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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) Roading, (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 Zones

(i) Rural 4A Zone (Geraldine Downs)

Explanation and Principal Reason

This zone recognises the high natural and amenity values of the Geraldine Downs and also the values and aspirations of the people that live in and use the area. The zone seeks to not only retain, but also to enhance the area's landscape character, amenity values, natural habitats and walking/cycling facilities. It also seeks to provide for artisan, travellers accommodation and commercial recreation activities and the protection of established productive activities. To achieve these aims, the zone limits new development and requires development to be managed more intensively than in other rural zones. It also requires the payment of financial contributions to implement the proposed walking and cycling network and for natural habitat enhancement. If developed to its potential, the Geraldine Downs could become a significant recreation, ecological, tourism and amenity asset to Geraldine.

Refer to Part D1, Section 1.10 of the District Plan that contains the provisions that specifically relate to the Geraldine Downs.

(ii) Rural 4B Zone (Blandswood)

Explanation and Principal Reason

This zone gives recognition to the high natural or amenity values present in Blandswood. It is anticipated that any proposal ensures either enhanced or minimal effects on the landscape values

present. The Blandwood area 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
- protection of rural amenity values

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 given to:
- the quality of adjacent water-bodies
 - indigenous flora or fauna
 - significant trees
 - adjacent household units
 - the roading network at access points
 - soil cover
 - noise
 - soil integrity
 - rural amenity
 - riparian and in-stream 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. A singular management approach is however not adequate or efficient in providing for choice in the Rural environment and has also resulted in a dispersed pattern of housing with a loss of rural character and amenity in the wider environment. In order to maintain a low density of development in the wider rural areas, the District Plan will continue to limit subdivision within the Rural Zones and to support this approach by providing for rural residential opportunities. This approach provides for choice in the rural residential environment as well as enhancing certainty for the community as to where this type of development will be occurring.

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 and the adverse effects of dispersed and ad hoc subdivision.

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 water-bodies 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 e.g. 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 e.g. 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 e.g. 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 e.g. 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 e.g. 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 e.g. 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, e.g. 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 re-vegetation.
- 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 ridge tops, 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 RURAL 4A ZONE (GERALDINE DOWNS)

1.10.1 SETTLEMENT PATTERN

Issue (1)

Methods of controlling residential development in the Geraldine Downs need to be more effective in managing the quantum, density, location and environment effects of development.

Explanation

Since the 2005 District Plan was publicly notified, there have been large amounts of new residential development in the Geraldine Downs. This development has had adverse effects on the landscape character and amenity values of the area; roads and infrastructural services; indigenous flora and fauna; productivity of land; and the operation of existing activities. Part of the reason for this is that the 2005 District Plan did not provide an effective mechanism to control the quantum, density or the location of residential development. Controls relied on subdivision rules that were not specific to the area and facilitated a significant amount of subdivision as a controlled activity with no control over many of the environmental effects it produced. Further, the 2005 District Plan provided three different zones for the area, which led to different consent requirements, diverse environmental outcomes and did not provide a coordinated settlement pattern.

If the settlement pattern of residential development in the Geraldine Downs is not effectively controlled, parts of the area are likely to slowly suburbanise over an intergeneration period, while rural residential development is likely to spread across the rest of the area. This development would be uncoordinated and unplanned for and was not the intention of the Rural 4 Zone provided in the 2005 District Plan. It would also not be welcomed by local residents who want to retain the significant landscape character and environmental values of the Geraldine Downs. This pattern of development would also not give effect to the Regional Policy Statement that seeks settlement patterns that are efficient; minimise use of motor vehicles; concentrated and attached to existing settlement; coordinated; and make efficient and effective use of infrastructure and resources. Intensive residential development would also necessitate expensive infrastructure upgrades.

Objective (1)

New residential development in the Geraldine Downs is only provided for in appropriate areas and at appropriate densities.

Explanation and Reason for Adoption

In order to control the effects of residential development, this objective seeks to limit the amount of new residential development in the Geraldine Downs. Residential development has to be controlled in order to prevent parts of the area from slowly consolidating into a suburb over an intergenerational period and also to prevent rural residential style development from sprawling across the area in an uncoordinated manner. The following policies and rules have been designed to ensure that incremental granting of one-off residential development and subdivision on the Geraldine Downs does not undermine this objective. If residential development is not controlled, the environmental and landscape values that the community associates with the Geraldine Downs will likely be lost or seriously compromised. Inefficient and expensive service upgrades and extensions would also be required that would need to be paid for by the wider community. Notwithstanding, there are areas of the Geraldine Downs that can accommodate limited additional development and therefore the District Plan will facilitate the development of these areas.

As the appropriate location of development is a key way to avoid its environmental effects, it is crucial that new residential development is only facilitated in areas where its effects can be avoided or mitigated. Further, intensive residential development will not be facilitated in areas where it cannot be efficiently serviced, where it will affect significant natural habitats, or in areas where it will constrain the operation of existing productive activities.

It is also crucial that the District Plan addresses the entire area of the Geraldine Downs. It should be clear that it is not the intention of this objective to have one policy for the entire Geraldine Downs area. Rather, the intention is to provide a strategy that addresses the area as a whole and coordinates its sustainable management.

Similarly, managing the density of residential development is an important way in which environmental effects can be controlled. For instance, allotments with sufficient size can treat and dispose of effluent and stormwater to ground within the site and therefore do not require service extensions. Large allotments also offer more options for integrating built form into the landscape, while small allotments will require more intensive management. Lots less than 4 ha generally take land out of production. Based on feedback from the community,

a choice of allotment sizes is provided for in appropriate locations and as a tool to help control residential densities.

Some additional residential development is provided for on the basis that it will help meet market demand and assist people provide for their social and economic wellbeing. Financial contributions from new development will help finance the development of the proposed walking and cycling tracks.

Policy (1.1) Residential development in the Geraldine Downs will avoid, remedy or mitigate adverse effects on: <ul style="list-style-type: none"> • the landscape and amenity values of the area; • significant natural areas; • roading and other essential infrastructure; • the operation of existing activities; • walking and cycling tracks. 	
Reason:	To minimise the effects of new residential development.
Method:	Planning maps, rules and performance standards will provide for new residential development in appropriate areas and discourage it from inappropriate areas.

Policy (1.2) The quantum and density of new residential development is to be limited in order to control uncoordinated urban sprawl throughout the Geraldine Downs.	
Reason:	<ul style="list-style-type: none"> • To ensure that new residential development in the Geraldine Downs is provided for in appropriate areas and at appropriate densities. • To ensure the granting of consents recognises cumulative effects of incremental development. • To help control the effects of new development.
Methods:	<ul style="list-style-type: none"> • Minimum allotment size rules will define the quantum and density of residential development. • Rules will provide for the contravention of these limits as a discretionary activity.

Policy (1.3) A range of residential densities will be provided for in appropriate locations in the Geraldine Downs.	
Reason:	To provide the property market with a choice of allotment sizes and lifestyles.
Method:	Planning maps will indicate where different residential densities can occur through the creation of three subzones (rural production, rural lifestyle and rural residential).

Environmental Result Anticipated:

Within a 10 year period of these provisions becoming operative, the following results are anticipated in the Geraldine Downs:

- The majority of new residential development occurs in the rural residential subzone.
- Uncoordinated urban sprawl has not occurred within the area
- The unsustainable upgrade or extension of services and roads has not occurred.

1.10.2 LANDSCAPE & AMENITY

Issue (2)

New development in the Geraldine Downs can compromise landscape and amenity values.

Explanation

The 2005 District Plan anticipated that new development in the Rural 4 Zone would either enhance or have minimal effect on the natural and amenity values of the area. However, it is clear that this objective was seldom achieved, which indicates that the policies, rules and other methods of the 2005 District Plan that sought to achieve that objective were not effective.

Objective (2)

The landscape character and amenity values of the Geraldine Downs are retained and, where appropriate, enhanced.

Explanation and Reason for Adoption

The objective reflects the high value placed by the community on the landscape and amenity values of the Geraldine Downs. This was established in the Geraldine Downs Consultation Report 2011 prepared by Timaru District Council that indicates that 90% of residents are either slightly concerned or very concerned about the impact of new development on the landscape and amenity values of the Geraldine Downs. The policy, rules and other methods will aim to ensure that new development retains the landscape character and amenity values of the area, and where appropriate, progressively enhances it.

Policy (2.1) All new development is required to be designed so that it avoids or minimises adverse effects on landscape and amenity values and is integrated with the surrounding landscape.
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Reason:	To retain the landscape and amenity values of the Geraldine Downs.
Method:	By requiring resource consent for new dwellings in the Rural Lifestyle and Rural Residential sub-zones and by providing appropriate guidelines to assist assessment of development.

<p>Policy (2.2) All new development will be required to provide landscaping that:</p> <ul style="list-style-type: none"> • will maintain and/or enhance the unique landscape and visual amenity values of the surrounding area; • will assist in screening and softening the visual effects of the built form where this is considered necessary. 	
Reason:	To retain and enhance the landscape and amenity values of the Geraldine Downs.
Method:	<ul style="list-style-type: none"> • Requiring a landscape plan to be submitted with resource consent applications. • Providing appropriate guidelines to assist the assessment of applications.

<p>Policy (2.3) Timaru District Council will provide information to the general public and professionals about the District Plan’s expectations and requirements for new development in the Geraldine Downs.</p>	
Reason:	To ensure that the District Plan’s requirements and expectations are promoted and easily understood.
Method:	By making available and distributing guidelines for new development in the Geraldine Downs and by including a standard comment on Land Information Memorandums for properties in the Geraldine Downs.

<p>Policy (2.4) Exterior lighting will be managed so that it does not have a significant adverse effect on the landscape character and amenity values.</p>	
Reason:	Exterior lighting can have significant adverse effects on landscape character and amenity values.
Method:	Performance standards will set minimum standards for exterior lighting.

Environmental Result Anticipated:

Within a 10 year period of these provisions becoming operative, it is anticipated that the landscape and amenity values of the Geraldine Downs have been retained and enhanced.

1.10.3 TRAVELLERS ACCOMMODATION, ARTISAN & COMMERCIAL RECREATION ACTIVITIES

Issue (3)

Travellers accommodation, artisan and commercial recreation activities have not been encouraged in the Geraldine Downs.

Explanation

The 2005 District Plan required a non-complying activity consent for most travellers accommodation, artisan and commercial recreation activities in the Geraldine Downs and therefore presented a barrier to the establishment of these activities. This is not consistent with the Regional Policy Statement that seeks to enable these types of activities in rural areas. This type of activity can take advantage of the geographic location and natural elements of peri-urban areas and have been successful in many other parts of New Zealand. Given the high quality of the area's landscape values, its proximity to Geraldine and Geraldine's expanding tourist sector, the Geraldine Downs is well suited to accommodate these activities. The Geraldine Downs – Consultation Report 2011 prepared by Timaru District Council suggests that a majority of the community are receptive about more of these activities being facilitated in the Geraldine Downs.

Objective (3)

Appropriate travellers accommodation, artisan and commercial recreation activities can locate in the Geraldine Downs with suitable controls.

Explanation and Reason for Adoption

This objective seeks to facilitate appropriate travellers accommodation, artisan and commercial recreation activities that can take advantage of the geographic location and natural elements of the Geraldine Downs. To ensure that these activities do not have an adverse effect on the environment, the policies, rules and other methods will ensure that development is subject to suitable controls and is managed appropriately.

Policy (3.1) To provide for appropriate travellers accommodation, artisan and commercial recreation activities in the Geraldine Downs, subject to suitable controls to ensure that the adverse environmental effects of such activities are avoided or mitigated.

Reason:	Travellers accommodation, artisan and commercial recreation based activities are generally appropriate in the Geraldine Downs.
Method:	Require a discretionary activity consent for travellers accommodation, artisan activities and commercial recreation activities in the Geraldine Downs.

Environmental Result Anticipated:

Within a 10 year period of these provisions becoming operative, it is expected that a number of artisan, visitor accommodation and commercial recreation activities will establish in the Geraldine Downs with minimal effect on the environment.

1.10.4 NATURAL HABITATS

Issue (4)

The natural habitats of the Geraldine Downs (particularly Talbot Forest) have not been adequately protected or enhanced.

Explanation

The Regional Policy Statement promotes and encourages the restoration and enhancement of natural habitats. The community highly values areas of natural habitat and wildlife, particularly Talbot Forest. The health of Talbot Forest and other remnant natural areas on the Geraldine Downs is precarious. New development can potentially further impact on the health of these areas.

Objective (4)

The natural habitats of the Geraldine Downs are retained and where appropriate enhanced, particularly Talbot Forest.

Explanation and Reasons for Adoption

The health of the natural areas within the Geraldine Downs is precarious and are potentially further threatened by new development. The natural habitats of Geraldine Downs are highly valued by most of the local community and therefore their retention and enhancement, where possible, will align with community expectations. This will also be consistent with the Regional Policy Statement that seeks to protect significant natural areas and encourages their restoration and enhancement. Natural habitat protection and enhancement will help prevent their collapse, enhance landscape values, provide a significant community and visitor attraction, increase biodiversity

values, provide habitat for indigenous fauna, and mitigate the effects of residential development.

Policy (4.1) To ensure that intensive development on the fringe of Talbot Forest avoids, remedies or mitigates the potential for adverse effects on the health and viability of the forest.	
Reason:	To help mitigate potential edge effects and assist in supporting Talbot Forests' indigenous fauna by providing additional natural habitat.
Method:	New development may be required to plant areas of their boundary that adjoins the Forest in indigenous eco-sourced vegetation.

Policy (4.2) To ensure that development makes provision for the protection and, where appropriate, the enhancement of Significant Natural Areas.	
Reason:	To protect and enhance Significant Natural Areas.
Method:	<ul style="list-style-type: none"> • Require a Non-Complying Activity consent for the clearance of Significant Natural Areas. • Require that the effects of development on Significant Natural Areas be considered and assessed when resource consent applications are determined.

Policy (4.3) Timaru District Council will actively promote the planting of indigenous eco-sourced vegetation.	
Reason:	To increase the quantum of natural habitats.
Method:	<ul style="list-style-type: none"> • To credit the planting of indigenous vegetation against any financial contribution that may need to be paid on any development. • Council will periodically send documentation to residents that will: • raise awareness of the significance of the Geraldine Downs' natural habitats; • encourage planting of indigenous vegetation, including for the use as shelterbelts; • raise awareness of the funds that can finance natural habitat enhancement.

Policy (4.4) To facilitate and plant strategic parts of road reserve in the Geraldine Downs with indigenous vegetation.	
Reason:	To mitigate edge effects on Talbot Forest, provide ecological linkages and increase the quantum of natural habitats on the Geraldine Downs.
Method:	<ul style="list-style-type: none"> • Financial contributions will be levied from new development to pay for this planting.

	<ul style="list-style-type: none">• Strategic roadside locations will be identified and prioritised by Council for planting.• Council will undertake planting periodically when sufficient funds exist.
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Environmental Result Anticipated:

The following environmental results are anticipated in the Geraldine Downs:

- Significant Natural Areas will be maintained and enhanced.
- The quantum of indigenous vegetation on the Geraldine Downs will have increased.

1.10.5

WALKING AND CYCLING FACILITIES

Issue (5)

Existing off-road walking and cycling facilities on the Geraldine Downs are limited and could be improved to provide enhanced recreation opportunities for locals and visitors.

Explanation

Consultation has confirmed that there is a significant demand for all types of new and improved walking and cycling facilities in the Geraldine Downs. However, while there is a reasonable amount of on-road facilities in the area, off-road facilities could be improved, particularly off-road cycling facilities such as mountain bike tracks. Quality off-road facilities could be used to attract visitors to the area and enhance recreation opportunities of locals. However, if such facilities are to be provided, there is a need to provide a revenue stream to finance the same.

Objective (5)

An improved network of off-road walking facilities is provided in the Geraldine Downs, along with a new network of off-road cycling facilities, particularly mountain bike tracks.

Explanation and Reason for Adoption

This objective seeks to improve the existing off-road walking facilities in the Geraldine Downs and also to facilitate a new network of off-road cycling facilities in order to provide better recreation facilities for locals and visitors. Not only will these facilities assist in attracting visitors to the town, they will also help to attract permanent residents and assist

in retaining existing residents. This will have positive economic and social benefits for Geraldine.

The concept of a ‘network’ is a key part of this objective, as the usability of walking and cycling facilities is greatly enhanced if they are provided in an integrated way that connects with each other and to existing facilities, including existing paper roads. Mountain bike tracks are specifically mentioned because they have the potential to attract an affluent group of visitors that are more likely to visit specific areas for the quality of mountain biking and stay longer and more often than other travellers in general. Mountain bike tracks can also be provided relatively cheaply compared with other walking and cycling facilities. This objective works in tandem with Objective 3 which seeks to encourage travellers accommodation and visitor based activities.

Policy (5.1) Provide for a network of off-road walking and cycling tracks in the Geraldine Downs that will include:	
<ul style="list-style-type: none"> • new mountain bike trails for different levels of ability; • a network of longer walking tracks; • connections with the existing and proposed network of roads and tracks; • provision for joint use of tracks, both pedestrian and cyclist. 	
Reason:	<ul style="list-style-type: none"> • To provide a coordinated and strategic approach to track development. • To make up for deficiencies in the existing walking/cycling network.
Method:	By identifying a walking/cycling network on District Plan maps and by acquiring the rights to land.

Policy (5.2) All new development will be required to pay a financial contribution that will help pay for the development and maintenance of a network of off-road walking and cycling tracks on the Geraldine Downs.	
Reason:	To finance the development of an off-road walking and cycling network.
Method:	By requiring a financial contribution from new development to help pay for the land, legal, survey, fencing and material costs of developing the network. Some volunteer labour is anticipated to develop the tracks. It is likely that some funding from the approved Off-Road Walking and Biking Strategy 2012 to 2032 will be needed to complete the proposed track network within a reasonable time period.

Policy (5.3) Timaru District Council will initially lead and coordinate the development of the off-road walking and cycling network, but will encourage a community group to continue this role.	
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Reason:	To ensure that the development of the walking and cycling network is initiated in a coordinated manner and to foster community participation, ownership and leadership.
Method:	Timaru District Council will consult with an appropriate community group to lead the future development of the network, or will encourage the creation of a 'trails trust'.

Policy (5.4) Require new developments to avoid land identified as part of the proposed walking and cycle network and that new subdivision provides for the legal rights to develop and maintain the network.	
Reason:	To ensure that the proposed walking/cycle network is not compromised by development and that new subdivision facilitates the development of the network.
Method:	Require a non-complying activity consent for any development that occurs within the alignment of the proposed walking/cycling network.

Environmental Result Anticipated:

Within a 10 year period of these provisions becoming operative, the following environmental results are anticipated in the Geraldine Downs:

- Timaru District Council will have developed the proposed off-road walking and cycling track network.
- No new development will have occurred along the proposed off-road walking and cycling tracks.
- A community group will have adopted the role of trails manager for the area, or a new 'trails trust' group would be created to develop trails.

1.10.6

EXISTING PRODUCTIVE ACTIVITIES

Issue (6)

New residential development may adversely affect existing productive activities on the Geraldine Downs.

Explanation

Although existing productive activities normally have a right to continue under section 10 RMA, they can be frustrated by complaints and their further development restricted by residential development. Common complaints when residential development encroaches into rural areas are: noise from farm machinery and animals; mud, dirt and dust on roads; the effects of pesticides, sprays and fertilisers; smoke

from crop burning; livestock on roads and livestock escaping into rural residential properties; and hours of operation.

Objective (6)

Existing productive activities on the Geraldine Downs will continue and develop without constraints from new residential development.

Explanation and Reason for Adoption

This objective seeks to protect existing productive activities on the Geraldine Downs from constraints imposed by the encroachment of new residential development.

Policy (6.1) To protect existing productive activities on the Geraldine Downs from reverse sensitivity effects associated with rural residential development.	
Reason:	To ensure productive rural activities can continue without unnecessary constraint from rural residential development.
Method:	<ul style="list-style-type: none"> • Creation of three subzones (Rural Production, Lifestyle and Rural Residential) so that the majority of new residential development is located in areas that are well separated from productive activities. • To make intending rural residents aware of the adverse effects of existing productive activities by providing a standard comment on the effects of rural productive activities on Land Information Memorandums for properties in the Rural 4A Zone (Geraldine Downs).

Environmental Result Anticipated:

Within a 10 year period of these provisions becoming operative, the following environmental results are anticipated:

- No existing productive activities on the Geraldine Downs will cease or be seriously compromised as a result of reverse sensitivity effects.
- There will be no rural residential density development located in areas proximate to an existing productive activity on the Geraldine Downs. The exception to this is where a productive activity is already surrounded by large amounts of rural residential development

1.10A RURAL RESIDENTIAL (BROOKFIELD ROAD) ZONE

ISSUE

There is a need to provide choice in the character and density of living environments to meet community needs, while achieving appropriate amenity within the zone while maintaining that of surrounding areas.

Explanation

There is a community demand for a range of living environments that differ in character and density. It is recognised that there is a demand for low density residential living zones that incorporate rural characteristics located in rural settings close to townships and the services they provide.

There is a need to ensure that rural residential areas have a high level of visual amenity, including ensuring that buildings are appropriately located scaled, well integrated and responsive to local environmental character and amenity.

OBJECTIVE

- (1) A rural residential environment is provided with low allotment density and high levels of amenity, that maintains and enhances the amenity values of that zone and the surrounding area at Brookfield Road.

Principal Reason

Provides for residential choice and meets a community demand for an area of low density residential development. This objective acknowledges the value the community places on living in a pleasant environment whilst effects on the amenity values of surrounding areas is maintained.

POLICIES

- (1) To provide for subdivision and built development in the Rural Residential (Brookfield Road) Zone where the effects on rural amenity values are managed in accordance with the following:
- (a) The number, size and layout of allotments is optimised in response to the topography and landscape values.
 - (b) Integrated management of subdivision, built development and activities is achieved by requiring compliance with an Outline Development Plan and a set of complementary rules which result in a comprehensive and efficient layout.
 - (c) Limiting the extent of the Rural Residential (Brookfield Road) Zone to ensure rural outlook or appreciation is provided and that it remains contained and can be efficiently serviced.
 - (d) Limiting the range of activities, buildings and infrastructure within the Rural Residential (Brookfield Road) Zone to those required for rural living only.
 - (e) Connections are provided to waterways, reserves and urban areas for pedestrians and cyclists.

Explanation and Principal Reason

The Rural Residential (Brookfield Road) Zone covers 22.4 hectares of land located off Brookfield Road, adjacent to Centennial Park. The zone provides for rural residential in a location which is of high convenience and accessibility to Timaru. The purpose of the zone is to meet housing demand for people seeking larger living properties outside of a suburban environment but not so large that they are required to establish productive rural uses on the land. The Rural Residential (Brookfield Road) Zone also assists in management of adverse effects which have accumulated over time from the on-going creation of small, ad hoc rural-residential subdivisions dispersed throughout the rural zones.

This policy provides the basis for the rules controlling subdivision and the use of land within the Rural Residential (Brookfield Road) Zone. Whilst the zone provides for rural residential in a location which is highly accessible and convenient to the urban area, it is appropriate that the layout and scale of built development is sensitive to rural amenity values and the outlook from urban properties. The Rural Residential (Brookfield Road) Zone will obtain water from the Timaru main which crosses the site and will be serviced by an independent wastewater treatment system.

Underpinning the Rural Residential (Brookfield Road) Zone is a requirement to comply with an Outline Development Plan. This plan represents a comprehensive approach to land use and development and controls the overall location of buildings and activities. This

requires conformity with a prescribed road layout, non-building areas, a walkway connection to the Otipua Creek Reserve, and boundary and landscape treatments. These have been developed to ensure the comprehensive design of the rural subdivision in response to the specific values and geographic constraints of the location and to ensure a higher quality outcome than would be achieved under the more general provisions of the Rural 1 Zone. Particular consideration has been given to locating built development in those areas where there is more potential to absorb development and to mitigate effects on outlook from the urban area to the rural residential environment. The Outline Development Plan is complemented by rules tailored for the rural residential environment. The proposed rules are primarily concerned with the location, scale and finish of built development with buildings well setback from sensitive slopes and boundaries and features with an urban appearance are to be avoided. Similarly, the range of activities provided for is limited to ensure the zone does not become urbanised.

The scale and density of development is greater than in the wider rural environment but much lower than provided for in the urban environment. It is fulfilling a demand for housing choice which falls between rural and urban and avoids further cumulative adverse effects from ad hoc and unplanned rural residential subdivision.

METHODS

- (1) Include rules that ensure a low density of subdivision and development, and high levels of amenity, by listing activities provided for in the zone and require compliance with performance standards or rules for:
- servicing for water supply, stormwater and waste water disposal;
 - bulk and location of buildings;
 - appearance;
 - open space and privacy;
 - lighting;
 - intensity of development;
 - outline development plan layout.

Principal Reason

These methods ensure that the intent of the policy is met through appropriate rules and provisions controlling development in the Rural Residential Zone at Brookfield Road. Listing activities and setting performance standards provides greater certainty to people about the types of activities and the resulting environmental effects they can

anticipate in this zone. These methods 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. They also ensure there is land or funding for open space and recreation facilities prior to development commencing. Restricting activities that could lead to adverse environmental effects on the rural residential environment will assist to protect the amenity for residents of this zone. The Outline Development Plan was created following assessments as to where best to locate development having regard to effects on landscape values and traffic effects.

- (2) A financial contribution shall be required to recover the cost of providing services including open space and recreational facilities for the benefit of people throughout the District (see General Rules), as well as infrastructure upgrades.

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.

1.11 RULES FOR RURAL ZONES

1.11.1 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 L₁₀ 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 L₁₀ 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 L₁₀ 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 (i.e. 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:

Time Period	Noise Level
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 un-weighted 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.

1.11.2 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 radio communication 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 (i.e. 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.

- 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.

1.11.3 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 (i.e. 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 L10 at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA L10 and 70dBA Lmax 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 un-weighted 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 un-weighted) level then no restriction is necessary. If the sound emitted exceeds 70dBC peak (or un-weighted) level, but does not exceed 85dBC peak (or un-weighted) 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.

1.11.4A RURAL 4A ZONE (GERALDINE DOWNS)

1 PERMITTED ACTIVITIES

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

- 1.1 Public or private land used for conservation, 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, tracks and bridges.
- 1.6 Utility services outside of natural areas.
- 1.7 Tracks on slopes of less than 20°.
- 1.8 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna, or significant trees.
- 1.9 Minor trimming or disturbance (i.e. 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, cycleways/walkways public utilities (except that this rule shall not apply to existing transmission lines), radio communication facilities and telecommunication facilities.
- 1.10 Earthworks that comply with Performance Standard 6.12. Earthworks include any removal or disposition of soil, earth, rock, sand, aggregate or similar geological material.
- 1.11 Amenity planting, natural habitat enhancement and planting of indigenous vegetation in the road reserve. This does not include shelterbelts, woodlots and forestry activities that require resource consent under other rules.

Note: A service application from Timaru District Council is required for any planting of vegetation in the road reserve.

- 1.12 (a) Woodlots and forestry less than 2ha in area in the Geraldine Downs Rural Production Sub Zone and Rural Lifestyle Sub Zone provided that they are not located within 50 metres of any boundary.
- (b) Shelter-belts (including hedges), in the Geraldine Downs Rural Production Sub Zone and Rural Lifestyle Sub Zone provided that they are not located within 50 metres of an existing dwelling on an adjoining property.
- (c) Shelter-belts (including hedges) up to 2 metres high in the Geraldine Downs Rural Residential Sub Zone.
- 1.13 Farm buildings located in the Geraldine Downs Rural Production and Rural Lifestyle Sub Zone provided they are not located in a walkway/cycleway identified in Appendix 1 of the Rural 4A Zone (Geraldine Downs).
- 1.14 (a) A single household unit (including accessory buildings and garages) in the Geraldine Downs Rural Production Sub Zone provided it is not located in a walkway/cycleway identified in Appendix 1 of the Rural 4A Zone (Geraldine Downs).
- (b) A household unit 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 and that it is not located in a walkway/cycleway identified in Appendix 1 of the Rural 4A Zone (Geraldine Downs).
- 1.15 The extension, addition or alteration to any existing building that would otherwise not be a permitted activity provided it does not increase the building's footprint by any more than 20m².
- 1.16 Post and wire fences up to 2.5 metres high and post and rail fences up to 1.2 metres high.
- 1.17 New hedges of indigenous species less than 2 metres high in the Rural 4A Zone (Geraldine Downs).

2 CONTROLLED ACTIVITIES

The following are controlled activities subject to complying with the Performance Standards for this zone and the General Rules.

- 2.1 Meteorological activities. Council shall restrict its discretion to visual and landscape effects.
- 2.2 A single household unit (including accessory buildings and garages) in the Geraldine Downs Rural Lifestyle Sub Zone provided it is not located in a walkway/cycleway identified in Appendix 1 of the Rural 4A Zone (Geraldine Downs).

Control shall be limited to the following:

- location, form, scale, architectural design of any buildings, and associated fences and walls;
- exterior building material, colours and finishes;
- landscaping and screening;
- vehicle access;
- Measures to mitigate the effects of dust from the roading network on household units;
- financial contributions;
- the vulnerability of the development to natural hazards;
- earthworks;
- the disruption of natural drainage channels.

3 RESTRICTED DISCRETIONARY ACTIVITIES

The following are restricted discretionary activities provided that they are not located in a proposed walkway/cycle track indicated in Appendix 1 of the Rural 4A Zone (Geraldine Downs):

- 3.1
- (a) New buildings, including farm buildings (except that provided as a permitted or controlled activity), household units, accessory buildings and works (including accessways) to household units, fences and walls not provided as a permitted activity and telecommunication/radio communication facilities not permitted by the NES (Telecommunication Facilities12);
 - (b) Extensions, additions and alterations to existing buildings (except those provided for as a permitted or controlled activity);
 - (c) Discretion under 3.1(a) and 3.1(b) above shall be limited to the following:
 - location, form, scale, architectural design of any buildings and associated fences and walls;
 - exterior building material, colours and finishes;
 - landscaping and screening;
 - vehicle access;
 - financial contributions;
 - the vulnerability of the development to natural hazards;
 - earthworks;

- the disruption of natural drainage channels.
 - Measures to mitigate the effects of dust from the roading network on household unit.
- 3.2 Tracks on slopes greater than 20°. Discretion shall be limited to the effects on landscape values.
- 3.3 Shelter-belts (including hedges), woodlots and forestry, with the exception of a shelter belt which has the sole purpose of protecting Talbot Forest from the effects of the wind, which do not comply with Rule 1.12. Discretion shall be limited to:
- the effects on –
 - landscape and amenity values;
 - natural habitat, including risk of weed invasion;
 - waterways;
 - traffic safety and roads;
 - for shelter belts, the need to protect plants and animals, while maintaining landscape and amenity values and avoiding the risk of weed invasion.
- 3.4 Any activity that does not comply with the Performance Standards for the zone or general rules. Discretion is limited to the matter not complied with.

Notes:

1. Additional capacity in the sewer that serves Geraldine is limited. Additional capacity should be available around 2018-2019.
2. Additional capacity in the Te Moana Water Supply Scheme that serves the Geraldine Downs is extremely limited. Additional capacity should be available around 2018-2019.

4 DISCRETIONARY ACTIVITIES

The following are discretionary activities:

- 4.1 Any commercial recreation activity.
- 4.2 Travellers accommodation subject to complying with the minimum site area requirements for household units under Performance Standard 6.10. The exception to this rule is a home stay provided for as a permitted activity.
- 4.3 Artisan and ancillary activities involving the sampling, tasting, consumption or sale of artisan products produced on site, subject to

complying with the minimum site area requirements for household units under Performance Standard 6.10. Artisan activities include any activity involved in the production and sale of arts, crafts, processed foods and beverages.

- 4.4 Household units, travellers accommodation or artisan activities that do not comply with the minimum site area requirements for household units stipulated by Performance Standard 6.10.

5 NON-COMPLYING ACTIVITIES

The following activities are non-complying:

- 5.1 Clearance by any means (including burning, spraying, grazing, stock damage or over-planting) of significant indigenous vegetation and significant habitats of indigenous fauna.

Note: This does not apply to any indigenous vegetation that has been planted and managed specifically for the purpose of harvesting or clearing.

- 5.2 New buildings located in an area of significant indigenous vegetation, significant habitat of indigenous fauna, or a proposed walkway/cycle track identified in Appendix 1 of the Rural 4A Zone (Geraldine Downs).

- 5.3 Any activity not specified as a permitted, controlled, restricted discretionary or discretionary activity shall be a non-complying activity.

6 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THIS ZONE

• Sunlight and Outlook

- 6.1 (a) All buildings in the Geraldine Downs Rural Production Sub Zone and Rural Lifestyle Sub Zone shall be set back a minimum of 15 metres from site boundaries.
- (b) All buildings in the Geraldine Downs Rural Residential Sub Zone shall be set back a minimum of 6 metres from boundaries with a road frontage and 3 metres from other site boundaries except for buildings that house animals which shall be set back 15 metres from all site boundaries.

Provided that, in regards to both (a) and (b) above, for allotments created by subdivision consents granted between 10 October 1995 and 8 July 2012, all buildings shall be set back a

minimum of 6 metres from boundaries with a road frontage and 3 metres from other site boundaries.

6.2 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2 of the District Plan.

6.3 The maximum height of buildings shall be 8 metres.

- **Visual Amenity**

6.4 (1) Reflective metal finishes shall not be allowed.

(2) A landscape plan shall be submitted with each resource consent application for a household unit, accessory building or commercial development (except farm buildings). The landscape plan should be prepared by a suitably qualified person, with qualifications formally accredited by the New Zealand Institute of Landscape Architects, or a full member of that institute. However if applicants do not use an appropriately qualified person to prepare the landscape plan, then Council may, if considered necessary, have such a plan peer reviewed by a qualified landscape architect which will be at the cost of the applicant.

- **Noise**

6.5 Noise levels shall not exceed 50dBA L₁₀ at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA L₁₀ and 70dBA L_{max} at all other times, unless specific noise levels are provided for the activity elsewhere in this Plan.

6.6 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.

6.7 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 un-weighted 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 un-weighted 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.

- **Servicing**

- 6.8 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.

Note: The Geraldine Downs is served by the Te Moana Water Supply Scheme which currently has no additional capacity. Additional capacity should be available around 2018-2019.

- **Artificial Lighting**

- 6.9
- (1) Except street lighting, no lighting exceeding 5 lux measured in the horizontal or vertical plane shall fall on adjoining properties.
 - (2) All outdoor lighting (including street lighting) shall be shielded from above in such a manner that the edge of the shield shall be below the whole of the light source.
 - (3) All fixed exterior lighting shall be directed away from adjacent roads and properties.

- **Minimum Site Area Requirements for a Household Unit in the Rural 4A Zone (Geraldine Downs)**

- 6.10
- (1) Rural Residential Sub Zone - 2 ha with the exception of Lots 1 and 2 DP 444786 which shall have a minimum site area of 5000m²
 - (2) Rural Lifestyle Sub Zone - 10 ha
 - (3) Rural Production Sub Zone - 40 ha

For the purposes of travellers accommodation, the above site area requirements shall apply to the entire travellers accommodation facility and not individual units within that facility.

Development, including the construction of new dwellings, on existing sites created prior to 1 July 2012 that cannot comply with this performance standard shall be exempt from compliance.

- **Stormwater Management**

- 6.11
- (1) All buildings shall be setback a minimum of 10 metres from the centre line of a stream or river.
 - (2) Any impermeable areas of new development shall be provided with on-site storage and attenuation of stormwater to cater for a 1 in 5 year storm event.

- **Earthworks**

6.12 The following standards apply to earthworks:

- (1) The total volume of earthworks shall not exceed 400m³ per site within a 12 month period.
- (2) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).
- (3) The maximum height of any cut shall not exceed 2.4 metres, while the maximum height of any fill shall not exceed 2 metres.
- (4) No earthworks shall be located within 10 metres of a water body.
- (5) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be re-vegetated as soon as practicable, but at the latest within 12 months of the completion of the operations.

Provided that Rule 6.12 does not apply to the following earthworks:

- Earthworks in conjunction with the construction of a building and access to that building;
- Earthworks involved in subdivision, provided that detailed engineering plans for these earthworks have been expressly approved by the Council as part of the subdivision consent process;
- Cultivation;

- Tree planting;
- Earthworks as part of the construction of a walkway or cycleway indicated in Appendix 1 of the Rural 4A Zone (Geraldine Downs).

- **Rainwater Harvesting**

- 6.13 All new household units and commercial buildings (excluding accessory buildings less than 35m² in area) that are connected to a Timaru District Council operated water supply scheme shall be fitted with a storage tank to harvest rainwater. The storage tank shall have a minimum capacity of 10,000 litres.

Rainwater storage tanks shall provide backflow prevention that shall comply with the Water Supply Protection Regulations 1961 where connections to a potable water supply exist.

7 **DESIGN GUIDELINES**

The following guidelines shall be used to assist both applicants with the design of their proposal and the consent authority with the assessment of the subsequent resource consent application. The matters listed below are a guide to indicate what approaches to design will achieve a good outcome from a landscape perspective. They are not rules that have to be strictly adhered to and there will be times when some are not relevant or useful in the context of a specific proposal. There will be times when a development does not accord with many of the assessment matters, but still achieves a good outcome.

7.1 Location & Design of Buildings

New buildings should be designed to complement the surrounding landscape and to ensure the visual amenity values of the surrounding area are not compromised. The following guidance is provided:

7.1.1 Location & Siting of Buildings

- (1) Buildings (including domestic curtilage areas) should be designed and/or located in a manner complementary to the topography of the site.
- (2) Utilise landforms as backdrops to buildings as far as practicable to assist in merging the building with the landform.

- (3) Building on ridgelines and promontories, and where they may appear on skylines when viewed from public viewpoints should be avoided as far as practicable.
- (4) Make use of existing vegetation as a background.
- (5) Reduce the need for large exposed foundations by following the landform with the building and/or stepping the building into the slope where this is practicable.
- (6) Group or cluster buildings together if this significantly reduces landscape and visual effects.
- (7) The visibility of buildings within visually sensitive areas should be minimised.

7.1.2 Building Design

- (1) The scale and form of buildings should complement the surrounding landscape.
- (2) Where possible, relate roof shapes to the lie of the land, reflecting the steepness and direction of the landform.
- (3) Keep a sense of unity and identity in the area by keeping building proportions and roof type similar to other buildings in the area.
- (4) Simple forms should be used where the landscape setting is not complicated. Complex forms are more appropriate where the landscape is more complex.
- (5) To help anchor a building to the site, aim for low buildings with a width greater than the height. Keep the height of the walls similar to the pitch of the roof.
- (6) Where possible, avoid visible basements or foundations, keeping the floor closely related to ground level.

7.1.3 Materials and Colour

- (1) Colour of buildings and structures derived from the surrounding landscape help blend the building into the landscape.
- (2) Colours should be recessive with a reflectivity value of no greater than 40%.

- (3) Colours complementary to the surrounds may also be used as accent colours.
- (4) Solid boundary walls and fences should be kept to a minimum. Fencing should be visually permeable to help ensure open views across the Downlands are maintained from the road.

7.2 Driveways & Tracks

New driveways and tracks (including associated stormwater and drainage systems) should be designed to respond to the natural topography of the site. The following guidance is provided:

- (1) With careful siting, driveways can be absorbed into the landscape, particularly when located adjacent to vegetation, slopes or edges of landforms. Blend with existing vegetation and generally avoid felling where possible.
- (2) Where possible, follow natural contour lines to reduce the height of cut and fill batters, maintain easier grades and reduce scouring and run-off problems.
- (3) Keep earthworks to a minimum. Where cuts must occur, grade back and round off batters to merge into the adjoining landform.
- (4) If possible avoid driveways and tracks crossing steep slopes and open spaces. If there are no edges to follow then use vegetation as a screen (except the entrance).
- (5) Where possible, avoid compaction of excavated material in order to retain soil porosity and enhance re-vegetation.
- (6) Kerb and channel along driveways should generally be avoided. The use of grass swales is recommended.

7.3 Landscape Planting, Woodlots and Forestry

New landscape planting, woodlots and forest should respond to and not detract from the surrounding landscape. The following guidance is provided:

- (1) Follow and complement natural landform patterns.
- (2) Build on and merge into existing vegetation patterns, including indigenous vegetation found in gullies and on slopes.
- (3) Avoid the planting of ridgetops, crests, promontories, or other places where planting will obscure or screen important views /

landscape features. High linear planting close to roads should generally be avoided or setback to minimise landscape effects.

- (4) Use existing vegetation or enclosing landforms as screens. When using vegetation as a screen consider seasonal change, growth rates and need for trimming.
- (5) Plant “Forest Friendly” species only (refer to any guidelines developed). Remove and avoid the use of pest plants (refer to any guidelines developed) including wildings tree species such as:
 - Contorta/lodgepole pine (*Pinus contorta*);
 - Scots Pine (*Pinus sylestris*);
 - Corisican pine (*Pinus nigra*);
 - Radiata pine (*Pinus radiata*);
 - Douglas fir (*Pseudotsuga mensiesii*);
 - European larch (*Larix decidua*);
 - Ash
 - Sycamore
 - Rowan
 - Bay Laurel
- (6) Vegetation which adds to the natural or historical character of an area should be retained and enhanced with similar planting.
- (7) Ornamental plantings around forestry or woodlot edges are not always the answer to beautification.
- (8) Care should be taken when clearing vegetation. Clearing should be done in sympathy with existing vegetation, landforms and contours. Retain native vegetation that accentuates the landform variation.
- (9) Protect areas of high ecological value including Significant Natural Areas (SNA’s) by:
 - retaining native vegetation;
 - fencing to exclude stock;
 - avoid drainage or earthworks that affects SNAs;
 - planting eco-sourced indigenous species that will support the existing plants;
 - removing weed species.
- (10) Plants are preferred that will support the areas native ecology including:
 - Indigenous and eco sourced plants;

- Exotic plants that will provide habitat and food for indigenous fauna.

- (11) For properties adjoining Talbot Forest, provide planted buffers using indigenous eco sourced plants to mitigate edge effects on the forest.

7.4 Shelterbelts

- (1) Where shelterbelts are not necessary for farming purposes, they should be kept to the minimum required to provide adequate wind shelter while maintaining views where this is possible.
- (2) Shelterbelts planted parallel to the road should generally be avoided where they curtail views across the Downs and Plains landscapes. Where they are required, a setback from the road boundary is preferable to maintain a degree of openness.
- (3) The design and choice of species should reflect the character of the existing rural environment. Where possible shelterbelts should follow the landform and the general grain of the landscape.

8 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.

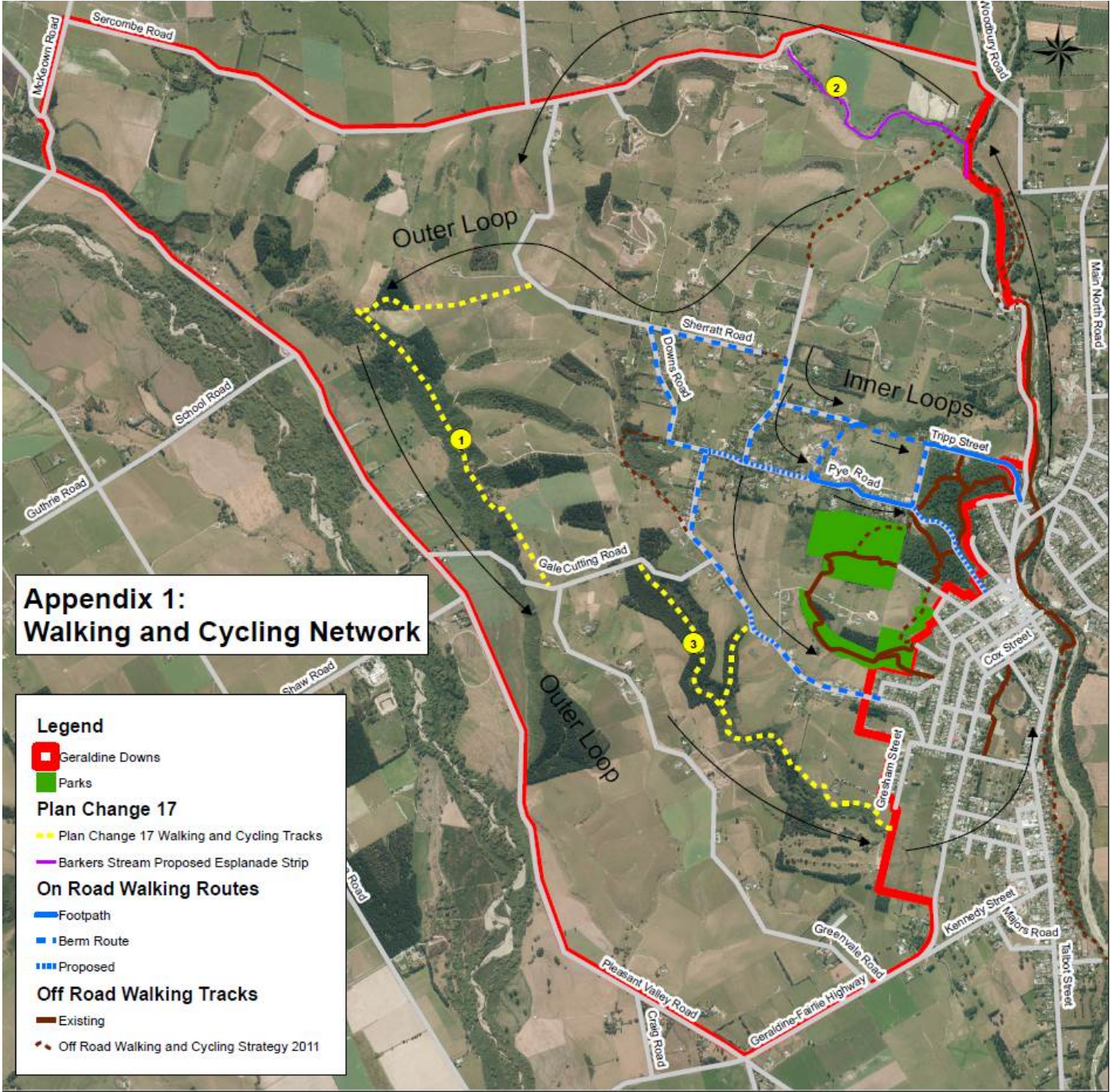
(c) **Vehicle Access and Loading**

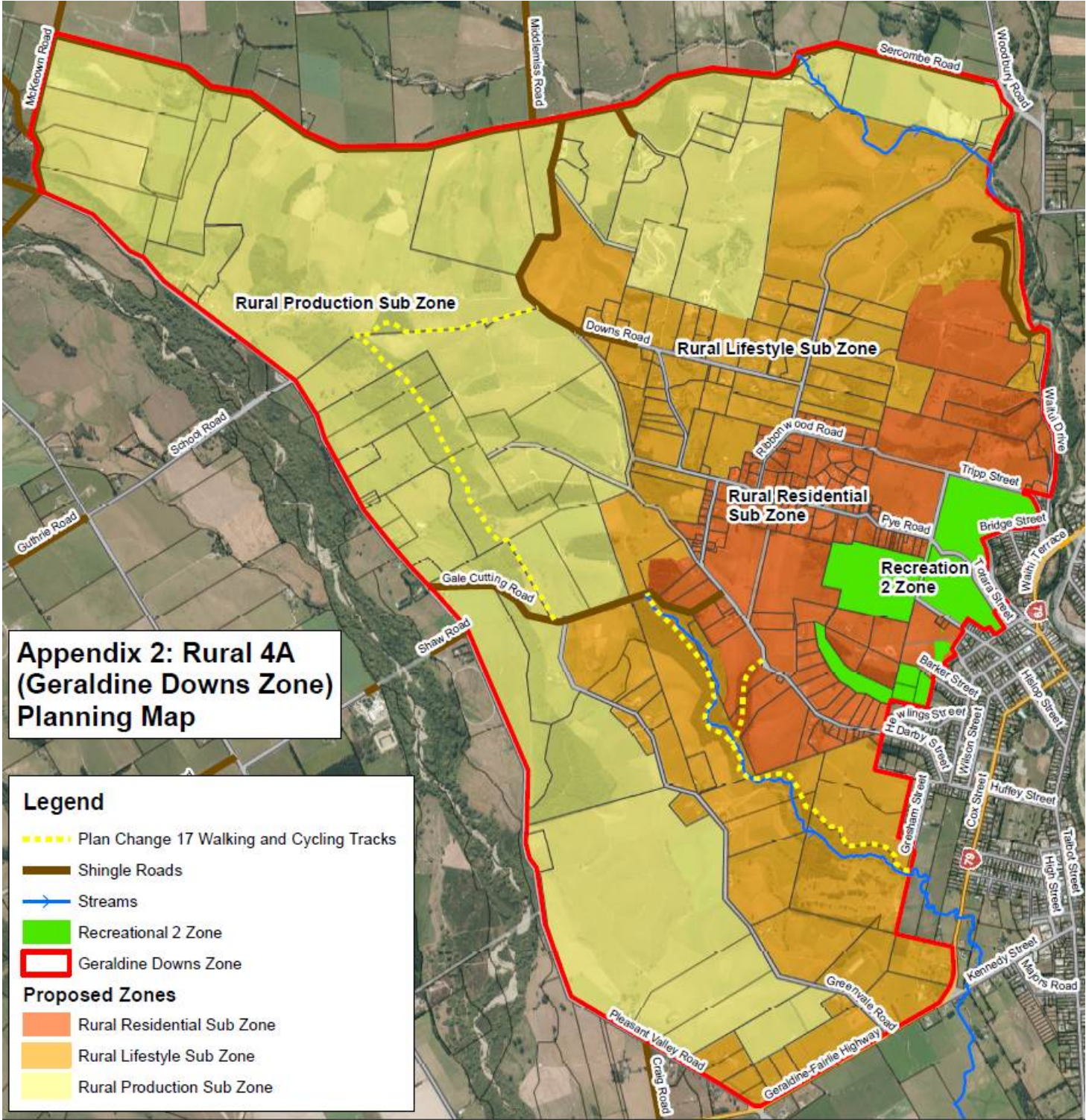
See General Rule 6.7.

(d) **Parking**

See General Rule 6.8.

- (e) **Natural Hazards** For land subject to flooding see General Rule 6.16.





1.11.5 RURAL 4B ZONE (BLANDSWOOD)

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 (i.e. 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, the Council may consult with the Department of Conservation.
- **Noise**
- 5.7 Noise levels shall not exceed 50dBA L10 at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA L10 and 70dBA Lmax 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 un-weighted 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 un-weighted 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.

1.11.6 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 (i.e. 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

- 3.7 Landscape Areas.
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 shelter belts 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 L10 at the notional boundary of the nearest household unit on any other site between 7.00am and 10.00pm on any day, and 40dBA L10 and 70dBA Lmax 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 un-weighted 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 un-weighted) level then no restriction is necessary. If the sound emitted exceeds 70dBC peak (or un-weighted) level, but does not exceed 85dBC peak (or un-weighted) 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

1.11.7 RURAL RESIDENTIAL (BROOKFIELD ROAD) ZONE

1 PERMITTED ACTIVITIES

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

- 1.1 Household units and accessory buildings to household units.
- 1.2 Home occupations.
- 1.3 Grazing of animals in accordance with Council Bylaws except pig or poultry farming.
- 1.4 Open space or its use for recreational purposes, other than motor sports.
- 1.5 Utility services.
- 1.6 Telecommunication facilities limited to those required to service the telecommunication needs of residents of the Rural Residential (Brookfield Road) Zone only.
- 1.7 Road construction and maintenance.
- 1.8 Clearance, disturbance and trimming of vegetation which is not significant indigenous vegetation or significant habitats of indigenous fauna or significant trees.
- 1.9 Those activities provided for in the General Rules as permitted activities.

2 DISCRETIONARY ACTIVITIES

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

- 2.1 Any activity which is listed as a permitted activity but does not comply with the performance standards for this zone, except as specified below.

3 NON-COMPLYING ACTIVITIES

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

- 3.1 More than one household unit per allotment.
- 3.2 Any building within the Building Exclusion Area as shown on the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- 3.3 All other activities in this zone are non-complying unless they are provided for by a General Rule.
- 4 PERFORMANCE STANDARDS FOR ALL ACTIVITIES IN THE ZONE**
- 4.1 Household units are limited to one household unit per allotment.
- 4.2 The total number of household units in the Rural Residential (Brookfield Road) Zone shall not exceed one dwelling per 5000m² within the build area shown on the Outline Development Plan (Contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- 4.3 No building shall be erected within any building setback area as shown on the Outline Development Plan (contained in Appendix 1 of the Rural Residential (Brookfield Road) Zone).
- 4.4 The maximum height of buildings shall be 4.5m.
- 4.5 All buildings shall be set back a minimum of 10 metres from road boundaries or access ways.
- 4.6 All buildings shall be set back a minimum of 10 metres from boundaries with adjoining sites.
- 4.7 All buildings shall be contained within a building envelope constructed by recession planes as set out in Appendix 2.
- 4.8 Lines and pipes associated with utility services and any lines associated with telecommunication facilities shall be placed underground.
- 4.9 The maximum total area of building footprint per allotment shall be:
- a. 350m² for a household unit (including attached garaging, but excluding decks and hard-surfacing); and
 - b. 80m² for accessory buildings.

- 4.10 The fencing of all property boundaries shall be limited to post and rail, or post and wire, or hedges only.
- 4.11 The colour reflectance of roofs shall be no greater than 10%.
- 4.12 The colour reflectance of the walls of buildings shall be no greater than 32%.
- 4.13 All materials used for buildings or fencing shall be:
- painted and/or stained in natural hues of grey, green and/or brown; and
 - painted or stained in a colour that meets the reflectance value specified above; or
 - unpainted timber; or
 - local bluestone; or
 - bricks or concrete block that have muted and recessive colour tones.
- 4.14 Any boundary fence abutting the Recreation 2 Zone shall not be more than 1.5 metres high.
- 4.15 Within each Rural Residential (Brookfield Road) Zone allotment there shall be:
- a minimum of 4 trees capable of attaining a minimum height of 8 metres at maturity; and
 - these trees shall be planted no closer than 10 metres apart; and
 - these trees shall be located within the permitted building areas; and
 - except for rear lots, at least 2 of the 4 required trees shall be planted in the road setback.

The trees shall be established prior to the issue of building consent for a building or subject to a legally binding agreement and enforceable bond allowing planting to occur at a date no later than 6 months following the completion of construction of the building.

This planting shall be maintained and any dead or diseased trees shall be replaced immediately.

5

ATTENTION IS DRAWN TO THE FOLLOWING GENERAL RULES

(a) Water, Sewer, Stormwater, and Open Space and Recreation Contributions

See General Rule 6.5.

(b) Vehicle Access and Loading

See General Rule 6.7.

(c) Hazardous Substances

See General Rule 6.9.

(d) Temporary Buildings and Activities

See General Rule 6.10.

(e) Signs

See General Rule 6.15.

(f) Natural Hazards

See General Rule 6.16.

(g) Keeping of Animals

See General Rule 6.17.

(h) Filled Sites

See General Rule 6.18.

(i) Noise

See General Rule 6.21

APPENDIX 1: RURAL RESIDENTIAL (BROOKFIELD ROAD) ZONE, OUTLINE DEVELOPMENT PLAN

File Ref: C10094_Nby_Quarry_Road_ODP_Final.indd

