

- 1 Rural Zones
- 2 Residential Zones
- 3 Commercial Zones
- 4 Industrial Zones
- 5 Recreation Zones
- 6 General Rules
- 7 Definitions
- 8 Appendices



## **1 RURAL ZONES**

### **1.1 LAND**

#### **1.1.1 ISSUE 1**

Land uses in Rural Zones can give rise to adverse environmental effects.

#### *Explanation*

*Activities can give rise to undesirable environmental effects. Identifying areas by their sensitivity and establishing appropriate controls along with other methods can mitigate or avoid these effects.*

*Some activities and their effects can reduce the opportunities available to manage land in rural areas in an integrated and sustainable manner (see Part B(1) Land Resources, (2) Natural Environment, (3) Activities on the Surface of Water, (4) Natural Hazards, (5) Waste Management and Hazardous Substances, (6) Air Quality, (8) Rooding, (9) Services and Other Physical Resources, (11) Amenity Values and (12) Noise).*

#### **1.1.2 OBJECTIVE**

Manage land in the District for the greatest benefit of present and future generations while safeguarding the life-supporting capacity of soil and ecosystems and avoiding, remedying or mitigating any adverse environmental effects.

#### *Principal Reason*

*Seeks to promote the sustainable management of the land resource (see also Objective (1) in Part B(1) Land Resources).*

#### **1.1.3 POLICIES**

- (1) To provide for a range of land use activities in rural areas while avoiding or mitigating the adverse environmental effects of these activities by way of the following zones:

#### *Explanation and Principal Reason*

*The Rural Zones set out below reflect the character and amenity of rural areas in the District together with the level of environmental effects anticipated. In preparing these zones the objectives and policies for Rural Zones and for Part B of this Plan were considered.*

*Those activities which Council has identified as likely to give rise to some adverse effects are made the subject of rules. Where rules can be specified with precision they are included as performance standards. Where the effects are likely to vary according to the location and scale of the activity consent for a controlled or discretionary activity is generally required. Those activities which are non-complying are either of a type which are individually or cumulatively with other proposals of the same or similar nature, anticipated to have inappropriate adverse effects within the zone.*

(a) Rural 1 Zone (General Rural)

*Explanation and Principal Reason*

*The Rural 1 Zone includes most of the plains and downland areas with the exclusion of Class I and Class II land. This zone provides for a wide range of primary production activities and other forms of economic activity which are not considered likely to adversely effect physical resources elsewhere in the District (see Performance Standards in Rural 1 Zone Rules). Many activities such as residential use will be subject to servicing limitations. Subdivision for rural activities and rural living sites is more limited than it has been in the recent past. The intention is still to provide for a range of activities including rural lifestyle blocks. In some areas such as those close to Timaru the level of current subdivision is such that there will be very limited provision for more intensive subdivision (see General Rule 6.3). On the downlands there is limited capacity to supply more water through rural water supply schemes. Limitations on Rural Living Site subdivisions and residential uses are necessary on the Levels Plains in the immediate vicinity of the Richard Pearse Airport and Timaru International Raceway to help manage the adverse noise effects from those facilities (see Issue 1.4.1 in the Rural Zone provisions, Policy 5.2.2.1 for the Recreation Zones and Discretionary Activity 2.2 in the Recreation 3 Zone).*

(b) Rural 2 Zone (High Quality Land)

*Explanation and Principal Reason*

*Rural areas with the most versatile land are included in the Rural 2 Zone (Class I and Class II). Limitations on the development of land in this zone aim to protect the versatility of this resource for future generations. The establishment of buildings in this zone and subdivision is limited because of the need to protect the versatility of land in this zone.*

(c) Rural 3 Zone (Coastal)

### *Explanation and Principal Reason*

*The Rural 3 Zone covers those areas the coastal environment of the District which retain a high degree of natural character, and where inappropriate use and development would threaten those natural character values.*

*This policy recognises the importance placed by the Resource Management Act on preserving the natural character of the coastal environment, and protecting it from inappropriate subdivision, use and development.*

#### (d) Rural 4 Zone (Geraldine Downs and Blandswood)

### *Explanation and Principal Reason*

*This zone includes the Geraldine Downs and Blandswood, and gives recognition to the high natural or amenity values present in these areas. It is anticipated that any proposal ensures either enhanced or minimal effects on the landscape values present in these localities. At Blandswood, a more intensive form of development is appropriate than for the other parts of the Rural 4 Zone. The Blandswood area of this zone should be characterised by development in character with holiday homes.*

#### (e) Rural 5 Zone (Hill and High Country)

### *Explanation and Principal Reason*

*The Rural 5 Zone covers the principal areas of the hill and high country within the District, including most of the areas recognised as having outstanding natural landscape values or amenity landscape values. These natural landscape values include much of the indigenous vegetation and habitat of indigenous fauna remaining within the District. Controls on activities in this zone aim to ensure that any major land use change or developments are well designed and compatible with existing landscape values and the hill and high country environment (including naturalness and wildness values), and the natural character of riparian areas.*

NOTE: See Policy (9) in Liquid Waste section which addresses the adverse effects of factory farming and effluent disposal.

### 1.1.4 METHOD

- (1) List activities provided for in these zones and require compliance with performance standards for:

- servicing for water supply and effluent disposal and roading
- bulk and location of buildings
- floor heights for flooding
- protection of indigenous flora and fauna and river and coastal margins
- protection of residential amenity

*Principal Reason*

*Listing activities and setting performance standards should provide greater certainty to people about the types of activities and the resulting environmental effects they can anticipate in rural areas and recognises these areas are less densely settled when compared to other zones.*

- (2) A financial contribution shall be required to recover the cost of providing services (see General Rule 6.5).

*Principal Reason*

*Ensures there is land or funding for providing servicing prior to development commencing. Require those activities using the servicing infrastructure to contribute to the cost of providing and maintaining these services and encourages the efficient use of services.*

- (3) Including most areas of the coastal environment in the Rural 3 Zone except for those areas which have been highly modified by built development; depicting Outstanding Landscape Areas and Significant Amenity Landscape Areas on the Planning Maps; including the principal areas of hill and high country in the Rural 5 Zone; and establishing rules (including performance standards) to protect and control the clearance of significant indigenous vegetation and habitats in all rural zones.

*Principal Reason*

*To provide for the protection and enhancement of the natural character of the coastline, hill and high country landscape values, and areas of significant indigenous vegetation and habitats including wetlands.*

## **1.1.5 ISSUE 2**

Some land uses may have adverse environmental effects due to disturbance of the soil, erosion, the spread of weeds and pests, and generation of noise and dust.

### *Explanation*

*Some land uses may have localised effects on water quality in nearby streams and rivers. Other adverse effects may be associated with weeds and pests, noise and dust, and an increased risk of soil erosion.*

## **1.1.6 OBJECTIVE**

Protection of water quality, soil integrity and stability, natural areas including riparian margins, and access to the roading network from the adverse effects.

### *Principal Reason*

*Recognises that the operational aspects of some land uses have a number of adverse effects which should be avoided, mitigated or remedied.*

## **1.1.7 POLICIES**

- (a) To avoid, remedy or mitigate the adverse effects of some land uses. Where a resource consent is required, consideration shall be give to:
- the quality of adjacent waterbodies
  - indigenous flora or fauna
  - significant trees
  - adjacent household units
  - the roading network at access points
  - soil cover
  - noise
  - soil integrity
  - rural amenity
  - riparian and instream habitat
  - archaeological and other heritage issues
- (b) When evaluating any proposal, Council may choose to impose conditions to address adverse environmental effects.

NOTE 1: See Policy 1.3.3 for policy addressing land use adjacent to natural areas.

*Explanation and Principal Reason*

*Aims to avoid, remedy or mitigate the adverse effects associated with some land uses in Rural Zones.*

**1.1.8 METHODS**

- (1) Use zoning, together with performance standards or rules to:
  - limit the adverse effects of land use activities on the environment; and
  - protect sensitive land uses such as residential activities or natural areas with significant conservation values from the adverse effects of activities.
- (2) Any application to reduce or waive one or more of the performance standards shall require a resource consent.
- (3) Liaise with the Canterbury Regional Council where the effects of any activity threaten water quality or would result in significant soil erosion.

*Principal Reason*

*Provides measures for addressing adverse environmental effects of some land uses.*

**1.2 INTENSIFICATION OF DEVELOPMENT**

**1.2.1 ISSUE**

Intensive development can have adverse effects in rural areas.

*Explanation*

*Within the rural parts of the District there has been provision for Rural Living Sites since 27 August 1988. These have enabled a range of lifestyle and rural activities within Rural Zones but were intended to limit the concentration of rural residential development, in order to avoid the likelihood of demand for higher levels of servicing than are ordinarily required in rural areas. The reason for including the date in the rules was to prevent the subdivision for rural living sites of the balance areas leading to concentrated settlement with demand for an urban level of servicing.*

*When preparing this District Plan under the Resource Management Act Council has been conscious that the level of subdivision since 1988 has been rapid and is concerned that if this continues there would be a number of adverse effects:*

- *that some of the rural water supply schemes in the District are unlikely to be able to supply further developments*
- *there is an increasing demand for upgrading of roads*
- *the likelihood of adverse effects of effluent disposal on adjoining properties from intensive development*
- *the loss of rural amenity because of the intensity of other residential development (see also Issue 1.6.1)*
- *impact on the viability of irrigation schemes*
- *conflict with odour and noise effects of existing activities in rural areas including factory farming, motorsports and the Richard Pearse Airport*
- *some of the subdivision is on versatile land*
- *there is an increasing demand for upgrading of roads (see Issue 1.8.1)*
- *conflict with odour and noise effects of existing activities in rural areas, including factory farming, motorsport and the Richard Pearse Airport (see Issue 1.4.1 and 1.5.1); and some of the subdivision is on versatile land (see Issue 1.1.1).*

### 1.2.2 OBJECTIVE

Avoid, remedy or mitigate the adverse effects of intensive development in rural areas.

#### *Principal Reason*

*Enables servicing to be planned for in a rational manner and avoids the need for expensive servicing to address adverse effects of development. The efficient use of physical resources is a matter Council is required to have particular regard to under s7(b) of the Resource Management Act.*

### 1.2.3 POLICIES

- (1) To provide for a range of sites and uses, as long as the environmental effects including cumulative effects of development meet performance standards for the zone.

#### *Explanation and Principal Reason*

*Council's investigations have identified several Resource Management Issues which are closely linked with the intensive development of rural areas. These issues include:*

- *a reduction in the open character of rural areas and the natural character of the coast, wetlands and rivers*
- *increasing demand on finite supplies of potable water in rural water schemes*

- *threats to the quality of surface and ground water from sewage and other non-point source discharges of contaminants*
- *increasing demand for services at a scale and nature comparable to those provided in urban areas*
- *and the responsibility to not be inconsistent with the Regional Policy Statement*

*Among the range of measures available to address these issues Council has included limitations on the scale and intensity of subdivision because of the close link between this activity and the anticipated development opportunities associated with smaller allotments.*

*There is considerable demand for rural residential sites in this District. This policy enables people to realise their aspirations for rural living while limiting the adverse effects of intensive development of this type.*

*Where rural residential development becomes intensive the need for reticulated effluent disposal and other services increases as concerns arise over health issues and levels of service. While onsite treatment of effluent is now possible to higher standards at some cost, disposal of the treated effluent can still be a problem on the clay soils which cover much of the District.*

*The occupiers of rural residential sites frequently expect the servicing of rural sites at a level consistent with the servicing of urban allotments. The community has difficulty covering the cost of high quality services, such as reticulated sewage disposal, and urban standards of water supplies for populations at anything less than urban densities.*

*For additional policies on the servicing of development refer to Part B(5), (6) and (9) (see also Policy 1.1.7).*

- (2) To require subdivision and building development on rural sites, where there are no reticulated water or private bore or sewage schemes, to provide:
- (i) A potable water supply including rain water or private water bore (for household units) as long as there is storage capacity for 45,000 litres of potable water or a private water bore available on the site (see General Rule 6.5) except that the Blandswood area is exempt from this requirement.
  - (ii) Sufficient suitable land within the site for the disposal of effluent using a disposal system approved of by Council (see General Rule 6.3).

### *Explanation and Principal Reason*

*It is important that a source of water and means of sewage disposal are considered at the time of establishing rural living sites as they are not readily addressed afterwards. Reliance on rainwater will sometimes require bringing in water because of the unreliable nature of rainfall in this District and increasing expectations for water quality and quantity now held by most households. Council believes that 1.5 hectares (exclusive of any access strips) would be adequate on sites with limited drainage to ensure that a range of waste water disposal sites are available on the site without providing a nuisance to neighbours.*

*New technology for waste water disposal in the form of package treatment plants together with aboveground sprinklers or irrigators mean that where this type of system is installed and maintained a lesser area is required. A minimum site area of 5000 square metres is acceptable in such situations to provide not only for a dwelling and ancillary driveways, garden etc but also to provide sufficient land for effluent disposal. To ensure that future purchasers are aware of the requirement to install and maintain a specifically designed effluent system (which involves extra costs) there should be a consent notice registered against the title.*

*On more permeable land a minimum site area of 1000 square metres will apply for sewage disposal purposes.*

*Where a reticulated water scheme is not available it may not be possible to take bore water from the site because of a rule in the Transitional Regional Plan requiring up to a 50 metres separation distance between sewage disposal and water abstraction sites.*

#### **1.2.4 METHODS**

- (1) Subdivision and development controls to address adverse environmental effects (see General Rule 6.3).

#### *Principal Reason*

*Controls on subdivision and development provide an opportunity to secure conditions to mitigate against adverse environmental effects. In the longer term should a minimum allotment size not be specified then the adverse environmental effects resulting from an intensification of development would necessitate major expenditure on reticulated services.*

#### **1.3 NATURAL AREAS/TREE PLANTING**

(See also Part B(2) Natural Environment).

## **1.3.1 ISSUE 1**

Land use activities (including vegetation clearance or modification, earthworks, tree planting, wetland drainage, erection of buildings and structures, and agricultural activities) and subdivision, may have adverse effects on the ecological functioning and integrity, natural character, visual and recreational amenity of some remaining natural areas, features and landscapes of the District.

### *Explanation*

*Part II of the Resource Management Act requires that natural areas are recognised and provided for as “Matters of national importance” (s6).*

## **1.3.2 OBJECTIVE**

(1) Protect and enhance the ecological functioning, natural character and integrity of:

- outstanding natural features
- areas of significant indigenous vegetation and habitat
- wetlands, rivers and the coast

from inappropriate subdivision and development.

### *Principal Reason*

*Much of the rural environment has been significantly modified. Remaining natural areas provide an important record of past landscapes, vegetation and habitat types and help to protect the biological diversity of the District.*

## **1.3.3 POLICY**

(1) To avoid, remedy or mitigate adverse effects on natural areas containing significant indigenous vegetation and significant habitats of indigenous fauna, the coastal environment, rivers and wetlands.

When assessing resource consent applications Council will have regard to the impact of the proposed land use or subdivision on:

- indigenous fauna and flora and associated ecosystems and habitat values
- the character and coherence of the coastal environment, rivers, wetlands and other natural areas
- visual qualities and amenity values of the coastal environment and natural areas

- cultural and heritage values including archaeological sites
- wilding tree spread
- the cumulative effects of the clearance of indigenous vegetation where contiguous and/or adjacent areas of land have been cleared

### *Explanation and Principal Reason*

*Aims to avoid or mitigate potential adverse effects of activities in the coastal environment, and on the functioning of significant natural areas including rivers and wetlands. This policy applies to all areas of the coastal environment (refer Part B(2) Policy (11)).*

- (2) To promote the maintenance and enhancement of the riparian margins of waterbodies in association with other government agencies, landowners and other interested groups.

### *Explanation and Principal Reason*

*Seeks to encourage the careful management of riparian margins and to foster enhancement plantings and/or natural regeneration using indigenous plants. The Council is actively involved in carrying out enhancement plantings on land that it administers and through requiring enhancement plantings in association with the creation of some esplanade reserves and strips.*

NOTE 1: Where the proposal includes plantings of trees for shelter-belts, woodlots or forests see Policy 1.3.6 and Policy 1.1.7.

NOTE 2: Where the proposal impacts on the scenic or visual qualities of the landscape see Policy 1.6.3.

### **1.3.4 ISSUE 2**

Tree plantings for shelter-belts, woodlots or forests can have an adverse effect on neighbouring residential activities and other rural land use.

### *Explanation*

*There can be adverse environmental effects where trees are located in close proximity to residential land use eg overshadowing buildings on neighbouring properties (see Issue 1.3.1 for consideration of other forms of rural land use).*

### **1.3.5 OBJECTIVE**

- (1) Give a measure of protection to residential and roading activities from the adverse effects of shading from large-scale tree plantings adjacent to dwellings and public roads on adjoining properties.

### *Principal Reason*

*To limit some of the major adverse effects on amenities of large-scale tree planting. It is not intended to protect private views or to protect individuals from the effects of amenity planting, orchards or individual trees, as these issues can be addressed through the Property Law Act or the Disputes Tribunal. Large-scale tree planting is intended to refer to shelter-belts, woodlots and forestry.*

### **1.3.6 POLICY**

To avoid or mitigate the adverse effects of shelter-belts, woodlots and forests on household units and the roading network.

(a) In considering any application for the establishment of shelter-belts, woodlots or forestry, consideration shall be given to any adverse effects of shelter-belts, woodlots and forestry on:

- existing roading patterns
- the roading network due to increased traffic or the safety of access points (both within and external to plantings)
- riparian and coastal margins
- features of ecological or cultural value
- areas or structures of heritage importance
- residential amenity such as light and ventilation to household units
- the tree species and cultivation regime proposed
- the direction of the sun and likelihood of shading
- the visual quality of the area where exotic species obstruct views or provide an unnatural contrast to the landscape
- adjacent land use from wilding tree spread
- motorist sight lines at intersections
- the surface of roads where shading may lead to icing
- areas or structures of heritage importance, including archaeological sites.

(b) When evaluating any proposal Council may choose to impose conditions to limit adverse environmental effects or may not approve discretionary activities if it considers that there will be undue adverse effects when assessed against the criteria in the following reports:

- “Commercial Forestry and the Resource Management Act 1991” (August 1994) by New Zealand Forest Owners Association Inc, New Zealand Local Government Inc, Ministry for the Environment, and the Ministry of Forestry.
- “New Zealand Forest Code of Practice” (2nd Edition, June 1993) by the Logging Industry Research Organisation.

- NOTE 1: See Policy 1.8.3 for further policy addressing the effects of trees on roads.
- NOTE 2: See Policy 1.6.3 for further policy addressing the effects of plantings of trees on the scenic or visual qualities of the landscape.
- NOTE 3: See Policy 1.3.3 for further policy addressing the effects of plantings of trees on natural areas.
- NOTE 4: See Policy 1.1.7 for policy addressing the harvesting of trees.

### *Explanation and Principal Reason*

*Plantings of trees have the potential to cause significant adverse environmental effects. This policy aims to avoid such adverse effects on neighbouring residential and roading activities by achieving some degree of control over the effects of shelter-belts, woodlots and forests.*

*Road user safety can be improved where clear sight lines are maintained and the incidence of icing due to shading by trees is avoided where possible.*

### **1.3.7 METHODS**

- (1) Include the main natural areas of the District in the Rural 3 and 5 Zones

#### *Principal Reason*

*Many areas with high natural values in this District lie adjacent to the coast, along major rivers and in the foothills and high country. Zoning these areas will enable Council to comprehensively address any threats development may pose to the integrity of the natural values present.*

- (2) Include areas with amenity and landscape values adjacent to Geraldine and at Blandswood in the Rural 4 Zone and require the provision of an integrated plan detailing proposals for land with subdivision applications (see General Rule 6.3).

#### *Principal Reason*

*Gives special recognition to the landscape values and natural areas in or adjoining these localities.*

- (3) Use performance standards or rules to mitigate any adverse environmental effects by controlling:
- bulk and location

- visual appearance
- clearance of significant indigenous vegetation
- tree planting in proximity to natural areas and roads
- earthworks
- structures

(see also Methods (3), (9) and (10) in Part B(2) Natural Environment)

- (4) Require a resource consent to clear significant indigenous vegetation and significant habitats of indigenous fauna (see Rules for Rural Zones).

*Principal Reason*

*Requiring a resource consent provides an opportunity to assess the effects and benefits of the proposed activity. Minor trimming or disturbance of significant indigenous vegetation for such purposes as maintaining fencing or existing stock access tracks, utility services, public utilities, radio communication facilities, telecommunication facilities and along state highways and public roads shall be permitted activities.*

- (5) Monitor the effects of wilding tree spread from forestry.

*Principal Reason*

*To identify the extent of wilding tree spread.*

## **1.4 NOISE**

### **1.4.1 ISSUE**

Conflicts occur between rural residential activities and other land uses in rural areas and some activities in adjoining zones including motorsports and industry where there are differing expectations about acceptable noise levels.

*Explanation*

*The demand for a range of lifestyle options to be available throughout the rural area must be balanced against the need to address other resource management issues eg providing for rural residential development in some areas can result in conflicts between rural residents seeking a “quiet” rural environment and those landowners who view their opportunities for rural land use mainly in terms of its income generating ability. Other activities such as airports, railways and state highways also generate noise in rural areas but are regionally significant means of transport.*

## **1.4.2 OBJECTIVE**

Maintenance of a reasonably quiet rural environment while accommodating periodic intrusions.

### *Principal Reason*

*Makes provision for rural activities to operate and generate noise but recognises that the reasonable expectations of rural residential activities cannot be compromised.*

## **1.4.3 POLICIES**

- (1) To provide for a moderate maximum noise level while allowing for reasonable normal seasonal agricultural and forestry use eg harvesting machinery.

When deciding whether to grant applications for resource consents Council shall have regard to the nature, frequency and duration of the noise effects, methods of mitigation, and the sensitivity of the surrounding environment, particularly residential areas. In assessing effects on the surrounding environment the avoidance of concentrating noisy activities in any one locality is desirable.

### *Explanation and Principal Reason*

*There is a community expectation that the rural environment provides a quiet, peaceful respite from the noise associated with the larger settlements. This policy seeks to maintain this expectation while allowing seasonal activities over limited timeframes, however, it is also recognised that some activities producing high noise levels are better located in rural rather than urban areas.*

*Some existing noisy activities including motorsports facilities have authority through resource consents in rural or adjoining zones while the airport has been provided for by way of a designation.*

- (2) To preserve the amenity values of the rural area, non-agricultural activities with a potential adverse noise impact, such as motorsports, powered aviation, range shooting, or entertainment facilities, will be required to obtain resource consents. Noise limits for noise received by occupants of rural dwellings will be set to avoid restrictions on normal agricultural and forestry activities.

The activities of aircraft at the Richard Pearse Airport will also be subject to noise limits within the Airport Noise Boundary identified on Planning Map No 22. Controls on some noise sensitive activities including subdivision for rural living sites are also included to protect the functioning of the Airport.

Subdivision for Activities Sensitive to Aircraft Noise within the Airport Noise Boundary shall be avoided.

On occasions bird scaring devices can cause significant adverse effects. When considering whether the excessive or unreasonable noise provisions of the Act should be used, regard will be had to the time of day or night, location relative to property boundaries, nearby household units and the orientation of the device.

### *Explanation and Principal Reason*

*The establishment of Activities Sensitive to Aircraft Noise within the Airport Noise Boundary, particularly household units, can be incompatible with the efficient use and development of the airport and may adversely affect the operation of the airport by creating the potential for conflict, particularly in respect of noise emissions from airport activities.*

*Noise limits are less restrictive during the day and become more restrictive at night. The bulk of rural land is not affected by noise limits so agricultural and forestry activities should be largely unrestricted. Noise controls apply only in the proximity of rural dwellings or at Residential Zone boundaries and within the Airport Noise Boundary. Noise from activities which are of limited duration, such as harvesting, and is no louder than is necessary, is exempt from the noise limits.*

- (3) To generally exclude activities likely to result in high noise levels from or near to natural areas.

### *Principal Reason*

*To retain intrinsic qualities of natural areas and the preservation of their natural character and to recognise and provide for matters of national importance (see s6 Resource Management Act).*

*See Policy 1.1.7 and Part B(12) for further policy regarding adverse noise effects.*

## **1.4.4 METHOD**

- (1) Set performance standards for noise and generally make those activities which are likely to generate high noise levels discretionary activities (see General Rule 6.21).

### *Principal Reason*

*Recognises and provides for noisy activities and sets limits on noise emissions.*

- (2) Council will take enforcement action where it considers such action is warranted in response to complaints.

*Principal Reason*

*Complies with statutory requirements of Resource Management Act.*

## **1.5 AIR QUALITY**

### **1.5.1 ISSUE**

Some noxious activities produce odour or dust which may have an adverse effect on the surrounding environment.

*Explanation*

*Odour may be an adverse effect of the intensive farming of animals eg pigs especially where animals are housed or their effluent is discharged in close proximity to residential activities.*

*Some rural activities may produce dust which can have an adverse effect on adjacent residential activities eg gravel.*

### **1.5.2 OBJECTIVE**

Enable noxious activities to establish in some rural areas where any adverse environmental effects that reduce air quality may be avoided or mitigated.

*Principal Reason*

*Aims to provide some opportunity for the establishment of some noxious activities in rural areas. By locating activities producing noxious effects in rural areas, it may be possible to reduce the likelihood of conflict between more sensitive locations eg those areas with high natural values or residential uses.*

### **1.5.3 POLICIES**

- (1) To consider the suitability of sites for activities producing adverse air quality effects.

- (a) In deciding whether to grant applications of this type or under what conditions they might be granted Council shall have regard to the:

- nature, frequency and duration of the effects;
- methods of mitigation;
- sensitivity of the surrounding environment, particularly on residents and natural areas;

- alternative locations and methods.
- (b) In assessing effects on the surrounding environment, the Council will favour sites which avoid the concentration of similar effects in any one locality (reference will be made for pig farming applications to the Pork Industry Board's Code of Practice - Pig Farming, August 1993 in helping to decide on the appropriateness of proposals).

*Explanation and Principal Reason*

*The Canterbury Regional Council has responsibility for discharges to air. In considering the effects on air quality (including odour and dust) of any activity requiring a resource consent the District Council shall be concerned with the land use aspect of the application such as whether the activity is in an appropriate location. Activities producing effects may be allowed to establish in rural areas but in many cases a resource consent will be required to consider whether the adverse effects are appropriate in that location.*

- (2) To require activities likely to result in adverse air quality effects to locate away from natural areas.

*Explanation and Principal Reason*

*To retain intrinsic qualities of natural areas and the preservation of their natural character (see Policy 1.3.3 and s6 Resource Management Act).*

### **1.5.4 METHODS**

- (1) Require the assessment of identified activities producing adverse effects on air quality in terms of the suitability of the site for that activity through the resource consent process (see Zone Rules).

*Principal Reason*

*To ensure any offsite effects are considered in deciding applications for activities producing adverse effects.*

- (2) Exclude activities likely to have an adverse effect on air quality from the Rural 3 and 5 Zones.

*Principal Reason*

*Aims to retain the intrinsic qualities of natural areas in the Rural 3 and 5 Zones and to protect their natural character (see s6 Resource Management Act).*

- (3) To require operators of factory farms to live on the site of the operation.

*Explanation and Principal Reason*

*Aims to reduce the occurrence of odour by ensuring operators are resident on site where odour and related problems can be mitigated promptly.*

## **1.6 SCENIC AND LANDSCAPE VALUES AND RURAL AMENITY**

### **1.6.1 ISSUE**

Some forms of land use threaten to alter the character and amenity of rural areas by reducing the visual or scenic quality of rural landscapes.

*Explanation*

*This issue recognises the aesthetic and cultural values attributed to maintaining a much lower level of development in rural areas than is allowed in settlements in order to protect the rural character of these areas. Use and development within outstanding landscape areas should be compatible with the values of those areas.*

### **1.6.2 OBJECTIVE**

Protect and enhance the character and amenity of the District's landscapes.

*Explanation*

*Acknowledges the public expectation of low levels of development in rural areas.*

### **1.6.3 POLICY**

- (1) To encourage all land use to be sympathetic to retaining the rural landscape character and to consider the impact such development will have on views from public places eg state highways and major roads, and from neighbouring activities.

*Explanation and Principal Reason*

*Aims to protect and enhance the open rural character and visual quality of rural areas in the District, eg forests have the potential to adversely affect the character of the landscape where the planting of trees forms a large afforested area.*

- (2) To protect the values of Outstanding Landscapes, Significant Amenity Landscapes and other hill and high country areas from adverse environmental effects associated with buildings and structures, subdivision, quarrying, tracks and roads, and tree planting.

In considering any application for resource consent, consideration shall be given to the following:

(a) Buildings, structures and subdivision

(i) Siting

- Have regard to surrounding landforms when siting buildings and structures.
- Buildings should be located where they complement or enhance the landform.
- Landforms as backdrops to buildings have a unifying effect.
- Avoid ridge tops, promontories, important views and other prominent positions, particularly as viewed from public places.
- Locate near a change in a landform.
- Make use of existing vegetation as a background. Additional planting should be bold, large and dense enough to relate to the scale of the building.
- Minimise excavation and reduce the need for large foundations by following the landform with the building and/or stepping the building into the slope.
- Align the building with the land, so the length of the roofline runs parallel to the contour of the land.
- Group buildings and structures together. Link small structures with other structures.
- Keep building well back from the road, where possible.

(ii) Design

- The scale and form of buildings and structures should be complimentary to the surrounding landscape.
- Relate roof shapes to the lie of the land, reflecting the steepness and direction of the landform.
- Give a sense of unity and identity by keeping building proportions and roof type similar on all buildings in an area.
- Simple forms should be used where the landscape setting is not complicated, such as a valley floor or river terrace. Complex forms are more appropriate

where the landscape is more complex, such as a complex hillside.

- Aim for low buildings with a width greater than the height, which helps to “anchor” the buildings to the site.
- Keep the height of the walls similar to the pitch of the roof.
- Avoid visible basements or foundations, where possible, keeping the floor closely related to ground level.
- When carrying out subdivision ensure site boundaries recognise natural features and achieve visual integration with the surrounding environment.

### (iii) Materials and Colour

- Where possible, materials should complement the landscape or any traditional character of materials in the area.
- Colour of buildings and structures should be derived from those of the surrounding landscape.
- Lighter, brighter colours are generally less acceptable as they stand out from the surrounding landscape.
- Darker or more muted colours tend to blend the building with the backdrop.
- Colours complementary to the surrounds may also be used as accent colours.
- Roof colour should be non-reflective and only one colour.

### (b) Tracks and Roads

- Absorb into the landscape with careful siting to minimise visual impact.
- Follow natural contour lines to reduce the height of cuttings and fill batters, maintain easier grades and reduce scouring and run-off problems.
- Keep earthworks to a minimum. Where cuts must occur, grade back and round off batters to merge into the adjoining landform.
- Locate adjacent to vegetation, slopes or edges of landforms.
- Avoid crossing steep slopes.
- Avoid crossing open spaces. If there are no edges to follow then use large clumps of trees, for example.
- Blend with existing vegetation, avoiding felling where possible.
- Plan and design track drainage carefully.

- Avoid compaction of excavated material, where possible, to retain soil fertility and enhance revegetation.
- Cross waterways carefully, at right angles and narrow points, with simple structures.

(c) Tree Planting

- Follow and complement natural landform patterns and boundaries.
- Build on and merge into existing vegetation.
- Avoid ridgetops, crests, promontories or where planting will obscure or screen important views.
- Avoid planting steeper slopes or where planting will obscure landscape features.
- Use existing vegetation or enclosing landforms as screens.
- Locate plantings in natural depressions or with dominant landform backdrop.
- Avoid straight-line edges to plantings.
- Group plantings, rather than plant individual trees.
- Avoid small disjointed plantings, in dominant horizontal landscapes.
- Use plantings to integrate existing scattered plantings or wildings.
- Group woodlot plantings informally, if possible, rather than in strict lines or rows.
- Vegetation which adds to the natural or historical character of an area should be retained and enhanced with similar planting.
- Group planting of several species can be more appropriate than individual plants or groups of one species.
- Ornamental plantings around the edge are not always the answer to beautification. Good overall planting and design following the natural patterns of the land will usually give better looking results.
- Care should be taken when clearing vegetation; clearing should be done in sympathy with existing vegetation, landforms and contours.
- Measures adopted to avoid and/or mitigate wilding tree spread.
- Measures to be adopted to safeguard soil and water values, particularly in riparian areas.
- Measures to be used to identify and protect areas of high scientific and ecological value.
- Measures to be adopted to identify and protect sites of high traditional, historical and archaeological value.
- Post-harvest management of the area, including rehabilitation and/or replanting.

*Explanation and Principal Reason*

*Aims to avoid or mitigate potential adverse effects of buildings and structures, tracks and roads, and tree planting in the landscapes of the District having high natural, visual and amenity values.*

- (3) To protect the landscape and amenity values of the Peel Forest area from adverse environmental effects of inappropriate development. The Peel Forest area is generally bounded by the Orari River, District Boundary, Peel Forest Scenic Reserve, the Rangitata River, Uprichard Road, Coopers Creek Peel Forest Road and North Boundary Road.

When considering any application for resource consent for sites within this area, Council may choose to impose conditions to avoid or limit adverse environmental effects or may not approve discretionary activities if it considers there will be undue adverse effects.

*Explanation and Principal Reason*

*This policy aims to avoid significant adverse effects on the character and values of the Peel Forest area.*

- NOTE 1: See Policy 1.3.6 for further policy addressing the effects of plantings of trees in shelter-belts, woodlots or forest on the visual quality of the landscape.

## **1.6.4 METHODS**

- (1) Ensure development proposals requiring resource consents address environmental impacts, including landscape and visual effects, on neighbouring activities and views from public places (see Rules for Rural Zones).

*Principal Reason*

*Ensures development is more sympathetic to amenity and landscape values.*

- (2) Use rules and performance standards for tree planting, location of structures, and subdivision to control adverse landscape and visual effects (see Rules for Rural Zones).

*Principal Reason*

*To limit the adverse effects of building development on the landscape character and visual quality of an area.*

- (3) Consider waiving fees for processing resource consent applications for activities in the Rural 5 Zone.

## 1.7 TAKATA WHENUA

### 1.7.1 ISSUE

In some rural areas, opportunities for Takata Whenua to gain access to mahika kai are limited due to restrictions imposed by land tenure. There are also situations where rural land use threatens to reduce the quality and abundance of mahika kai.

#### *Explanation*

*Council has a statutory obligation under Part II of the Resource Management Act to address Maori cultural values. Public access to the coastal marine area is also a matter of national importance under the Resource Management Act. Consultation with the Takata Whenua has shown that this is a concern in a number of locations.*

### 1.7.2 OBJECTIVE

Increased opportunities for Takata Whenua to gain access to mahika kai and to have input into matters which may adversely affect mahika kai.

#### *Principal Reason*

*Addresses access problems and provides for improved consultation with Takata Whenua.*

### 1.7.3 POLICIES

- (1) To recognise and provide for the relationship of the Takata Whenua (people of the land) with their culture and traditions.
- (2) To have regard for the Takata Whenua as kaitiaki (guardians) of the natural resources in their rohe (district).
- (3) To take account of the principles of the Treaty of Waitangi.

#### *Explanation and Principal Reason*

*Acknowledges the statutory obligation Council has to recognise that Kati Huirapa (subtribe of Kai Tahu), as the Takata Whenua, must be consulted as part of the implementation of the Resource Management Act.*

## **1.7.4 METHODS**

- (1) Consult with Kati Huirapa when considering development proposals which have the potential to impact on land and resources such as mahika kai and associated land.

*Principal Reason*

*To ensure Kati Huirapa have adequate opportunity to be involved in all aspects of development proposals affecting natural resources in their region.*

- (2) Ensure Kati Huirapa are given sufficient information on which to base their decisions, sufficient time to participate and consider any information given, and that any advice or recommendations they may provide are genuinely considered.

*Principal Reason*

*Recognises the need to take account of the Treaty principle of genuine consultation.*

## **1.8 ROADING**

### **1.8.1 ISSUE**

Where land use intensifies in rural areas there is greater potential for conflict with the existing roading network.

*Explanation*

*Some land uses create much more traffic than others. Where extra traffic is joining other roads the potential for accidents and a reduction in the efficiency of the roading network is much greater than for activities which generate few traffic movements.*

*Trees growing on property in the vicinity of road intersections may obstruct available sight lines restricting visibility and reducing road safety. Icing of roads is a significant safety hazard where trees shade road surfaces in the middle of the day in winter. Through the enforcement provisions of the Resource Management Act Council shall require owners of trees to trim them to avoid any significant risk of road icing.*

### **1.8.2 OBJECTIVES**

- (1) Maintain a high standard of roading in rural areas and require the safe and efficient provision of roading access from new rural allotments to the roading network.

*Principal Reason*

*Aims to ensure that any development of the roading network, including accessways, is of a high standard in rural areas.*

- (2) Ensure trees are not planted adjacent to roads or road intersections where they may unduly obstruct the vision of motorists or cause shading and subsequent icing of the roadway.

*Principal Reason*

*Endeavours to maintain a high level of public safety on District roads.*

### **1.8.3 POLICY**

- (1) To ensure road access is available to new rural allotments subject to compliance with performance standards which have regard to traffic safety and the efficiency of the roading network.

*Explanation and Principal Reason*

*Council believes it should ensure that the rural community is provided with a roading network of an adequate standard to provide access to rural areas of the District. The roading network is a physical resource which should be managed in an efficient manner (see also Policy 1.1.7).*

NOTE 1: See Policy 1.3.6 for further policy addressing the effects of trees on motorist sight lines and shading of roads leading to icing.

### **1.8.4 METHODS**

- (1) Identify rules which provide for:
- a high standard of roading
  - the maintenance of motorist sight lines
  - the avoidance of shading of roads where this leads to icing
  - the safe and efficient ingress and egress of vehicles
  - controls of signage

NOTE: For the issue of adverse effects relating to stock use of roads see District Council Bylaws.

*Principal Reason*

*Council acknowledges the responsibility it has to all road users in providing safe and efficient roading (see Rules for Rural Zones, and General Rules 6.6, 6.7, 6.13 and 6.15).*

- (2) Ensure adequate access to a formed legal road is achieved for any new allotment or the cost of upgrading is met.

*Principal Reason*

*To ensure a reasonable standard of access is provided.*

- (3) Include in Council's Proposed Tree Guidelines (see Part B11(a)), information that recommends the use of deciduous trees where planting on the north side of roads aligned in an east-west direction as well as providing set back requirements from road intersections.

*Principal Reason*

*To address the environmental effects of trees on roads.*

NOTE: Refer also Policies (3) and (4), Part (8) Roading, regarding vehicle access to roads.

## **1.9 NATURAL HAZARDS**

See Part B(4) and General Rule 6.16 for Issues, Objectives, Policies, Methods and Rules.

## **1.10 RULES FOR RURAL ZONES**

### **1.10.1 RURAL 1 ZONE (R1)**

#### **1 PERMITTED ACTIVITIES**

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Farming other than factory farming and outdoor non-intensive pig farming.
- 1.2 Public or private land used for conservation, and/or open space and/or amenity purposes; and land-based recreational activities not including buildings or structures, and not including use of aircraft or motorised vehicles in wetlands or in areas of significant riverbed habitat during bird breeding seasons.
- 1.3 Walking tracks, pedestrian bridges, board walks and related minor structures which are necessary for these tracks.
- 1.4 A single household unit on a site of not less than 1000 square metres except within the Airport Noise Boundary around Richard Pearse Airport and within 65dBA L<sub>10</sub> Noise Contour around the Timaru International Raceway, as identified on Planning Map No 22.
- 1.5 Household units subsequent to the first household unit on a site, provided they are to be constructed on a farming unit to provide accommodation for persons employed on that farm and that no further subdivision is involved except within the Airport Noise Boundary around Richard Pearse Airport and within the 65dBA L<sub>10</sub> Noise Contour around the Timaru International Raceway, as identified on Planning Map No 22.
- 1.6 Accommodation for a dependent relative, provided that no subdivision is involved except within the Airport Noise Boundary around Richard Pearse Airport and within the 65dBA L<sub>10</sub> Noise Contour around the Timaru International Raceway, as identified on Planning Map No 22.
- 1.7 Home occupations.
- 1.8 Home stays.
- 1.9 The operation and maintenance of all public and private irrigation races in existence when this Plan became operative, and new connections to any existing irrigation scheme.
- 1.10 Drainage works other than those affecting wetlands.

NOTE: A resource consent may also be required from the Canterbury Regional Council for this activity. It is recommended that contact is made with both the Regional Council and the District Council before undertaking drainage works in order to determine whether there are any implications for nearby wetlands.

- 1.11 Road and bridge construction and maintenance within road reserves.
- 1.12 Tracks or bridges outside of road reserves.
- 1.13 Accessory buildings for any permitted activity.
- 1.14 Meteorological Activities.
- 1.15 Airstrips or helicopter landing sites used for private purposes, primary production, emergency operations, pest control, scientific research or resource management monitoring and maintenance of public utilities, utility services and telecommunication facilities and radio communication facilities.
- 1.16 Utility services.
- 1.17 Shelter-belts and the harvesting of trees in shelter-belts.
- 1.18
  - (a) Woodlots and forestry except over 600 metres in altitude within an Outstanding Landscape Area however this does not apply to existing forestry planting located on Lot 2 DP 42718 and Lot 2 DP 321130 which is located above 600 metres in altitude and within an Outstanding Landscape Area;
  - (b) Tree planting or vegetation removal for river control purposes that has been authorised by the Canterbury Regional Council.
- 1.19 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees.

NOTE: Please see provisions in the Natural environment section which promote the protection and enhancement of indigenous vegetation and indigenous fauna.

- 1.20 Minor trimming or disturbance (ie the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.

- 1.21 The harvesting of indigenous vegetation carried out under a sustainable management plan approved under Part III(a) of the Forests Act 1949.
- 1.22
  - (a) Mining, quarrying, extraction of soil, rock, shingle, gravel and sand materials not in riverbeds occurring naturally on or beneath the site in quantities of less than 100 cubic metres in any one year;
  - (b) Extraction of gravel from riverbeds that is permitted by a rule in a Regional Plan or which has been granted resource consent from the Canterbury Regional Council under the Resource Management Act 1991.
- 1.23 Prospecting and exploration as defined in the Crown Minerals Act 1991.
- 1.24 Maintenance and minor upgrading of existing transmission lines at a voltage exceeding 110kV except that this activity shall not be subject to compliance with performance standards.
- 1.25 Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards.
- 1.26 Those activities provided for in the General Rules as permitted activities.

## **2 CONTROLLED ACTIVITIES**

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Outdoor pig farming for up to 20 adult animals and their progeny where the whole operation is not less than: 1000 metres from the nearest Residential Zone, 250 metres from the nearest neighbouring household unit, and 20 metres from the nearest river, watercourse, property or road boundary. Council shall restrict its discretion to the environmental effects associated with visual effects and retaining vegetation cover.
- 2.2 Temporary extraction from existing legally established quarries, not provided for by existing use rights, for the purposes of protecting, restoring and/or repairing infrastructure assets threatened by or resulting from natural hazard events. Council shall restrict its discretion to noise, duration, dust, vibration and hours of operation.

- 2.3 Tree planting, earthworks (including tracking) and structures above 900 metres in altitude. Council shall restrict its discretion to the environmental effects associated with visual effects, retaining vegetation cover and the risk of wilding tree spread.
- 2.4 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.5 Those activities provided for in the General Rules as controlled activities.

### **3 DISCRETIONARY ACTIVITIES**

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Factory farming where the whole operation including effluent discharge is not less than 1000 metres from the nearest Residential Zone other than within the airport noise boundary identified on Planning Map No 22.
- 3.2 The spreading of effluent from factory farming, industrial activities or urban areas where the effluent is spread on the site on more than six days in any one year.
- 3.3 Outdoor pig farming not meeting the requirements for a controlled activity, provided that where the whole operation is not less than 1000 metres from the nearest Residential Zone.
- 3.4 Mining, quarrying, extraction of soil, rock, shingle, gravel and sand materials occurring naturally on or beneath the site in quantities of 100 cubic metres or more in any one year.
- 3.5 Offices other than within the airport noise boundary identified on Planning Map No 22.
- 3.6 Industrial uses, including agricultural contractors' depots, transport contractors' depots.
- 3.7 Sale yards.
- 3.8 Boarding kennels, catteries, breeding establishments for cats or dogs, veterinary facilities other than within the airport noise boundary identified on Planning Map No 22.
- 3.9 Educational or research establishments other than within the airport noise boundary identified on Planning Map No 22.

- 3.10 Community Care facilities other than within the airport noise boundary identified on Planning Map No 22.
- 3.11 Places of Assembly other than within the airport noise boundary identified on Planning Map No 22.
- 3.12 Cemeteries or crematoria other than within the airport noise boundary identified on Planning Map No 22.
- 3.13 Travellers accommodation, including camping grounds other than within the airport noise boundary identified on Planning Map No 22.
- 3.14 Land or facilities for recreational activities not provided for as a permitted activity.
- 3.15 Any activity listed as a permitted, controlled, or discretionary activity which does not comply with the performance standards for this zone.
- 3.16 Public utilities.
- 3.17 Construction of roads or road alignments outside of existing road reserves.
- 3.18 Water storage reservoirs not provided for as a public utility.
- 3.19 Buildings accessory to the use of buildings or land for any discretionary activity.
- 3.20 Roadside stalls where there is no direct access to State Highway 1.
- 3.21 Drainage, reclamation, earthworks or clearance within 20 metres of any wetland identified in General Rule 6.4.2, or on the planning maps.
- 3.22 Airstrips or helicopter landing sites used for commercial purposes.
- 3.23 Emergency Services Facilities.
- 3.24 Those activities provided for in the General Rules as discretionary activities.
- 3.25 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.
- 3.26 Woodlots and forestry except over 600 metres in altitude within an Outstanding Landscape Area however this does not apply to existing forestry planting located on Lot 2 DP 42718 and Lot 2 DP 321130

which is located above 600 metres in altitude and within an Outstanding Landscape Area;

NOTE: When considering applications for discretionary activities regard shall be had to the performance standards for this zone.

#### **4 NON-COMPLYING ACTIVITIES**

The following activities are non-complying in this zone subject to complying with the General Rules:

4.1 Clearance by any means (including burning and spraying with herbicides) or over-planting of significant indigenous vegetation and significant habitats of indigenous fauna.

4.2 All other activities in this zone are non-complying unless they are provided for by a General Rule.

#### **5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE**

- **Sunlight and Outlook**

5.1 All buildings shall be set back a minimum of 6 metres from boundaries with a road frontage and 3 metres from other site boundaries.

5.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.

5.3 The maximum height of buildings shall be 15 metres.

- **Servicing**

5.4 For household units Council will require evidence of access to potable (drinkable) water from either a community water supply scheme or a private bore, or be able to provide storage of a minimum of 45,000 litres of potable (drinkable) water from another source subject to a consent notice registered against the title.

- **Obtrusive Light**

5.5 No lighting exceeding 20 lux measured in the horizontal or vertical planes shall fall on adjoining properties.

All exterior lighting shall be directed away from roads to avoid the incidence of light overspill which may affect the safety of motorists.

- **Riparian**

- 5.6 Shelter-belt, woodlot or forestry plantings within riparian areas adjoining any river or stream shall be set back 5 metres on slopes < 5 degrees gradient; 10 metres on slopes between 5 and 15 degrees; and 20 metres on slopes over 15 degrees.
- This does not apply to the planting of indigenous species being carried out as part of a restoration or enhancement programme in which case there shall be no set back.
- 5.7 Any harvesting of trees or clearance of vegetation within riverbeds or the riparian areas defined in 5.6 shall be carried out so as to avoid detritus and soil from entering any wetland, river or stream.
- 5.8 Tree planting shall be set back a minimum of 30 metres from any wetland, except where planting of appropriate indigenous tree species is being carried out as part of a restoration or enhancement programme for a wetland.
- 5.9 Clearance of indigenous vegetation within 5 metres of a river or stream or within 30 metres of a wetland shall not exceed 100 square metres in any hectare in any five year period.
- 5.10 Helicopter landing sites shall be set back 30 metres from the edge of any wetland except helicopter landings for emergency purposes in which no set back shall apply.
- 5.11 All buildings and structures shall be set back 30 metres from the edge of any wetland, and 20 metres from the bank of any river or stream except for bridges authorised by Canterbury Regional Council (refer General Rule 6.16 also).
- 5.12 All earthworks including track or road formation, mining, quarrying and/or extraction of soil, rock, gravel and sand shall be set back 10 metres from the bank of any river including streams, except for crossing places including bridges and their approaches.
- 5.13 All earthworks including track or road formation, mining, quarrying and/or extraction of soil, rock, gravel and sand shall be set back 30 metres from the edge of any wetland.
- 5.14 All cultivation shall be set back from rivers, streams and wetlands as follows:
- 2 metres on slopes < 5° gradient
  - 3 metres on slopes > 5° gradient
  - 20 metres for all wetlands

5.15 Grazing of stock within the riparian areas defined in 5.14 shall be managed in ways that ensure no rivers, streams or wetlands are significantly contaminated by the activities of stock or their effluent, and that the functioning of riparian areas is not significantly inhibited by overgrazing, soil compaction and bank erosion caused by stock.

- **Tree Planting - Shelter-belts, Woodlots and Forests**

5.16 Shelter-belts, woodlots and forests within 100 metres of the closest part of any household unit on an adjoining site shall be planted or trimmed so that the height of the trees does not exceed a recession plane of 1 in 3.5, originating from the closest part of the household unit.

5.17 No woodlot or forest shall be planted within 300 metres of a Residential Zone boundary.

NOTE: As with other performance standards with the consent of affected neighbours, an application can be made for a discretionary activity to plant closer to the boundary, and the proposal assessed.

- **Road Infrastructure**

5.18 A financial contribution may be required where vehicle usage will result in a significant deterioration in the roading infrastructure at the points of entry onto the public roading system to the full cost of restoring any damage.

Due notice shall be given to Council for any proposal to harvest trees before harvesting commences so that any necessary upgrading of roads and bridges can be prioritised and consent processes, including the implementation of conditions to mitigate adverse effects of harvesting, can be carried out in advance of the harvesting taking place.

NOTE: Section 55 of the Transit New Zealand Act 1989 gives roading authorities the power to require the owner or occupier of any land on which any tree, hedge or shrub is growing, which affects or may affect road safety or road damages to have the vegetation cut down, lowered, trimmed or removed.

- **Protection of Indigenous Vegetation and Habitats of Indigenous Fauna**

5.19 The planting of trees shall avoid the clearance or over planting of areas of indigenous vegetation or habitats of indigenous fauna listed in the schedules to the planning maps.

5.20 Shelter-belt, woodlot or forestry plantings shall be set back at least to the drip-line of mature trees of the species being planted where such planting adjoins areas of significant indigenous vegetation.

5.21 Construction of fencing shall avoid the clearance of areas of significant indigenous vegetation or significant habitats of indigenous fauna.

- **Noise**

5.22 Subject to 5.23, all activities shall be designed and conducted so that noise levels shall not exceed 50dBA  $L_{10}$  at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA  $L_{10}$  and 70dBA  $L_{max}$  at all other times.

Noise levels shall not exceed either:

50dBA  $L_{10}$  at any point within the boundary of any Residential 1, 3 or 5 Zone between 7.00am and 10.00pm on any day, and 40dBA  $L_{10}$  and 70dBA  $L_{max}$  at all other times; and

55dBA  $L_{10}$  at any point within the boundary of any Residential 2 or Residential 4 Zone between 7.00am and 10.00pm on any day and 45dBA  $L_{10}$  and 75dBA  $L_{max}$  at all other times, unless specific noise limits are provided for the activity elsewhere in this Plan.

5.23.1 **Aircraft Engine Testing**

Noise levels from Aircraft Engine Testing shall comply with the following:

- (a) Between the hours of 7.00am and 11.00pm, noise generated by aircraft engine testing and measured at the notional boundary of any household unit in the Rural zone outside the Airport Designation shall not exceed 55dBA  $L_{eq}$  (16 hours); and
- (b) All aircraft engine testing shall be scheduled to take place between 7.00am and 11.00pm and only essential unscheduled aircraft engine maintenance and testing shall take place outside those hours.
- (c) In some situations it may be necessary to conduct essential unscheduled aircraft maintenance and engine testing between 11.00pm and 7.00am. Such essential unscheduled aircraft maintenance and engine testing shall take place on no more than 20 occasions per year and noise from such engine maintenance and testing shall not exceed the following noise levels at the notional boundary of any household unit in the Rural zone outside the Airport Designation:

<b>Time Period</b>	<b>Noise Level</b>
All days 11.00pm to 7.00am	55dBA Leq (8 hours)
All days 11.00pm to 7.00am	80dBA Lmax

- (d) Where practical all essential unscheduled aircraft engine maintenance and testing shall take place between the hours of 7.00am and midnight and the total duration of engine testing shall not exceed 1 hour in any 11.00pm to 7.00am period. On each of these occasions the date, time, together with the duration and reason for the tests shall be recorded and made available to the Timaru District Council within 10 days upon request.
- (e) The Airport operator shall maintain a register of any complaints received relating to noise from any activities within the Airport, such register to record the date, time, duration and cause of the complaint, together with the name and address of the complainant. A copy of this Register shall be made available to the Timaru District Council within 10 days upon request.
- (f) For the purpose of this control aircraft engine testing shall be measured in accordance with NZS 6801:1999 Acoustics: Measurement of Environmental Sound.

#### 5.23.2 **Noise from Aircraft Operations**

- (a) The Timaru Airport shall be operated so that noise from aircraft operations (aircraft landing and taking off, aircraft taxiing and aircraft flying along any flight path within the Airport Noise Boundary) shall not exceed a Day/Night Noise Level (Ldn) of 65dBA outside the Ldn 65dBA contour shown on the Planning Maps. For the purpose of this control aircraft noise shall be calculated as a 3 month rolling logarithmic average in accordance with NZS 6805:1992 using the FAA Integrated Noise Model (INM) and records of actual aircraft operations.
- (b) Noise from the following aircraft operations shall be excluded from the compliance calculations set out above:
  - (i) aircraft landing or taking off in an emergency;
  - (ii) aircraft using the Airport as a planned or essential alternative to landing at another scheduled airport;
  - (iii) emergency flights required to rescue persons from life threatening situations or to transport patients, human

- organs or medical personnel in medical emergency situations;
- (iv) flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983;
  - (v) flights certified by the Minister of Defence as necessary for reasons of National Security in accordance with Section 4 of the Act;
  - (vi) aircraft undertaking fire fighting duties;
  - (vii) military aircraft movements; and
  - (viii) aircraft using the Airport in preparation for and participation in air shows;
- (c) A report detailing the calculated noise levels at the 2026 Ldn 65 dBA contour shown on the planning maps shall be prepared by the airport operator and forwarded to the Council every five years or more frequently if the Council requests. The first such report shall be forwarded to the Council within six months of this Rule becoming operative.
- (d) Noise level measurements shall be carried out for a minimum of three months every five years to audit compliance with this rule and a report on the results of such monitoring shall be forwarded to the Council within one month of that monitoring being completed. Noise level measurements shall be undertaken in accordance with NZS6805:1992 Airport Noise Management and Land Use Planning.
- 5.24 See General Rule 6.21 for measurement and assessment of noise, and standards for construction and maintenance noise, seasonal activities and General Rule 6.10 for Temporary Buildings and Activities.
- 5.25 Audible bird scaring devices may be operated in accordance with the following conditions:
- (1) At a frequency of not more than twelve events per hour. The term “events” includes clusters of up to three shots from gas operated devices or three multiple shots from firearms in rapid succession (subject to the following conditions); and
  - (2) The sound from any bird scaring device shall not exceed 85dBC peak or unweighted level measured at the notional boundary of any household unit on any other site; and

- (3) Bird scaring devices shall be located as far as is practical away from adjoining residences and they shall be aligned to point away from adjoining residences.

- **Mining, Quarrying, Extraction of Soil, Rock, Shingle, Gravel and Sand Materials**

- 5.26
- (1) All top soil shall be replaced;
  - (2) The site shall be rehabilitated.

**6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES**

(a) **Subdivision**

See General Rule 6.3.

(b) **Servicing and Financial Contributions**

See General Rule 6.5 for requirements relating to water, sewer and financial contributions.

(c) **Roading Hierarchy**

See General Rule 6.6.

(d) **Vehicle Access and Loading**

See General Rule 6.7 (see in particular Discretionary Activity 6.7.5(2) which controls some new vehicle access to state highways).

(e) **Hazardous Substances**

See General Rule 6.9.

(f) **Natural Hazards**

For land subject to flooding or coastal inundation see General Rule 6.16 and refer to the Regional Coastal Environment Plan for land subject to coastal erosion.

(g) **Archaeological Sites and Heritage Structures and Buildings**

Refer to General Rule 6.12.

## **1.10.2 RURAL 2 ZONE (R2)**

### **1 PERMITTED ACTIVITIES**

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Farming other than factory farming and outdoor non-intensive pig farming.
- 1.2 Public or private land used for conservation, and/or open space and/or amenity purposes; and land-based recreational activities not including buildings or structures, and not including use of aircraft, or motorised vehicles in wetlands or in areas of significant riverbed habitat during bird breeding seasons.
- 1.3 Walking tracks, pedestrian bridges, board walks and related minor structures which are necessary for these tracks.
- 1.4 A single household unit on a site of not less than 1000 square metres, except within the Airport Noise Boundary around Richard Pearse Airport, as identified on Planning Map No.22.
- 1.5 Households units subsequent to the first household unit on a site, provided they are to be constructed on a farming unit to provide accommodation for persons employed on that farm and that no further subdivision is involved except within the Airport Noise Boundary around Richard Pearse Airport, as identified on Planning Map No 22.
- 1.6 Accommodation for a dependent relative, provided that no subdivision is involved except within the Airport Noise Boundary around the Richard Pearse Airport as identified on Planning Map No.22.
- 1.7 Home occupations.
- 1.8 Home stays.
- 1.9 The operation or maintenance of all public and private irrigation races in existence when this Plan became operative, and new connections to any existing irrigation scheme.
- 1.10 Drainage works other than those affecting wetlands.

NOTE: A Resource Consent may also be required from the Canterbury Regional Council for this activity. It is recommended that contact is made with both the Regional Council and the District Council before undertaking drainage works in order to determine whether there are any implications for nearby wetlands.

- 1.11 Road and bridge construction and maintenance within road reserves.
- 1.12 Accessory buildings for any permitted activity.
- 1.13 Utility services.
- 1.14 (a) Shelter-belts and the harvesting of trees in shelter-belts;  
(b) Woodlots and forestry;  
(c) Tree planting or vegetation removal for river control purposes that has been authorised by the Canterbury Regional Council.
- 1.15 Airstrips or helicopter landing sites used for private purposes; servicing utility services, public utilities, telecommunication facilities and radiocommunication facilities; or emergency operators.
- 1.16 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees.
- NOTE: Please see provisions in the Natural Environment section which promote the protection and enhancement of indigenous vegetation and indigenous fauna.
- 1.17 Minor trimming or disturbance (ie the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.
- 1.18 Extraction of gravel from riverbeds that is permitted by a rule in a Regional Council Plan or which has been granted resource consent from the Canterbury Regional Council under the Resource Management Act 1991.
- 1.19 On land described as MR 881, MR 882, MR 4074 and which is under the control of the Maori Land Court, the following uses are permitted activities:
- (1) Marae
  - (2) Schools, kohanga reo or pre-school facilities
  - (3) Places of Assembly
  - (4) Papakainga
- 1.20 Maintenance and minor upgrading of existing transmission lines at a voltage exceeding 110kV except that this activity shall not be subject to compliance with performance standards.

- 1.21 Those activities provided for in the General Rules as permitted activities.
- 1.22 Maintenance of existing roads and vehicle access tracks.
- 1.23 Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards.

## **2 CONTROLLED ACTIVITIES**

The following are controlled activities subject to complying with all the Performance Standards for this zone and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Outdoor pig farming for up to 20 adult animals and their progeny where the whole operation is not less than: 1000 metres from the nearest Residential Zone; 250 metres from the nearest neighbouring household unit; and 20 metres from the nearest watercourse property or road boundary. Council shall restrict its discretion to the environmental effects associated with visual effects and retaining vegetation cover.
- 2.2 Prospecting and exploration as defined in the Crown Minerals Act 1991. Council shall restrict its discretion to the environmental effects associated with any earthworks.
- 2.3 Telecommunication facilities and radio communication facilities. The Council shall restrict its discretion to potential visual effects.
- 2.4 Those activities provided for in the General Rules as controlled activities.

## **3 DISCRETIONARY ACTIVITIES**

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 Rural industries which are ancillary to farming of any kind and which can demonstrate why a location in this zone is required.
- 3.2 Any activity listed as a permitted or controlled activity which does not comply with the performance standards for bulk and location of buildings, noise, artificial light and glare, and vehicle parking.
- 3.3 Public utilities.

- 3.4 Roads and bridges outside of existing road reserves and vehicle access tracks.
- 3.5 Buildings accessory to the use of buildings or land for any discretionary activity.
- 3.6 Activities listed as permitted, controlled or discretionary in the Rural 1 Zone but not provided for in this zone where it can be demonstrated that the activity is not located on Class I or II land other than within the Airport Noise Boundary around the Richard Pearse Airport, as identified on Planning Map No 22.
- 3.7 Roadside stalls other than those with direct access to State Highway 1.
- 3.8 Drainage works other than provided for as a permitted activity.
- 3.9 The spreading of effluent from factory farming, industrial activities or urban areas, where the effluent is spread on the site more than six days in any one year.
- 3.10 Those activities provided for in the General Rules as discretionary activities.
- 3.11 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.12 Telecommunication facilities and radio communication facilities, which do not meet the performance standards for the zone. The Council shall restrict its discretion to potential visual effects.

NOTE: When considering applications for discretionary activities regard shall be had to the Performance Standards for this zone.

#### **4 NON-COMPLYING ACTIVITIES**

The following activities are non-complying in this zone subject to complying with the General Rules:

- 4.1 Clearance by any means (including burning and spraying with herbicides) or over-planting of significant indigenous vegetation and significant habitats of indigenous fauna.
- 4.2 All other activities in this zone are non-complying unless they are provided for by a General Rule.

#### **5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE**

The Performance Standards provided for in the Rural 1 Zone shall also apply to the Rural 2 Zone.

## **1.10.3 RURAL 3 ZONE (R3)**

### **1 PERMITTED ACTIVITIES**

The following activities are permitted subject to complying with all performance standards for this area and the General Rules:

- 1.1 Protection and/or enhancement of indigenous vegetation and habitats of indigenous fauna.
- 1.2 Walking tracks, pedestrian bridges, board walks and related minor structures that are necessary for those tracks.
- 1.3 Farming (other than factory farming and outdoor non-intensive pig farming) including fencing, but not including the farming of wetlands.
- 1.4 Home occupations in existing household units.
- 1.5 Home stays in existing household units.
- 1.6 Maintenance of existing public roads and bridges and the maintenance of existing vehicle access tracks, stock access tracks and bridges.
- 1.7
  - (a) Accessory buildings to existing household units;
  - (b) Accessory buildings to farming.
- 1.8 Maintenance and minor upgrading of existing utility services; and the establishment or upgrading of utility services which are covered by the Definition of Utility Services (1), (2) or (5) in Part D7 of this Plan not within areas of significant indigenous vegetation or significant habitats of indigenous fauna or within active beach systems.
- 1.9 Maintenance and minor upgrading of existing public utilities, existing telecommunication facilities and existing radio communication facilities.
- 1.10 Helicopter landing sites for the purpose of servicing telecommunication and radio communication facilities, and public utilities outside of areas of significant indigenous vegetation or significant habitats of indigenous fauna.
- 1.11 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees.

NOTE: Please see provisions in the Natural Environment section which promote the protection and enhancement of indigenous vegetation and indigenous fauna.

- 1.12 Minor trimming or disturbance (ie the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.
- 1.13 (a) Shelter-belts and harvesting of trees in shelter-belts;  
(b) Harvesting of trees in woodlots, and forestry.
- 1.14 Drainage works other than those affecting wetlands.
- NOTE: A resource consent may also be required from the Canterbury Regional Council for this activity. It is recommended that contact is made with both the Regional Council and the District Council before undertaking drainage works in order to determine whether there are any implications for nearby wetlands.
- 1.15 Prospecting and exploration (not involving excavation or dredging) as defined in the Crown Minerals Act 1991, which does not disturb significant indigenous vegetation and significant habitats of indigenous fauna.
- 1.16 Extraction of shingle, gravel and sand materials that is permitted by a rule in a Regional Plan or which has been granted resource consent from the Canterbury Regional Council under the Resource Management Act 1991.
- 1.17 Land-based recreational activities not including buildings or structures, and not including use of aircraft or motorised vehicles in wetlands or in areas of significant riverbed and coastline habitat during bird breeding seasons.
- 1.18 Those activities provided for in the General Rules as permitted activities other than filling of sites in or within 50 metres of wetlands (General Rule 6.18).
- 1.19 Utility services not within significant indigenous vegetation and significant habitats of indigenous fauna.
- 1.20 Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards.

## **2 CONTROLLED ACTIVITIES**

The following are controlled activities subject to complying with the site standards for this area and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Those activities provided for in the General Rules as controlled activities.

## **3 DISCRETIONARY ACTIVITIES**

The following are discretionary activities in this area subject to complying with the General rules:

- 3.1 Building accessory to any permitted activity not provided for as a permitted, controlled or discretionary activity. Council shall restrict its discretion to the environmental effects associated with the matters listed in Policy 1.3.3(1).
- 3.2 Any programme of restoration or rehabilitation to enhance the amenity, ecological, or landscape values of an area which involves the excavation or accumulation of soil or other materials. Council shall restrict its discretion to the environmental effects associated with the matters in Policy 1.1.7 and Policy 1.3.3.
- 3.3 Vehicle tracks and stock access tracks through rivers including streams.
- 3.4 Utility services within significant indigenous vegetation and significant habitats of indigenous fauna.
- 3.5 Mining, quarrying, extraction of soil, rock, shingle, gravel and sand materials occurring naturally on or beneath the site not provided for as permitted activities.
- 3.6 Public utilities.
- 3.7 Telecommunication facilities and radio communication facilities. Council shall restrict its discretion to potential visual effects and effects on indigenous flora and fauna in natural areas.
- 3.8 Buildings accessory to any discretionary activities.
- 3.9 Those activities provided for in the General Rules as discretionary activities.

3.10 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.

NOTE: When considering applications for discretionary activities regard shall be had to the performance standards for this zone.

#### **4 NON-COMPLYING ACTIVITIES**

The following activities are non-complying in this zone subject to complying with the General rules:

4.1 Clearance by any means (including burning and spraying with herbicides) of significant indigenous vegetation and significant habitats of indigenous fauna.

4.2 Drainage affecting wetlands and reclamation (or infilling) of wetlands.

NOTE: A resource consent may also be required from the Canterbury Regional Council for this activity.

4.3 Household units and other types of residential activities.

4.4 Farming in wetlands.

4.5 All other activities in this zone are non-complying unless they are provided for by a General Rule.

#### **5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE**

- **Sunlight and Outlook**

5.1 All buildings shall be set back a minimum of 6 metres from boundaries with a road frontage and 3 metres from other site boundaries.

5.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.

5.3 The maximum height of buildings shall be 8 metres.

- **Protection of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna**

5.4 The planting of trees for shelter-belts, woodlots or forestry shall avoid the clearance or over planting of areas of significant indigenous vegetation or significant habitats of indigenous fauna.

5.5 Shelter-belt, woodlot or forestry plantings shall be set back at least to the drip-line of mature trees of the species being planted where planting adjoins areas of significant indigenous vegetation.

5.6 Construction of fencing shall avoid the clearance of areas of significant indigenous vegetation or significant habitats of indigenous fauna.

NOTE: Section 55 of the Transit New Zealand Act 1989 gives roading authorities the power to require the owner or occupier of any land on which any tree, hedge or shrub is growing, which affects or may affect road safety or road damages to have the vegetation cut down, lowered, trimmed or removed.

- **Riparian Management**

5.7 All shelter-belts, woodlots or forestry plantings shall be set back a minimum of 30 metres from the edge of any wetland; and set back landward of active beach systems, and landward of any coastal stop bank, and landward of the legal road along the coastline between Scarborough Road and Ellis Road.

5.8 Shelter-belt, woodlot or forestry plantings within riparian areas adjoining any river or stream shall be set back 5 metres on slopes < 5 degrees gradient; 10 metres on slopes between 5 and 15 degrees; and 20 metres on slopes over 15 degrees.

This does not apply to the planting of indigenous species being carried out as part of a restoration or enhancement programme in which case there shall be no set back.

5.9 Any harvesting of trees or clearance of vegetation within the riparian areas defined in 5.7 and 5.8 shall be carried out so as to avoid detritus and soil from entering any wetland, river or stream.

5.10 Clearance of indigenous vegetation or amenity plantings within 5 metres of a river or stream or within 30 metres of a wetland shall not exceed 100 square metres in any hectare in any five year period.

5.11 Helicopter landing sites shall be set back 30 metres from the edge of any wetland except helicopter landings for emergency purposes in which no set back shall apply.

5.12 All buildings and structures shall be set back a minimum of 30 metres from the edge of any wetland, 20 metres from the margin of any river or stream and 200 metres landward from the coastal marine area boundary, except that minor farm buildings and structures (less than 10 square metres ground footprint) and bridges authorised by the Canterbury Regional Council are exempt from this performance standard.

- 5.13 All earthworks including track or road formation, mining, quarrying and/or extraction of soil, rock, gravel and sand shall be set back 10 metres from the bank of any river including streams, except for crossing places, including bridges and their approaches and 200 metres landward of the coastal marine area boundary.
- 5.14 All earthworks including track or road formation, mining, quarrying and/or extraction of soil, rock, gravel and sand shall be set back 30 metres from the edge of any wetland.
- 5.15 All cultivation shall be set back from rivers, streams and wetlands as follows:
- 2 metres on slopes < 5° gradient
  - 3 metres on slopes > 5° gradient
  - 20 metres for all wetlands
- 5.16 Grazing of stock within the riparian areas defined in 5.15 shall be managed in ways that ensure no rivers, streams or wetlands are significantly contaminated by the activities of stock or their effluent, and that the functioning of riparian areas is not significantly inhibited by overgrazing, soil compaction and bank erosion caused by stock.
- **Obtrusive Light**
- 5.17 No lighting exceeding 20 lux measured in the horizontal or vertical planes shall fall on adjoining properties. All exterior lighting shall be directed away from roads to avoid the incident of light over spill which may affect the safety of motorists.
- **Noise**
- 5.18 Noise levels shall not exceed 50dBA L<sub>10</sub> at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA L<sub>10</sub> and 70dBA L<sub>max</sub> at all other times, unless specific noise levels are provided for the activity elsewhere in the District Plan.
- 5.19 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise and General Rule 6.10 for temporary buildings and activities.
- 5.20 Audible bird-scaring devices (including firearms where used for this purpose) may be operated in accordance with the following conditions:
- (1) At a frequency of not more than twelve events per hour. The term “events” includes clusters of up to three shots from gas

operated devices or three multiple shots from firearms, in rapid succession (subject to the following two conditions).

- (2) The sound from any bird-scaring device shall not exceed 85dBC peak or unweighted level at the notional boundary of any household unit on any other sites.
- (3) If the sound emitted at the boundary or notional boundary does not exceed 70dBC peak (or unweighted) level then no restriction is necessary. If the sound emitted exceeds 70dBC peak (or unweighted) level, but does not exceed 85dBC peak (or unweighted) level, then no more than six such events are permitted per hour.
- (4) Bird scaring devices shall be located as far as is practical away from adjoining residences and they shall be aligned to point away from adjoining residences.

**6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES**

(a) **Subdivision**

See General Rule 6.3.

(b) **Natural Hazards**

For land subject to flooding or coastal inundation see General Rule 6.16 and refer to the proposed Regional Coastal Environment Plan.

## **1.10.4 RURAL 4 ZONE (R4)**

### **1 PERMITTED ACTIVITIES**

The following are permitted activities subject to complying with all the Performance Standards for this zone and the General Rules:

- 1.1 Public or private land used for conservation, amenity or non-commercial recreation.
  - 1.2 Farming other than factory farming and outdoor non-intensive pig farming.
  - 1.3 Home occupations in existing household units.
  - 1.4 Home stays in existing household units.
  - 1.5 Maintenance or upgrading of existing roads and tracks.
  - 1.6 Buildings accessory to household units.
  - 1.7 Utility services outside of natural areas.
  - 1.8 Road and bridge maintenance.
  - 1.9 Accessways and tracks on slopes of less than 20°.
  - 1.10 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees.
- NOTE: Please provisions in the Natural Environment section which promote the protection and enhancement of indigenous vegetation and indigenous fauna.
- 1.11 Minor trimming or disturbance (ie the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.
  - 1.12 Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards.
  - 1.13 Those activities provided for in the General Rules as permitted activities.

## **2 CONTROLLED ACTIVITIES**

The following are controlled activities subject to complying with the Performance Standards for this zone and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Buildings accessory to public or private land used for conservation or amenity purposes. Council shall restrict its discretion to the environmental effects associated with the matters in Policy 1.3.3 and Policy 1.3.6.
- 2.2 Any programme of restoration or rehabilitation to enhance the natural values of an area where a use involves the excavation or accumulation of soil or other materials. Council shall restrict its discretion to the environmental effects associated with the matters in Policy 1.3.3 and Policy 1.3.6.
- 2.3 A single household unit. Council shall restrict its discretion to the environmental effects associated with the landscape effects of the unit and matters addressed by performance standards.
- 2.4 Telecommunication facilities and radio communication facilities outside natural areas. The Council shall restrict its discretion to potential visual effects.
- 2.5 Meteorological activities. Council shall restrict its discretion to the environmental effects associated with the landscape effects and matters addressed by performance standards.
- 2.6 Those activities provided for in the General Rules as controlled activities.

## **3 DISCRETIONARY ACTIVITIES**

The following are discretionary activities in this zone subject to complying with the General Rules:

- 3.1 New drainage works within existing agricultural and horticultural areas.
- 3.2 Roads, bridges or vehicle tracks (extensions to existing roads and vehicle tracks are included) where not provided for as a permitted activity.
- 3.3 Utility services within natural areas.

- 3.4 Any prospecting and exploration, mining, quarrying, extraction of soil, rock, shingle, gravel or sand materials occurring naturally on or beneath the site.
- 3.5 Shelter-belts, woodlots and forestry.
- 3.6 Public utilities.
- 3.7 Buildings accessory to any permitted, controlled or discretionary activities not provided for as a permitted or controlled activity.
- 3.8 Roadside stalls for the direct sale to the public of goods produced on site.
- 3.9 Those activities provided for in the General Rules as discretionary activities.
- 3.10 Churches and buildings for religious purposes.
- 3.11 Helicopter landing sites for the purpose of servicing telecommunications and radio communications facilities.
- 3.12 Any activity listed as a permitted, controlled or discretionary activity which does not comply with the performance standards for this zone.
- 3.13 Telecommunication facilities and radio communication facilities within natural areas. The Council shall restrict its discretion to potential visual effects and effects on indigenous flora and fauna in natural areas.

NOTE: When considering applications for discretionary activities regard shall be had to the performance standards for this zone.

#### **4 NON-COMPLYING ACTIVITIES**

The following activities are non-complying in this zone subject to complying with the General rules:

- 4.1 Clearance by any means (including burning and spraying with herbicides) or over-planting of significant indigenous vegetation and significant habitats of indigenous fauna.
- 4.2 All other activities in this zone are non-complying unless they are provided for by a General rule.

## **5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE**

- **Sunlight and Outlook**

5.1 All buildings shall be set back a minimum of 6 metres from boundaries with a road frontage and 3 metres from other site boundaries.

5.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.

5.3 The maximum height of buildings shall be 8 metres.

- **Visual Amenity**

5.4 The location, design, colour and/or materials for any building or other structure shall be chosen to ensure its visual integration with the surrounding landscape.

5.5 (a) The exterior colours used on buildings shall be based on those occurring naturally in the surrounding landscape.

(b) Reflective metal finishes shall not be allowed.

(c) Exterior colours shall be nominated at the time of any application for a building consent.

- **Special Amenity Control**

5.6 Upon receiving any application subject to paragraphs 5.4 and 5.5 for the Rural 4 Zone at Blandswood, and Geraldine, the Council may consult with the Department of Conservation.

- **Noise**

5.7 Noise levels shall not exceed 50dBA  $L_{10}$  at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA  $L_{10}$  and 70dBA  $L_{max}$  at all other times, unless specific noise levels are provided for the activity elsewhere in this Plan.

5.8 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise, and General Rule 6.10 for Temporary Buildings and Activities.

5.9 Audible bird-scaring devices (including firearms) may be operated in accordance with the following conditions:

- (1) Not earlier than 7.00am and not later than 8.00pm.
- (2) At a frequency of not more than 12 events per hour. The term “events” includes clusters of up to three shots from gas operated devices or three multiple shots from firearms, in rapid succession (subject to the following 2 conditions):
- (3) The sound from any bird scaring device shall not exceed 85dBC peak or unweighted level measured at the notional boundary of any household unit on any other site; and Performance Standard 5.9 shall not apply to any audible bird scaring device which does not exceed 70dBC peak or unweighted level measured at the notional boundary of any household unit on any other site.
- (4) Bird scaring devices shall be located as far as is practical away from adjoining residences and they shall be aligned to point away from adjoining residences.

- **Tree Planting/Vegetation Clearance**

- 5.10 The closest part of any shelter-belt, woodlot or forest shall not exceed a recession plane of 1 in 5, originating from the closest part of any household unit or Residential Zone boundary.
- 5.11 Restoration and clearance of debris from land within 10 metres of a river following vegetation clearance.

NOTE: Section 55 of the Transit New Zealand Act 1989 gives roading authorities the power to require the owner or occupier of any land on which any tree, hedge or shrub is growing, which affects or may affect road safety or road damages to have the vegetation cut down, lowered, trimmed or removed.

- **Servicing**

- 5.12 For household units, Council will require evidence of access to potable (drinkable) water from either a community water supply scheme, a private bore, or be able to provide storage of potable (drinkable) water from another source subject to a consent notice registered against the title.

- **Glare from Artificial Lighting**

- 5.13 No lighting exceeding 20 lux measured in the horizontal or vertical plane shall fall on adjoining properties.

**6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES**

(a) **Subdivision**

See General Rule 6.3.

(b) **Water and other Financial Contributions**

See General Rule 6.5.

(c) **Vehicle Access and Loading**

See General Rule 6.7.

(d) **Parking**

See General Rule 6.8.

(e) **Natural Hazards**

For land subject to flooding see General Rule 6.16.

### **1.10.5 RURAL 5 ZONE (R5)**

#### **1 PERMITTED ACTIVITIES**

The following activities are permitted subject to complying with all performance standards for this zone and the General Rules:

- 1.1 Protection and/or enhancement of indigenous vegetation and habitats of indigenous fauna.
  - 1.2 Walking tracks not in Outstanding Landscape Areas, and walking tracks in Outstanding Landscape Areas that do not involve earth disturbance; and pedestrian bridges, boardwalks and other minor structures, which are necessary for those tracks.
  - 1.3 Farming (other than factory farming) not including buildings or fences.
  - 1.4 Maintenance of existing fences; construction of new fences not in Outstanding Landscape Areas; construction of new fences within Outstanding Landscape Areas which does not involve earth disturbance.
- For the purposes of Rules 1.2 and 1.4, “earth disturbance” means any benching or other earth works that exceeds 1 metre depth below the land surface.
- 1.5 Maintenance of existing public roads and bridges and the maintenance of existing vehicle access tracks, stock access tracks and bridges.
  - 1.6 Home stays in existing household units.
  - 1.7 Maintenance of existing public roads and bridges.
  - 1.8 Vehicle access tracks, formed stock access tracks and bridges not in Outstanding Landscape Areas.
  - 1.9 Buildings accessory to farming not in Outstanding Landscape Areas; buildings accessory to farming within Outstanding Landscape Areas which are within 100 metres from existing farm buildings.
  - 1.10 Maintenance and minor upgrading of existing utility services, existing telecommunication facilities and existing radio communication facilities.
  - 1.11 Maintenance of existing public utilities; and maintenance and minor upgrading of existing transmission lines at a voltage exceeding

- 110kV except that this activity shall not be subject to compliance with performance standards.
- 1.12 Helicopter landing sites outside of areas of significant indigenous vegetation or significant habitats of indigenous fauna except helicopter landings for emergency purposes.
- 1.13 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees.
- 1.14 Minor trimming or disturbance (ie the removal of branches from trees/shrubs and the removal of seedlings/saplings) of significant indigenous vegetation or significant habitats of indigenous fauna within 5 metres of existing fences, existing stock access tracks, state highways, public roads, utility services, public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.
- 1.15 Shelter-belts and harvesting of trees in shelter-belts below 900 metres altitude.
- 1.16 Tree planting for land stability or river control purposes not in an Outstanding Landscape Area.
- 1.17 Drainage works other than those affecting wetlands.
- NOTE: A resource consent may also be required from the Canterbury Regional Council for this activity. It is recommended that contact is made with both the Regional Council and the District Council before undertaking drainage works in order to determine whether there are any implications for nearby wetlands.
- 1.18 Extraction of gravel from riverbeds that is permitted by a rule in a Regional Plan or which has been granted resource consent from the Canterbury Regional Council under the Resource Management Act 1991.
- 1.19 Prospecting and exploration (not involving excavation or dredging) as defined in the Crown Minerals Act 1991, which does not disturb significant indigenous vegetation and significant habitats of indigenous fauna.
- 1.20 Land-based recreational activities not including buildings or structures, and not including use of aircraft or motorised vehicles in wetlands or in areas of significant riverbed habitat during bird breeding seasons.
- 1.21 Those activities provided for in the General Rules as permitted activities other than filling of land in or within 30 metres of wetlands (refer General Rule 6.18).

- 1.22 Home occupation.
- 1.23 Trimming and removal of significant indigenous vegetation which is necessary for the maintenance of existing transmission lines and that this activity shall not be subject to compliance with the performance standards.

## **2 CONTROLLED ACTIVITIES**

The following are controlled activities subject to complying with the performance standards for this zone and the General Rules with the exercise of Council's discretion restricted to the matter(s) specified:

- 2.1 Woodlots and forestry below 900 metres in altitude and not in an Outstanding Landscape Area and not in the Hewson River Catchment.
- 2.2 Those activities provided for in the General Rules as controlled activities.

## **3 DISCRETIONARY ACTIVITIES**

The following are discretionary activities in this area subject to complying with the General Rules:

- 3.1 Buildings accessory to any permitted activity not provided for as a permitted, controlled or discretionary activity. Council shall restrict its discretion to the environmental effects associated with the relevant matters listed in Policy 1.6.3(2).
- 3.2 Vehicle tracks and formed stock tracks within Outstanding Landscape Areas. Council shall restrict its discretion to the environmental effects associated with the relevant matters listed in Policy 1.6.3(2).
- 3.3 Walking tracks in Outstanding Landscape Areas not provided for as permitted activities. Council shall restrict its discretion to the environmental effects associated with the relevant matters listed in Policy 1.6.3(2).
- 3.4 Fencing involving earth disturbance in Outstanding Landscape Areas (refer Rule 1.4 above for definition of "earth disturbance"). Council shall restrict its discretion to the environmental effects associated with the relevant matters listed in Policy 1.6.3(2).
- 3.5 Woodlots and forestry in an Outstanding Landscape Area.

- 3.6 Tree planting for land stability, or river control purposes in Outstanding Landscape Areas.
- 3.7 A single household unit not in an Outstanding Landscape Area. Council shall restrict its discretion to the environmental effects associated with the relevant matters listed in Policy 1.6.3(2).
- 3.8 The farming of animals (excluding sheep, cattle, pigs, horses and deer species not already present as feral populations in the area).
- 3.9 Utility Services and Public Utilities not provided for as permitted activities.
- 3.10 Telecommunication facilities and radio communication facilities. Council shall restrict its discretion to the environmental effects associated with potential visual effects and effects on significant indigenous vegetation flora and fauna in natural areas.
- 3.11 Mining, quarrying, and/or extraction of soil, rock, shingle, gravel and sand materials occurring naturally on or beneath the site, not provided for as permitted activities.
- 3.12 Airstrips and helicopter landing sites not provided for as permitted activities.
- 3.13 Buildings accessory to any discretionary activities.
- 3.14 Those activities provided for in the General Rules as discretionary activities.
- 3.15 Any activity listed as a permitted, controlled or discretionary activity, which does not comply with the performance standards for this zone.

NOTE: When considering applications for discretionary activities regard shall be had to the performance standards for this zone.

#### **4 NON-COMPLYING ACTIVITIES**

The following activities are non-complying in this zone subject to complying with the General Rules:

- 4.1 Clearance by any means (including burning and spraying with herbicides) or over-planting of significant indigenous vegetation and significant habitats of indigenous fauna.
- 4.2 Drainage affecting wetlands, and reclamation (or infilling) of wetlands.
- 4.3 Exotic tree planting above 900 metres in altitude.

4.4 All other activities in this zone are non-complying unless they are provided for by a General Rule.

## **5 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THE ZONE**

- **Sunlight and Outlook**

5.1 All buildings shall be set back a minimum of 6 metres from boundaries with a road frontage and 3 metres from other site boundaries.

5.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.

5.3 The maximum height of buildings shall be 8 metres.

- **Protection of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna**

5.4 The planting of trees for shelter-belts, woodlots or forestry shall avoid the clearance of over planting of areas of significant indigenous vegetation or significant habitats of indigenous fauna.

5.5 Shelter-belt, woodlot or forestry plantings shall be set back at least to the drip-line of mature trees of the species being planted where planting adjoins areas of significant indigenous vegetation.

5.6 Construction of fencing shall avoid the clearance of areas of significant indigenous vegetation or significant habitats of indigenous fauna.

- **Riparian Management**

5.7 Planting and harvesting of timber trees shall be set back a minimum of 20 metres from the bank of any river or stream, and 30 metres from any wetland; except that the ends of shelterbelts may intrude into the 20 metre margin beside any river or stream.

5.8 Any harvesting of trees or clearance of vegetation within the riparian areas defined in 5.7 shall be carried out so as to prevent detritus and soil from entering any wetland, river or stream.

5.9 Clearance of indigenous vegetation within 5 metres of a river or stream or within 30 metres of a wetland shall not exceed 100 square metres in any hectare in any five year period.

- 5.10 Helicopter landing sites shall be set back 30 metres from the edge of any wetland except helicopter landings for emergency purposes in which no set back shall apply.
- 5.11 All buildings and structures shall be set back 30 metres from the edge of any wetland, and 20 metres from the bank of any river or stream except for bridges authorised by the Canterbury Regional Council.
- 5.12 All earthworks including track or road formation, mining, quarrying and/or extraction of soil, rock, gravel and sand shall be set back 10 metres from the bank of any river including streams, except for crossing places.
- 5.13 All earthworks including track or road formation, mining, quarrying and/or extraction of soil, rock, gravel and sand shall be set back 30 metres from the edge of any wetland.
- 5.14 All cultivation shall be set back from rivers, streams and wetlands as follows:
- 2 metres on slopes < 5° gradient
  - 3 metres on slopes > 5° gradient
  - 20 metres for all wetlands
- 5.15 Grazing of stock within the riparian areas defined in 5.14 shall be managed in ways that ensure no rivers, streams or wetlands are significantly contaminated by the activities of stock or their effluent, and that the functioning of riparian areas is not significantly inhibited by overgrazing, soil compaction and bank erosion caused by stock.

NOTE: Section 55 of the Transit New Zealand Act 1989 gives roading authorities the power to require the owner or occupier of any land on which any tree, hedge or shrub is growing, which affects or may affect road safety or road damages to have the vegetation cut down, lowered, trimmed or removed.

- **Infrastructure**

- 5.16 A financial contribution may be required where vehicle transportation of harvested trees requires upgrading of legal roads or such usage will result in a significant deterioration in roading infrastructure.

Due notice will be given to Council for any proposal to harvest trees before harvesting commences so that any necessary upgrading of roads and bridges can be prioritised and consent processes can be completed in advance of the harvesting taking place.

- **Water**

- 5.17 For household units, Council will require evidence of access to potable water (New Zealand Drinking Water Standards 1995) from either a community water supply scheme or a private bore, or be able to provide storage of potable water from another source, subject to a consent notice registered against the title.

- **Obtrusive Light**

- 5.18 No spill light from a permanently fixed artificial light source shall exceed 1 lux, measured in the vertical plane at the windows of household units on any other site between the hours 10.00pm and 7.00am, and 10 lux at all other times.

- **Noise**

- 5.19 Noise levels shall not exceed 50dBA  $L_{10}$  at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA  $L_{10}$  and 70dBA  $L_{max}$  at all other times, unless specific noise levels are provided for the activity elsewhere in the District Plan.

- 5.20 See General Rule 6.21 for measurement and assessment of noise, standards for construction and maintenance noise and General Rule 6.10 for temporary buildings and activities.

- 5.21 Audible bird scaring devices (including firearms where used for this purpose) may be operated in accordance with the following conditions:

- (1) At a frequency of not more than twelve events per hour. The term “events” includes clusters of up to three shots from gas operated devices or three multiple shots from firearms, in rapid succession (subject to the following two conditions).
- (2) The sound from any bird scaring device shall not exceed 85dBC peak or unweighted level at the notional boundary of any household unit on any other sites.
- (3) If the sound emitted at the boundary or notional boundary does not exceed 70dBC peak (or unweighted) level then no restriction is necessary. If the sound emitted exceeds 70dBC peak (or unweighted) level, but does not exceed 85dBC peak (or unweighted) level, then no more than six such events are permitted per hour.

- (4) Bird scaring devices shall be located as far as is practical away from adjoining residences and they shall be aligned to point away from adjoining residences.

**6 ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES**

(a) **Subdivision**

See General Rule 6.3.

(b) **Servicing and Financial Contributions**

See General Rule 6.5 for requirements relating to water, sewer and financial contributions.

(c) **Natural Hazards**

For land subject to flooding inundation see General Rule 6.16.