional Council is therefore essential to achieving integrated management of hazardous substances on the West Coast. A regional facility is favoured because the quantities of hazardous waste generated individually by each of the three West Coast districts is relatively small. It is most likely that a regional facility will be established as part of a centrally based solid waste landfill at Greymouth.

On a lesser scale, a number of activities individually have minor effects but cumulatively may adversely impact on the amenities of the District. In order to preserve and enhance the amenities of the District, controls are required to avoid, remedy or mitigate such effects where practicable.

Signs may potentially detract from amenity values, particularly visual amenity. The degree of effect will depend on the sensitivity of the receiving environment and the nature of the sign itself. Controls on signage are more restrictive (in terms of size, number, height, placement etc.) in more sensitive receiving environments, including residential and rural areas. Remote signs i.e. signs not relating to onsite activities are not permitted throughout the District, other than regulatory signs, traffic signs, signs identifying public facilities e.g. toilets and motorist information signs erected by a public body. This is necessary to avoid visual clutter associated with excessive and unnecessary signage and to protect traffic safety. The Council recognizes that there is a demand for advance signs on the state highway identifying upcoming tourist and other business activities. Such motorist information signs are already provided for by Transit New Zealand, in the form of internationally recognized motorist service signs (white and blue) and tourist attraction signs (brown and white).

### **Anticipated Environmental Outcomes**

Implementation of the above policies and parent objectives is expected to achieve the following outcomes.

I Maintenance and enhancement of the quality of the living, working and leisure environment.

II Increased awareness of safe management practices relating to hazardous wastes and a reduction in the number of accidents and spills involving hazardous substances.

III Establishment of a regional hazardous waste disposal and storage facility.

## Western Bay of Plenty District Council



# General

## 4A. General

### 4A.1 Activities Not Specifically Provided For

11.2

#### Explanatory Statement

Activity lists are used in the District Plan to provide certainty for users and are intended to cover all likely expected activities. It is difficult for a District Plan to cover every eventuality with the use of such lists. Any activities not listed (other than those that fall within the jurisdiction of The Regional Council) shall, therefore, be treated as Non-Complying in order to provide a full opportunity to assess the adverse effects on the environment that the activity may give rise to.

#### 4A.1.1 Significant Issue

The actual or potential adverse effects on the environment arising from activities not specifically provided for in the District Plan may not be able to be adequately controlled through defaulting to Discretionary Activity status in the absence of specific provisions to deal with these effects. In addition, issues of planning precedent and District Plan integrity may arise in respect of applications for activities not specifically provided for.

#### 4A.1.2 Objective

The avoidance and/or minimisation of the likely adverse effects on the environment and on District Plan integrity arising from activities not specifically provided for in the District Plan.

#### 4A.1.3 Policy

The adverse effects of activities not specifically provided for in the District Plan should not be of an unanticipated nature and scale nor should such activities either individually or cumulatively create the potential for the integrity of the District Plan to be undermined.

#### 4A.1.4 Rule

With the exception of those activities that fall under the jurisdiction of The Regional Council, or that are provided for in the general provision of the District Plan, any activity that is not listed in the activity lists in the District Plan shall require a resource consent for a Non-Complying Activity.

19.5

### 4A.2 Temporary Activities

#### Explanatory Statement

Temporary offices, storage sheds, storage yards, builder's workshops and other similar buildings and activities incidental to a building or construction project are frequently in use within the *District* and should be provided for with appropriate controls.

being an average of at least 2000m<sup>2</sup> of net land area per dwelling (including those provided for as a Permitted Activity);

- (p) Minor Dwellings on Matakana Island; | 3.12
- (q) Expansion of existing Coolstores and Packhouses (consented as at 1 January 2010) associated with kiwifruit and avocado industry and not within a Post Harvest Zone;
- (r) Protection Lot subdivision not complying with 16.4.2(h)(ii).

### 16.3.5 Non-Complying Activities

- (a) Subdivision not meeting performance standards in 16.4.2. | 32.11
- (b) Minor dwellings not complying with performance standards specified in 16.4.1(f).
- (c) Additional Dwellings.
- (d) New Coolstores and Packhouses greater than 200m<sup>2</sup> gross floor area.

## 16.4 Activity Performance Standards

### 16.4.1 General

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for the assessment of all other activities. Any permitted activity that fails to comply with any of these standards will be a Restricted Discretionary Activity for the particular non-compliance.

Except where specified otherwise the following performance standards shall be met by all land use activities.

#### (a) Height of buildings

Maximum – 9.0m.

#### (b) Daylighting

No part of any building shall exceed a height equal to 2.0m above ground level at all boundaries and an angle of 45° into the site from that point. Except where the site has a boundary with a road in which case this rule shall not apply in respect to that boundary.

Provided that:

A building may encroach through the above daylighting plane where the written approval of the owner(s) of the immediately adjoining property to the specific encroachment is obtained.

- 30° to less than 45° 4.0m
- 45° or more 3.0m

5. Battens to be at 1.0m intervals.

(ii) Deer (Minimum)

As specified in the Deer Farming Notice (No 5 2008) of the Wild Animal Control Act 1977.

- (k) **Transportation, Access, Parking and Loading** - See Section 4B.
- (l) **Noise and Vibration** - See Section 4C.1.
- (m) **Storage and Disposal of Solid Waste** - See Section 4C.2.
- (n) **Lighting and Welding** - See Section 4C.3.
- (o) **Offensive Odours, Effluent Aerosols and Spray Drift** - See Section 4C.4.
- (p) **Screening** - See Section 4C.5.
- (q) **Signs** - See Section 4D.
- (r) **Natural Environment** - See Section 5.
- (s) **Landscape** - See Section 6.
- (t) **Historic Heritage** - See Section 7.
- (u) **Natural Hazards** - See Section 8.
- (v) **Hazardous Substances** - See Section 9.
- (w) **Financial Contributions** - See Section 11.

## 16.4.2 Subdivision Activity Performance Standards (See Section 12)

32.12  
39.41  
39.43

(a) **General**

(i) Shape factor

Each lot which will qualify for the erection of a dwelling as a Permitted Activity shall be capable of accommodating a 20m diameter circle exclusive of yard requirements, such area to contain a building site complying with 12.4.1 (b).

(ii) Conflict with Intensive Farming Activities

Each lot shall be located no closer than 300m from an existing intensive farming activity.

11. The rural land resource can be sought to establish industrial or commercial activities because it is generally less expensive to obtain than land within Industrial and Commercial Zones.

Allowing these activities to establish within rural areas has the potential to detract from the rural character and amenity of the zone as well as increase conflict with existing activities. It also has the potential to undermine the integrity of the zones established for these uses in urban areas by reducing demand and resulting in inefficient use of resources.

12. Seasonal worker accommodation is an important component of the horticultural sector. For efficiency and social and economic reasons they should be located in association with the employment source.
13. The siting of network utility operations in rural areas is often constrained by the fixed location of the particular resource being utilised, thereby creating the potential for reverse sensitivity effects to occur in respect of other rural land users.

## 16.2 Objectives and Policies

39.4 19.20  
39.36 32.17  
39.35

### 16.2.1 Objectives

11.15

1. Maintenance and enhancement of the ability of the highly or moderately versatile rural land resource to be used for primary productive purposes. 1.1  
19.19
2. Appropriate provision for activities not directly based on primary production but which have a functional or other legitimate need for a rural location.
3. The efficient use and development of the rural land resource for primary production. 3.3  
26.14
4. Protection and enhancement of the low density character and amenity values of the rural environment. 19.21  
39.37
5. Protection and enhancement of ecological, landscape, cultural, heritage and other features located in the rural environment which are of value to the wider community.
6. The efficient and cost effective provision, management and further development of roading, water supplies and other infrastructure required to meet the needs of rural activities and communities.
7. The efficient use and development of regionally important mineral resources.
8. Fulfilment of the special relationship of Maori with their ancestral land including the particular culturally based housing needs and traditions associated with such land.
9. Preservation of the options for the future use of land identified in the Bay of Plenty Regional Policy Statement as being required for future urban development. 3.4  
4.8

3.7  
35.9

## 16.2.2 Policies

1. Subdivision, use and development of the highly or moderately versatile rural land resource should occur in a way which retains its potential to be used for a range of productive rural purposes and which maximises the likelihood of it actually being used for such purposes. 1.3
2. Fragmentation of the highly or moderately versatile rural land resource for purposes not directly related to maintaining or enhancing the primary productive potential of the rural land resource should be avoided or minimised. 1.4
3. Except where specifically tailored to accommodate other activities with a legitimate need for a rural location, new rural lots created through subdivision should be of a size and nature suitable for a range of primary productive uses.
4. Subdivision, use and development which has the potential to inhibit the efficient use and development of rural land for primary production or to inhibit the efficient use and development of existing mineral extraction sites (including vehicle access routes to such resources) should be avoided or minimised.
5. Subdivision, use and development of rural land for purposes other than primary production and which have the potential to inhibit the efficient and lawful operation of existing or designated network utility operations should be avoided or minimised.
6. The amalgamation of existing rural lots into larger land parcels should be encouraged.
7. Provide for the amalgamation of large rural lots for productive purposes through the provision of incentives.
8. Encourage the amalgamation of titles in areas with deficient infrastructure services and remote from employment areas through the provision of incentives.
9. Provision should be made for the limited subdivision of land (including the transfer of title rights to identified areas) in conjunction with the sustainable protection or restoration of ecological, cultural, heritage, landscape or other features of value to the wider community.
10. Activities with a functional or other legitimate need for a rural location should not be established in rural areas unless they are able to be undertaken without constraining the lawful operation of productive rural land uses which are carried out in accordance with accepted management practices.
11. The establishment in rural areas of industrial, commercial or other activities which do not have a functional or other legitimate need for a rural location should be avoided. 4.8
12. Subdivision and development should not occur in rural areas which have inadequate roading or other infrastructural capacity to cater for such development.



2. The potential for the operation of non-rural activities in rural and isolated natural environment areas to generate noise which detracts from existing amenity;
3. The potential for Permitted Activities within one zone to generate noise which detracts from the existing amenity of nearby zones;
4. The perception of the rural area as being a quiet environment does not reflect the realities of the Rural Zone as a productive working environment and increases the potential for reverse sensitivity issues.

#### **4C.1.2 Objectives and Policies**

##### **4C.1.2.1 Objective**

An environment free of unreasonable noise in accordance with the amenity of the zone within which the noise is generated.

39.13(a)

##### **4C.1.2.2 Policies**

1. Ensure activities do not generate noise levels inconsistent with the amenity of the locality in which the generated noise can be discerned;
2. Exempt from the maximum permitted noise level requirements those activities which are an integral part of accepted management practices of activities associated with production land in rural areas as well as other activities clearly of a temporary nature (e.g. construction works, military training exercises);
3. Have regard to any relevant New Zealand standards, guidelines, or codes of practice in the assessment of applications for resource consents.

39.13(a)

#### **4C.1.3 Activity Performance Standards**

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for all other activities. Any Permitted Activity which fails to comply with any of these standards shall be deemed a Discretionary Activity for the particular non-compliance.

##### **4C.1.3.1 Construction Noise**

Construction noise shall not exceed the noise limits in, and shall be measured and assessed in accordance with the requirements of NZS 6803:1999 Acoustics – Construction Noise.

#### 4C.1.3.2 Noise Limits

(a) **Noise limits for activities in Residential, Rural-Residential, Future Urban, Rural and Lifestyle Zones**

All activities located within these zones shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the notional boundary of any dwelling in a Rural, Lifestyle or Rural-Residential Zone, or at any point within the boundary of any property within a Residential or Future Urban Zone (other than the site of the activity).

39.13  
(b)  
(c)

Time Period		Sound Level Not to be Exceeded	
Day	Hours	Leq	Lmax
Monday to Saturday	7am to 10pm	50dBA	N/A
Sunday	7am to 6pm	50dBA	N/A
At all other times and on public holidays		40dBA	65dBA

(b) **Noise limits for activities in Industrial and Commercial Zones**

All activities located within Industrial and Commercial Zones shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the notional boundary of any dwelling in a Rural Zone or Rural-Residential Zone, nor at any point within the boundary of any property within a Residential or Future Urban Zone:

Time Period		Sound Level Not to be Exceeded	
Day	Hours	Leq	Lmax
Monday to Saturday	6am to 10pm	55dBA	N/A
Sunday and Public Holidays	9am to 6pm	55dBA	N/A
At all other times		45dBA	70dBA

(c) **Noise sensitivity**

- (i) For potentially noise-sensitive activities such as commercial offices, places of assembly, medical, veterinary or scientific facilities and dwellings and accommodation facilities, an acoustic design certificate shall be provided at the time of building consent demonstrating the building has been designed so that the internal noise limits set out in the following table are not exceeded;
- (ii) Where windows and doors must be closed in order to meet the internal noise standards, an alternative means of ventilation shall be provided which meets all relevant requirements of the Building Code.

39.13  
(d)

	Sound Level Not to be Exceeded	
	Daytime period	Night time period
	Leq	Leq
Offices not accessory to any industry, storage or warehousing	45dBA	N/A
Residential units (habitable spaces)	45dBA	30dBA



**Mackenzie District Council**

## SECTION 3 - DEFINITIONS

The following are definitions of terms used in the rules contained in this District Plan.

**Access:** means that area of land over which a site or allotment obtains legal vehicular and/or pedestrian access to a legal road. This land may include an access leg, a private way, common land as defined on a cross-lease or company-lease; or common property as defined in Section 2 of the Unit Titles Act 1972.

**Access Leg:** in relation to a rear allotment or rear site, means the strip of land, which is included in the ownership of that allotment or site, and which provides the legal, physical access from the frontage legal road to the net area of the allotment or site.

**Access Lot:** means an allotment which provides the legal access or part of the legal access to one or more allotments, and which is held in the same ownership or by tenancy-in-common in the same ownership as the allotment(s) to which it provides legal access.

**Accessory Building:** in relation to any site means any separated building the use of which is incidental to that of any other principal building, or use on that site, and for residential activities includes a sleep out, garage or carport, garden shed, glasshouse, swimming pool, mast, shed used solely as a storage area, or other similar structure, provided that any garage or car-port which is attached to or a part of any building shall be deemed to be an accessory building.

**Act:** means the Resource Management Act 1991.

**Accessway:** means access way as defined in Section 315 of the Local Government Act 1974.

**Allotment:** for the purpose of subdivision means a lot, two or more adjoining lots to be held together, or any balance area, shown on a subdivision consent plan, **except that** in the case of land being subdivided under the cross lease or company lease systems or the Unit Titles Act 1972, allotment shall have the same meaning as **site**.

**All Weather Standard:** means a pavement which is trafficable under all weather conditions, and includes metalled and sealed surfaces.

**Amenity Tree Planting:** means tree planting for aesthetic, decorative or amenity purposes, or in the immediate vicinity of buildings.

**Antenna:** means a telecommunication apparatus used for transmission or reception including the antenna bracket or attachment but not any support mast or similar structure, and includes any satellite dish.

**Aviation Activity:** means the use of land, air, water and buildings for commercial aviation purposes.

**Boundary:** means any boundary of the net area of a site and includes any road boundary, side or internal boundary. Site boundary shall have the same meaning as boundary.

**Internal Boundary:** means any boundary of the net area of a site other than a road boundary and includes a side boundary.

- more than 5000m<sup>2</sup> of indigenous vegetation except where the clearance is carried out within an area of improved pasture

**Exemptions:**

This rule shall not apply to:

- any removal of declared weed pests or vegetation clearance for the purpose of track maintenance; or
- any vegetation clearance which has been granted resource consent by the Canterbury Regional Council under the Resource Management Act 1991.

For the purpose of this rule improved pasture shall mean an area where species composition and growth has clearly been significantly modified or enhanced within the last 10 years by cultivation or top dressing and over sowing or direct drilling, and where exotic species are obvious.

**12.2 Discretionary Activities - Vegetation Clearance**

12.2.1 Any clearance of vegetation not provided for as a Permitted Activity or Non-Complying Activity.

**12.3 Non-Complying Activities**

12.3.1 Clearance of more than 10% of the total area of indigenous vegetation cover present on any Site of Natural Significance identified on the Planning Maps.

**13 SCHEDULED ACTIVITIES****13.1 Permitted Activities**

13.1.1 Any Scheduled Activity listed in Schedule A to the Rural Zone as a Permitted Activity and which complies with the standards specified for that particular activity.

**13.2 Controlled Activities**

13.2.1 Any Scheduled Activity listed in Schedule A to the Rural Zone below as a Controlled Activity.

**13.3 Discretionary Activities**

13.3.1 Any Scheduled Activity listed in Schedule A to the Rural Zone below as a Discretionary Activity.

**14 AVIATION ACTIVITIES****14.1 Permitted Activities**

14.1.1 The take-off or landing of aircraft limited to emergency rescues and landings, fire fighting, farming, residential or non-commercial recreational purposes, management purposes on land administered under the Conservation Act or its First Schedule, or activities of the New Zealand Defence Force.



14.1.2 Aircraft landing sites for commercial recreation within Public Conservation Land provided:

- a the landing enables the passengers to experience the area and/or participate in other recreational pursuits.
- b there is no picking up of passengers.

14.1.3 Infrequent landing sites for commercial aviation to enable passengers to participate in other recreational pursuits, provided that no property shall be used for this purpose for more than 5 excursions in any week. (An "excursion" means a take-off and a landing at the site).

## 14.2 Controlled Activities

14.2.1 Aviation activities on "Aviation Sites" identified on the Planning Maps restricted to

- Take off and landing of rotary wing aircraft
- Associated aircraft movement and taxi areas, navigational aids, control towers and ancillary uses
- Office and customer reception areas including baggage and freight handling facilities
- Refuelling areas
- Car parking areas

Aviation activities shall comply with the standards specified below:

### Standards

#### 14.2.1.a Landscaping

A landscape strip of an average depth of 3m and a minimum depth of 1m shall be established along all road boundaries, except across entranceways.

#### 14.2.1.b Appearance of Buildings

All buildings associated with aviation activities shall comply with the Tekapo or Twizel Colour Palette as appropriate. (MDC 1995)

#### 14.2.1.c Outdoor Storage

- i All outdoor storage of goods (excluding vehicles) shall be screened from public view by a fence of not less than 1.8m in height, or dense planting to the same height.
- ii No outdoor storage shall be located within the minimum setback from road boundaries.

### Matters Subject to Council's Control

- Layout of the landing, building, parking, support facility and access areas in relation to each other and to other operators facilities and operations.
- Building design and external appearance.
- Signage
- Storage of Fuel

## 14.3 Discretionary Activities

14.3.1 Any Aviation Activity which does not comply with any of the following standards for Controlled Aviation Activity:

- 14.2.1.a Landscaping
- 14.2.1.b Design and Appearance of Buildings
- 14.2.1.c Outdoor Storage

14.3.2 Landing sites for commercial aviation, other than within public conservation land, to enable passengers to experience the area and/or participate in other recreational pursuits.

14.3.3 Any aviation activity which is not provided for as a Permitted, Controlled or Discretionary Activity.

## **15 OTHER ACTIVITIES (Including Farming Activities, but not factory farming)**

### **15.1 Permitted Activities**

15.1.1 Activities, other than those specified in Clauses 3 to 14 of the Rural Zone, which comply with all of the following standards:

#### **15.1.1.a Pastoral Intensification**

Pastoral intensification (refer definitions) shall not exceed 5% of any Site of Natural Significance identified on the Planning Maps other than on Geopreservation sites.

##### **Exemption:**

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

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

provided such mechanism:

- protects the significant natural character of the Site of Natural Significance, and
- remains current for the duration of the activity, and
- the terms of the mechanism have not been breached, and
- has been lodged with the Council

#### **15.1.1.b Noxious and Unpleasant Activities**

No activity shall involve the following:

- panel beating, transport depots, motor vehicle repairs or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection or recycling service, motor body building, fish or meat processing or require an Offensive Trade License or similar under the Health Act 1956 or its amendments.

### Implementation Methods

- Encourage and co-ordinate with other agencies the continuation or establishment of local landholder stewardship groups to facilitate land uses and land management practices which promote sustainable land management.
- To remain informed through contact with other agencies and landholders of developments in practices and the application of technology to problem land area; jointly with landholders liaise with the Canterbury Regional Council, Government Departments and Crown Research Institutes 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.
- Encourage the provision of information that promotes land management practices which do not cause accelerated erosion or depletion of soil quality.

### Environmental Results Anticipated

- A gradual change to more sustainable land use practises with a decrease in induced soil erosion and soil quality depletion.

### ***Rural 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 general rural and physical environment.*

### Reasons

- While a wide range of activities is desirable in the rural area it is important that the effects of these activities does not significantly impact on the enjoyment of the area for residential or recreation use (whether associated with rural productive use or not) or on the efficient carrying out of productive uses.
- There is considerable potential for activities such as intensive livestock 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.

### ***Rural Policy 6A - Livestock Farming***

*Avoid, remedy or mitigate adverse effects of livestock farming to protect the amenity of rural areas and the quality of the physical environment.*

### Explanation and Reasons

- As for Objective 6
- This policy recognises the potential for all 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, including education and general promotion of good management practices. Council will monitor the environmental impact of livestock farming as well as the effectiveness of the various methods chosen to maintain or enhance environmental quality.
- Many problems associated with factory farming and intensive livestock farms occur as a result of poorly designed buildings and enclosures and inappropriate

management and waste disposal methods. Given the adverse effects are so dependent on management practices and the sensitivity of the surrounding environment it is appropriate to consider each factory farming proposal on its merits and have the necessary standards attached to each operation.

- While many people who live in rural areas are willing to accept a level of noise or smell associated with factory farms and some intensive farming, these are likely to be irritating or unacceptable to people living in an urban area.

#### **Implementation Methods**

- Promoting the use of industry codes of practices
- Liasing with farming groups
- Liasing with Canterbury Regional Council and other groups regarding water quality and resource management options for environmental improvement.
- Rural Zone: Factory Farming
- Rural Zone: Proximity to Urban Areas

#### **Environmental Results Anticipated**

- Improved intensive livestock management systems which limit the amount of degradation of the physical environment, to a level acceptable to rural residents.
- Avoidance of adverse smell and noise nuisance in urban areas from factory farms.

---

#### ***Rural 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 particularly as viewed from the state highways.*

---

#### **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.

#### **Implementation Methods**

- Building set backs from roads and boundaries

#### **Environmental Results Anticipated**

- Limiting of nuisance effects of rural activities on rural residents to an acceptable level.
- Set back of buildings which ensures the avoidance of an urban style of road scene.



---

**Rural 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 in order that an assessment may be made as to the sensitivity of an area and the degree to which an operation will minimise any adverse effects to the amenity and environment of a rural area.*

*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 effect 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.

**Implementation Methods**

- Mineral Prospecting - Permitted
- Mineral Exploration - Controlled
- Other mineral extraction - Discretionary

**Anticipated Environmental Results**

- Utilisation of mineral resources within the District, providing that the scale of each operation and its effects, both long term and short term, are appropriate to the environment.

---

**Rural Policy 6D - General Amenity Controls**

---

*To encourage and/or control activities to be undertaken in a way which avoids, remedies or mitigates adverse effects on the amenities and physical environment of rural areas.*

---

**Explanation and Reasons**

- As for Objective 6
- Uses such as community activities and retail sales of produce, while of value to the community can cause a nuisance or danger by way of noise, poor access, and excess traffic generation. These matters therefore need to be subject to assessment and control.
- Noise limits for noise received by occupants of rural dwellings will be set to avoid restrictions on normal agricultural activities, with noise controls only applying in the proximity of rural dwellings or residential zone boundaries.
- The use of roads by heavy traffic can cause deterioration in roads over time, the maintenance of which will generally be funded by rates and road levies. However, substantial damage to some roads can occur when roads are vulnerable because of recent weather or climatic conditions. In these cases it may be appropriate that any damage caused is compensated for by the people responsible for the damage.

---

**Rural Policy 8D - 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 Opuha and Opihi Rivers and Lakes Ohau, Ruataniwha and Benmore 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 Waimate District Councils.

<b>Rural Objective 9 - Public Safety And Aviation</b>
---

<i>Aircraft operations, which are potentially dangerous, undertaken in a way which ensures a high level of public safety.</i>
---

**Reasons**

- As operations in close proximity to one another, particularly those involving commercial recreational vehicles or aircraft, can result in unacceptable levels of public safety it is appropriate that the council develop policies to overcome, where possible, the potential risks to public safety.

---

**Rural Policy 9A - Commercial Aviation Operations**


---

*To control aviation operations and aircraft landing facilities to enable public safety and economic use of facilities to be taken into account by:*

- *recognising and providing for existing commercial airfields*
  - *specifying landing areas for helicopter operations*
  - *providing for snow landings as a discretionary activity*
- 

**Explanation and Reasons**

- As for Objective 9
- This approach was developed as part of a consultation process with aviation operations in the District which was based on the report "Mackenzie Basin Aviation Needs and Development Strategy" (BECA). From this consultation an Aviation Strategy was developed and then adopted by the District Council for inclusion in the District Plan (Refer Appendix L).
- Some aspects of the strategy will need to be implemented by user groups agreements, acquisition of land and development of facilities.

**Implementation Methods**

- Aviation activity areas
- Discretionary activity for some aviation activities
- Airport zones at Glentanner, Tekapo and Pukaki

**Environmental Results Anticipated**

- Maintaining the level of public safety relating to the operation of commercial recreation and aircraft landing facilities.

- Avoidance of a proliferation of landing facilities.

**Rural Objective 10 - Aoraki/Mount Cook National Park**

Appropriate management of the Aoraki/Mount Cook National Park in accordance with the provisions of the National Parks Act.

**Reasons**

- The National Parks Act 1980 provides a comprehensive management regime and management processes for the Aoraki/Mount Cook National Park. The Council believes that, except where subdivision and buildings consents are involved, the resources of the Park can be most appropriately managed under that legislation and that duplication of regulatory regimes would be inappropriate and unnecessary.

**Rural Policy 10A - Management Plan Support**

To participate, as appropriate, in processes under the National Parks Act 1980 in relation to the development and administration of Management Plans for the Aoraki/Mount Cook National Park.

**Explanation and Reasons**

- As for Objective 1.
- The Council considers that the guiding principles in the preparation and review of the Aoraki/Mount Cook National Park Management Plan and the public input in this process are sufficient to ensure that matters under the Resource Management Act are suitably provided for within the Park.

**Environmental Results Anticipated**

- Preservation of Aoraki/Mount Cook National Park in its natural state and facilitation of safe public use and enjoyment of the Park consistent with that preservation.

**Rural Policy 10B - Natural Hazards**

To recognise in the administration of the Resource Management Act the natural hazards that exist in and within the vicinity of the Aoraki/Mount Cook Village and any measures in place to mitigate the effects of these natural hazards.

**Explanations and Reasons**

- As for Objective 1.
- Aoraki/Mount Cook Village is currently occupied by the Hermitage and ancillary buildings. Flooding and debris flows from the Black Birch, the Glencoe and the Kitchener pose threats to the Village's permanent and travelling accommodation and facilities. These threats have been identified and protection works initiated to mitigate the effects of the natural hazards.

**Implementation Methods**