

## 2.1 OVERVIEW

Carterton District can be broadly classified into three topographical units: the Western Ranges which incorporate the Tararua Ranges and State Forest Park; the Taratahi Plains between the Waingawa and Waiohine Rivers; and the Eastern Hills being gently rolling to steep hill country out toward the coast.

The Western Hills are largely in native vegetation. The soils are subject to erosion, particularly where vegetation has been thinned or disturbed. Part of the area also acts as the water catchment area for Carterton. The landform consists of ridges and valleys which are dissected by streams and rivers.

The Plains consist mainly of fertile soils. In some areas the availability of water is critical. In other areas, potential flood risk is high due to high water tables, slow draining soils or proximity to the main rivers or floodways.

The Eastern Hills are characterised by farming and commercial production and conservation forestry. In some areas there is a susceptibility to erosion. This area receives insufficient rainfall to keep the soils moist throughout the year. The hills drop steeply down to the coastal flats which run most of the length of the coast. The coastal flats vary from moderate fertility to poor and there are some areas of sand dunes and shingle fans.

## 2.2 ISSUES

- **The effects of development on rural amenity.**

The rural environment is characterised by low density development which has resulted in a generally open landscape. The open landscape is characterised by flat plains edged by steep bush covered ranges and rolling hills and low density building development generally setback from roads. Retention and maintenance of the visual amenity is seen as desirable by the community and is to be given priority although recognition is given to the need to allow for flexibility for future development.

The nature and scale of some activities occurring within the rural environment means that a number of effects can be created. The effects include: the impacts of noise, smoke, odour and dust; the safety of road users through increased access points; impacts on important landscapes and natural features and areas

through increased development; any impacts of waste disposal; and any contamination of water. Where adverse effects are created the amenity of the rural environment can be affected. The plan ensures that adverse effects are managed so as not to create a nuisance for adjoining activities.

- **Impacts of development on significant natural features and areas.**

Issues like the loss of significant vegetation have arisen within Carterton District. There are a number of significant natural features and areas within Carterton District. **(Refer to the requirements of the Natural Environment Section).**

These natural areas and features are important usually for more than one reason for example, visual, ecological and recreational. Natural systems are interconnected and the activities surrounding these areas need to be considered in conjunction with the natural system. For example, soil runoff adversely affects the quality of the water which can effect instream values. These matters need to be managed in an integrated manner. The specific means of achieving integrated management of these issues, through policies and methods related to natural areas and features are dealt with in the natural environment section of the Plan.

- **The susceptibility of some land in the rural area to erosion.**

Soil loss through erosion is a problem in certain areas of the District. A number of land management practices have contributed to the problem including; vegetation clearance and track formation. Where erosion has occurred this in combination with other activities affects water quality.

- **Recognition of existing constraints on land use created through the susceptibility of some areas to flooding and the reduced availability of water in some areas.**

Variations in the amount of rainfall within certain areas of the District during the year can increase the demand for irrigation. The main river corridors adjacent to the Plains are subject to flooding which can create a risk to activities.

## 2.3 OBJECTIVES

**2.3.1 Maintain and enhance the character and amenity of the rural area.**

**2.3.2 Protect significant natural features and areas from the adverse effects of development.**

**2.3.3 Ensure that development does not contribute to the susceptibility of land to erosion.**

**2.3.4 Ensure that development does not adversely impact upon susceptibility to flooding or the availability of water.**

## 2.4 POLICIES

**2.4.1 Manage the density of development to deal with adverse effects on the open rural amenity.**

*Explanation:*

*The rural area within Carterton District is generally not densely developed. There is a need to ensure development is not unduly restricted while ensuring development does not adversely affect the open rural amenity and distinct rural character of the District. Limits on lot size have been imposed as land tenure arrangements increase the potential for development and will therefore increase the potential adverse effects of increased density, on visual amenity and ground water supply (quantity and quality). Flexibility will be built into the controls by considering increased density beyond a specified limit on a case by case basis.*

**2.4.2 Manage the adverse effects of activities to limit their impact on the quality of the rural environment.**

*Explanation*

*Adverse effects on the quality of the rural environment can include noise, odour and glare as well as effects on sunlight and traffic flows. There is a need to ensure that*

*resource users avoid, remedy or mitigate such effects. The adverse effects of development on significant natural features and areas can include loss of significant vegetation and this also needs to be managed. There are a number of matters of importance within the District including the potential for flooding, high water tables with a risk of ground water contamination and reduced availability of water in some areas. Any activity which will increase the risk or may result in undesirable effects on these matters needs to be carefully evaluated.*

### **2.4.3 Any activity utilising the land resource should be managed in a sustainable manner so as to avoid soil loss.**

#### *Explanation*

*Activities may result in soil erosion which has an adverse effect both on the quality of the land resource and water. Generally these matters are dealt with by the Wellington Regional Council but in terms of achieving integrated management consideration needs to be given to controlling the effects of land use activities which degrade the quality of the land resource.*

## **2.5 METHODS**

### **2.5.1 District Plan**

- (a) Zoning to identify the geographic extent of the rural environment. There is one overall rural environment zone which establishes minimum standards to protect the general amenity of the rural environment.
- (b) To identify those activities which are permitted subject to compliance with conditions contained in the Plan.
- (c) Where an activity is identified as permitted but does not meet the relevant performance standards, or is not identified as permitted, the activity will be dealt with through the resource consent process.
- (d) Effects on significant natural features and areas, natural hazard areas and heritage features are dealt with in separate sections within the plan.

### Reasons

In order to provide adequate certainty for the community, landowners and developers, the rural environment has been defined. Rules are necessary to manage the potential adverse effects of activities. A common set of rules applies to all rural land using performance conditions and standards to minimise nuisance and hazards for neighbouring residents and activities.

#### 2.5.2 Other Mechanisms

- (a) Liaison with the Wellington Regional Council, and other agencies as appropriate, to deal with issues related to natural hazards, sustainable land management and water quality and quantity.
- (b) Encourage the establishment and use of codes of practice for example, the New Zealand Forest Code of Practice, Logging Industry Research Organisation (1990: revised 1993) and the Code of Practice - Pig Farming, New Zealand Pork Industry Board (2nd ed. 1993).
- (c) Regional rules deal with discharges to land, air and water.
- (d) Liaison with Transit New Zealand to identify and deal with adverse effects on State highways.
- (e) The operating rules and procedures (Defence Force Orders - DFO) of the New Zealand Defence Force which are enforced as Military Law are recognised as an alternative to the District Plan rules for the management of hazardous substances associated with temporary military training activities and the risks they pose for human and environmental health.
- (f) Compliance with the Forests Act, 1949 (as amended in 1993), the purpose of which is to promote the sustainable forest management of indigenous forest land and to provide a level of protection for indigenous vegetation.

In addition there are district plan provisions relating to harvesting indigenous vegetation in Important Natural Areas (Part B Section 13 of this District Plan).

**Note:** Resource consents may be required from the Wellington Regional

Council for any activities involving soil disturbance.

**Reasons**

In order to deal with some issues in terms of land use and the effects of land use it is appropriate that contact be made with the Wellington Regional Council to deal with any issues in an integrated manner.

Where industries operate under codes of practice it is appropriate that consideration be given to their provisions and the degree to which the industry is complying with the provisions of the appropriate code of practice.

The Regional Council deals with any consents required for discharges to land, air and water. In these instances any person should contact the Wellington Regional Council.

Where appropriate Council will liaise with the appropriate agency to promote the sustainable management of resources through the provision of educational material.

The provisions of the Transit New Zealand Act 1989 protect the State Highway and limited access road physical resources from adverse effects. These provisions act in concert with the District Plan provisions to achieve sustainable management.

Under Part IIIA of the Forests Act 1949 sustainably managed harvesting of indigenous vegetation requires the prior approval of the Ministry of Forestry. Such approval is carried out in consultation with the Department of Conservation and where appropriate Te Puni Kokiri. The Forests Act, 1949 (as amended in 1993) covers all indigenous forests held privately, or by the Crown in Carterton District, except:

- land held or administered by the Department of Conservation;
- planted indigenous forest.

## **2.6 ANTICIPATED ENVIRONMENTAL RESULTS**

The implementation of the policies and methods is expected to result in the following outcomes:

Minimal adverse effects on the quality of the rural environment, including:

- (a) The preservation of the character of natural features **(as identified in Chapter 13, Natural Environment)**;
- (b) The protection of significant landscapes **(as identified in Chapter 13, Natural Environment )**;
- (c) Sustainable management of the rural land resource;
- (d) Minimal nuisance effects created through incompatible activities; and
- (e) Retention of the rural amenity.

## 2.7 DISTRICT RULES

**(Check whether the requirements of Part B, District Provisions apply to the proposed activity).**

<b>2.7.1 PERMITTED ACTIVITIES</b>
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The following activities are permitted in the rural area provided they comply with all conditions and the payment of any financial contributions and are not identified as controlled, limited discretionary, or discretionary;

- (a) Primary production activities (including horticulture, viticulture, forestry, agriculture, floriculture and racing stables - refer to definitions, Chapter 17).
- (b) Residential activities (including one accessory flat, home hosting and residential business - refer definitions, Chapter 17).
- (c) Marae and marae-based facilities and activities.
- (d) Sale of produce (primary and craft related) provided it does not front State Highway.
- (e) Craft and cottage industry
- (f) Rural cultural and recreational facilities
- (g) Accessory buildings and structures

- (h) Tree planting exclusively for soil conservation, shade, amenity or shelter
- (i) Subdivision
  - of different floors or levels of a building or different parts of a floor or level of a building
  - of land for the purpose of:
    - containing a utility structure or special public purpose
    - making a boundary adjustment that will not create additional building lots
- (j) Temporary Activities
- (k) Community activities and facilities
- (l) Veterinary clinics
- (m) Advertising and signs
- (n) Earthworks.

<b>2.7.2 Conditions for Permitted Activities</b>
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**2.7.2.1 Setback in Relation to Site Boundary and Height Requirements:**

Activity:	Setback (Front):	Setback (Rear):	Setback (Both Sides):	Height:
Residential building and associated accessory buildings	8 metres	8 metres	5 metres	10 metres
Other buildings or structures	16 metres	12 metres	12 metres	20 metres

Note : The following structures are excluded from the calculation of height -

- chimneys, flues and minor decorative features
- telecommunication antennas (provided they do not exceed the diameters specified in 16.6.2.2(e))
- flag poles
- televisions and radio antennas
- solar heating devices
- gable end roof (by no more than one third of the gable height).

In addition the following conditions apply:

- (a) Any dwelling shall be setback at least 40 metres from high voltage transmission lines 110KV or over.
- (b) Any dwelling shall be setback at least 150 metres from the edge of any building or closely fenced outdoor run utilised for any intensive farming activity, effluent holding pond or waste disposal area (excluding waste disposal areas associated with domestic septic tanks, located on an adjacent site).
- (c) Any dwelling shall be setback at least 50 metres from an existing industrial building/structure in the rural industrial area.
- (d) Any building, structure, earthworks or forestry planting shall be setback 10 metres from any body of surface water, 20 metres from the margins of the waterways identified in Appendix 7A and 60 metres from MHWS. This setback will not apply to below ground telecommunication or electricity lines and cables.
- (e) The disposal system of any septic tank or on-site sewage system shall be setback 20 metres from any body of surface water.
- (f) Any building, structure or deposit of materials shall not obscure the sight distances from any road to a rail level crossing as shown in figure 15.5 in the Transport Section.
- (g) Any forestry activity shall be setback 10 metres from:
  - the boundary of any adjoining site contained in a separate certificate of title which has a different registered proprietor.
  - the legal boundary of any adjacent public road.

Any forestry activity with trees that are expected to reach or exceed the height of any overhead power or telephone lines shall be setback 20 metres from the overhead power or telephone lines. Any forestry activity should be set back 50 metres from the boundary of any school.

- (h) No building or structure over 2 storeys (maximum height 9 metres) to be located on a hilltop or ridgeline.
- (i) Grain silos shall not be located within 200 metres of the Urban Residential boundary.
- (j) No shelter belt shall:
  - cause icing of any road being perpetuated as a result of shading of the road between 10am and 2.00pm on the shortest day; or
  - prevent sunlight from reaching any point within 10 metres of any building, including residential buildings, between 10am and 2.00pm on the shortest day.

#### 2.7.2.2 Number of Dwellings per Lot:

A maximum of one dwelling per lot with the following exceptions:

- (a) One accessory flat to a maximum 75m<sup>2</sup> gross floor area is permitted in addition to one dwelling.
- (b) Dwellings on Maori Freehold Land, provided they are located in accordance with an Occupation Order made by the Maori Land Court under Part XV of the Maori Land Act 1993.
- (c) Dwellings on Maori Freehold Land provided each dwelling is located on a site partitioned by the Maori Land Court as a site for a dwelling in accordance with section 296 of the Maori Land Act 1993.

#### 2.7.2.3 Odour:

No activity shall result in an objectionable odour being able to be detected at the boundary of any adjoining property. For the purpose of this condition an objectionable odour is defined as that which can be detected and is defined as objectionable in terms of the FIDOL factors - frequency, intensity, duration, offensiveness and location - by one or more observers; including at least one

Council Officer.

**2.7.2.4 Lighting and Glare:**

Light emissions measured from any site shall not exceed a measurement of 8 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

All external lighting shall be directed or shaded so as to avoid any glare nuisance for nearby residential properties and roads.

**2.7.2.5 Advertising and Signs:**

- (a) Any permanent sign shall be permitted provided it is located on the site on which the advertised activity occurs and that-
- (i) Signs must be stationary and not incorporate any flashing illumination.
  - (ii) No sign may be erected in such a manner that it creates a hazard to vehicle or pedestrian traffic.
  - (iii) Signs for controlling, directing, or managing traffic (including road names) can be located anywhere provided they are erected by the appropriate authority or its authorised agent.
  - (iv) Signs shall;
    - Not reduce the visibility of any official traffic sign or signal;
    - Not be illuminated unless the premises are open for business.
  - (v) Signs within 20 metres of the boundary of the state highway must comply with the following:
    - There shall be no more than 1 sign per site;
    - The sign shall not exceed 2.2m<sup>2</sup>;
    - The sign shall have a minimum lettering size of 150mm and a minimum vertical gap between lines of 50mm;
    - The sign must comply with the other conditions for permanent signage in the Rural Environment Zone (refer Rule 2.7.2.5(a)).



- (b) Any temporary sign shall be permitted provided that-
- (i) No sign may be erected in such a manner that it creates a hazard to vehicle or pedestrian traffic.
  - (ii) Signs must be stationary and not incorporate any flashing illumination.
  - (iii) Signs shall not be located on any public road or other public place.
  - (iv) Any sign advertising forthcoming cultural, religious or sporting events or other events for similar purposes provided that the sign shall not be displayed for not more than 21 days before and shall be removed within 7 days after the date of the event.
  - (v) Any sign not exceeding 3m<sup>2</sup> in face area for General or Local Body Elections providing that any sign shall not be displayed for more than 2 months before and shall be removed within 7 days after the close of the election.
  - (vi) Any temporary sign (those advertising one off events) and their fixtures including signs advertising the sale of real estate provided they are removed within 48 hours of the activity, to which the sign relates, ceasing.
  - (vii) Signs shall;
    - Not reduce the visibility of any official traffic sign or signal;
    - Not be illuminated unless the premises are open for business.

These requirements are complementary to, and not in substitution for, any Bylaw the Council administers in respect of signs. Where the provisions of this Plan are inconsistent with the provisions of any Bylaw, the provisions of this Plan shall prevail.

#### 2.7.2.6 Noise:

The following noise levels apply within the rural area:



- (a) No activity, except audible bird scaring devices, recreational hunting and pest control, and temporary activities, may generate noise which exceeds the following limit measured at the boundary of the site upon which the activity is occurring -
- |                             |                  |
|-----------------------------|------------------|
| 55 dBA L10                  | 7am to 9pm daily |
| 45 dBA L10 and 75 dBA L Max | 9pm to 7am daily |
- (b) Noise for construction and demolition activities shall not exceed the recommended upper limits for construction noise as set out in New Zealand Standard 6803P 'The Measurement and Assessment of Noise from Construction Maintenance and Demolition Work.
- (c) Any audible bird scaring device (including firearms) must comply with the following:
- Operate between 7am and 8pm only;
  - A maximum of 6 events per hour where an event is defined in a cluster of up to three shots from gas operated devices or three multiple shots from firearms, in rapid succession where:
  - The sound emitted at the boundary or notional boundary at any adjoining dwelling shall not exceed 85 dB peak (or unweighted) level.
- (d) All noise levels shall be measured in accordance with NZS 6801: "Measurement of Sound - Methods of Measuring Noise: 1991" and assessed in accordance with NZS 6802 "Assessment of Environmental Sound - Assessment of Noise in the Environment": 1991", or in accordance with any subsequent New Zealand Standards that concern the measurement and assessment of noise in the environment.
- (e) Where NZS 6802:1991 does not include the type of noise in question, the appropriate standard or regulation, the scope of which includes the type of noise, shall be used.

Note: Vehicles driven on a road are excluded from the permitted activity conditions for noise.

### 2.7.2.7 Earthworks

With the exception of roading and tracking, and road, bridge and culvert maintenance or replacement carried out on existing road:

- (a) Any activity may alter the existing ground level by up to 2.5 metres measured vertically.

Except

- Earth dams\* (which are permitted provided provision (b) below and all other relevant provisions in the District Plan are satisfied).

- (b) Any activity may involve the disturbance of up to 2000m<sup>3</sup> of earth:

Except

- Earth dams on slopes of less than 23 degrees within the area of land that extends east of the Ruamahanga River to the East Coast, may involve the disturbance of up to 3000m<sup>3</sup> of earth.
- Earth dams on slopes of less than 28 degrees in the area of land that extends west of the Ruamahanga River to the western boundary of the Carterton District, may involve the disturbance of up to 3000m<sup>3</sup> of earth.
- On slopes of greater than 23 degrees within the area of land that extends east of the Ruamahanga River to the East Coast, any activity may involve the disturbance of up to 1000m<sup>3</sup> of earth.
- On slopes of greater than 28 degrees in the area of land that extends west of the Ruamahanga River to the western boundary of the Carterton District, any activity may involve the disturbance of up to 1000m<sup>3</sup> of earth.

**Note:** \*Earth dams do not include dams created within the body of surface water, nor do they include stopbanks for the purpose of flood protection.

**Note:** A resource consent may be required from the Wellington Regional Council for activities affecting a water body. Soil disturbance, and roading

**and tracking activities may also require resource consent from the Regional Council.**

#### **2.7.2.8 Effluent Disposal:**

Any oxidation ponds, effluent holding ponds and waste disposal areas, excluding waste disposal areas associated with domestic septic tanks, shall provide the following setbacks:

- A minimum of 500 metres from the boundary of the urban environment;
- A minimum of 150 metres from any dwelling on any adjoining site and 50 metres from the boundary of the adjoining site.

Note: The Wellington Regional Council will need to be contacted regarding requirements for any consents for discharges to air, land or water.

#### **2.7.2.9 Outdoor Storage:**

Any outdoor storage area or area containing more than 4 parking spaces shall be screened including by landscape planting so as to minimise the visibility from any public road, public place or any dwelling on an adjoining property.

#### **2.7.2.10 Surfacewater Disposal:**

Provision shall be made for the collection, treatment and disposal of surfacewater runoff in accordance with the Chapter 9, Subdivision and Development.

#### **2.7.2.11 Water Supply:**

Provision shall be made for water supply in accordance with the Subdivision and Development Section.

#### **2.7.2.12 Sewage:**

Provision shall be made for sewage disposal in accordance with the Subdivision and Development Section.

**2.7.2.13 Vehicle Access:**

All activities shall be provided with practicable vehicle access from a public road in accordance with Appendix 15A in Chapter 15, Transport.

**2.7.2.14 Vehicle Parking, Manoeuvring and Loading:**

Each activity shall be provided with vehicle parking spaces, manoeuvring areas and loading facilities as specified in Appendix 15A in Chapter 15, Transport.

**2.7.2.15 Safety and Visibility at Road and Rail Intersections:**

No activity shall erect any structure, or deposit any materials, or plant any tree that would obscure the sight distances from any road to a rail crossing as shown in Figure 15.5 in Chapter 15, Transport.

Where any vehicle access crosses a rail level crossing, it shall be formed at the same level as the level crossing for 20 metres either side of the level crossing.

**2.7.2.16 Hazardous Substances:**

Provision shall be made for dealing with hazardous substances in accordance with Chapter 11, Hazardous Substances & Waste Management.

**2.7.2.17 Natural Hazards:**

Provision shall be made for dealing with natural hazards in accordance with Chapter 10, Natural Hazards.

*Explanation:*

*The plan provisions provide for new development although the rules are designed to restrict density and limit the scale of development in order to retain the important characteristics of the rural area. The number of dwellings per lot is restricted in order to maintain the open rural amenity. Some conditions relate to nuisance type effects and the rules are designed to minimise these matters for example, odour and noise.*

**2.7.3 Conditions relating to Permitted Residential Business Activities:**

**2.7.3.1 All exterior storage or display of materials and finished products shall be screened/landscape planted so as not to be visible from any public road, place or adjoining property.**

**2.7.3.2 No more than 2 persons who reside off the premises may be employed in the activity.**

**2.7.3.3 The activity shall be carried out only between the hours of 7.30am to 9.30pm.**

*Explanation:*

*The conditions included for residential business are intended to protect the amenities of the rural area and the provisions recognise these activities if limited in scale will not detract from the amenity of the area.*

**2.7.4 Conditions for Airport Protection Area:**

The extent of the Airport Protection Area is identified on the planning maps.

The airport is within Masterton District and provisions relating to the operation of the airport are contained within the Masterton District Plan. One section of the airport protection area falls within the jurisdiction of the Carterton District Plan.

The Airport Protection Area comprises land in the shape of a fan, located at the ends of the landing/takeoff strips and vertically below the takeoff/approach slopes of the strip. The protection area extends from the end of the strips for a horizontal distance of 2250 metres.

**2.7.4.1 No building, other structure, mast or tree shall be erected or located in the Airport Protection Area so as to penetrate the 1:50 approach slopes, the transitional slopes or the horizontal surface.**

*Explanation:*

*Specific provisions have been included for a small area of land in which the effects of activities on the airport needs to be avoided. In addition the impact of the airport on other activities need to be avoided.*

<b>2.7.5 Conditions Relating to Permitted Temporary Activities</b>
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**2.7.5.1 No permanent structures may be constructed**

**2.7.5.2 Except where specified, temporary activities shall comply with the relevant permitted activity conditions.**

**2.7.5.3 Duration of the activity to be limited as follows:**

- **Activities ancillary to building and construction limited to the duration of the project or for a period not exceeding 12 months whichever is the lesser;**
- **Temporary Military Activities to a period not exceeding 31 days.**

*Explanation:*

*Specific provisions have been included for the temporary use of land or structures as there are many activities of a temporary nature which occur throughout the district at different times for different purposes. The community accepts a slightly wider margin of tolerance of the effects of temporary activities due to their infrequent occurrence, short duration or necessity of the function. However some limitations are required beyond which consent may be required to assess and mitigate any adverse effects.*

<b>2.7.6 CONTROLLED ACTIVITIES</b>
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- (a) Subdivision except:
  - where it fronts the State Highway; or
  - is referred to in Part B, District Provisions
- (b) Forestry plantings not meeting the setback conditions under the permitted activity category
- (c) Relocation/reconstruction of buildings

**2.7.7 Standards and Terms and Controlled Matters:****2.7.7.1 Subdivision except:**

- where it fronts the State Highway; or
- is referred to in Part B, District Provisions

**Standards and Terms:**

[Refer to Chapter 8, Financial Contributions for the payment of any financial contributions.]

The minimum lot size is 3 hectares provided that access strips or access lots to rear lots shall be excluded from the calculations of minimum site area.

**Council will exercise control over the following:**

## (a) Water supply

Whether each lot can be serviced from a supply demonstrated as being adequate and potable to the lots being created. Consideration will be given to whether connection can be made to the urban reticulated system or a communal water supply, with costs being met by the applicant. (Refer to the full provisions for water supply within the Subdivision and Development Section).

## (b) Sewage disposal

Whether each lot can be serviced by a system that is evidenced to be fully self contained for on-site treatment and disposal. (A report shall be prepared which outlines how this requirement will be satisfied to accompany an application.) As a first option for subdivisions consideration will be given to whether connection can be made to the urban reticulated system, or to communal sewerage, sewage treatment and disposal, with costs being met by the applicant. (Refer to the full provisions for sewage within the Subdivision and Development Section).

Note: The Wellington Regional Council will need to be contacted regarding requirements for any consents for discharges to air, land or water.

Wellington Regional Council will need to be contacted if a bore/well is to be constructed, and may need to be contacted if water is to be taken from waterbodies.

(c) Building platform

Whether the lot can provide a site suitable for building development. Sites shall be identified on the application plan and Council may require confirmation of their suitability by a registered engineer. **[Refer to Chapter 10, Natural Hazards].**

(d) Access

Every lot must have suitable access to a formed legal road. **[Refer to Chapter 15, Transport].**

(e) Lots off right of way

Whether the right of way is adequate to serve the number of proposed lots. **[Refer to Chapter 15, Transport].**

(f) Esplanade reserves or strips

Whether esplanade land is required to be set aside. **[Refer to Chapter 7, Water Margins.]**

*Explanation:*

*The 3 hectare minimum lot size generally provides for a low intensity of built development, which in turn increases the degree to which the effects of this development can be absorbed by the natural environment. The Council will monitor the effectiveness of the provisions. Consideration of the effects of each application in terms of the matters listed.*

**2.7.7.2 Forestry Plantings not meeting the setback conditions under the permitted activity category.**

**Council will exercise control over the following:**

## (a) Location

The setback provisions are adequate to deal with the nuisance effects of shading. The written consent of any adversely affected party (owner and occupier) will be required. This may include Transit New Zealand, the Wellington Regional Council and adjoining property owners before consideration will be given to non-notification.

*Explanation:*

*In order to protect the amenity of the rural area consideration needs to be given to the effects of shading on adjoining activities.*

**2.7.7.3 Relocation/Reconstruction of Buildings****Standards and Terms**

This activity must comply with all permitted activity conditions. The written approval of affected persons will not be necessary and applications need not be notified.

**Council will exercise control over the following:**

## (a) Location

The proposed location in terms of setback provisions and siting.

## (b) External design and appearance

The effects on visual amenity and the proposed methods of mitigation in terms of appearance and condition of the building. Information shall be provided which outlines the current appearance, condition and design of the building and any proposed changes.

[Applicants may be required as a condition of the resource consent to provide a report to Council to the effect that the construction and appearance of the building to be relocated is such that it may be reasonably expected (with upgrading if necessary) to meet the above requirements.

In addition applicants may be required to deposit a sum of money with the Council or enter into a bond guaranteed by a bank. The amount to be such as to meet the estimated costs to upgrade the building plus 10%, within a specified period up to 12 months from the date of issue of the building permit. The period to be determined by the Council having regard to the circumstances of each case. The estimate is to be provided by the applicant and certified by a registered tradesperson(s).]

*Explanation:*

*To protect and enhance the visual amenity of the rural area the external design and appearance of relocated and reconstructed buildings will be considered as part of an application.*

<b>2.7.8 LIMITED DISCRETIONARY ACTIVITIES</b>
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- (a) Residential activities and residential businesses which do not meet certain conditions for permitted activities.
- (b) Roadside retail activity for the display and sale of produce (primary and craft) adjacent to the State Highway.
- (c) Intensive Farming Activity.
- (d) Any structure or building on a hilltop or ridgeline.
- (e) Signs for controlling, directing, or managing traffic (including road names) which are not erected by the roading authority or its authorised agent.

<b>2.7.9 Standards and Terms and Matters of Council Discretion</b>
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**2.7.9.1 Residential activities and residential businesses which do not meet certain conditions for permitted activities.**

**Standards and Terms**

Except for the matters specified in this rule the activity must comply with the conditions within the permitted activity category. The written approval of affected persons will be required before consideration will be given to non notification.

**Council has limited the exercise of discretion to the following:**

## (a) Height

The permitted height levels are not to be exceeded by more than 10%. (The written approval of affected persons will not be necessary in respect of this matter.)

## (b) Setbacks

Whether the location will adversely affect adjoining activities.

*Explanation:*

*Where permitted activity conditions cannot be met for height and setbacks, consideration in terms of effects on neighbouring activities and the rural amenity will be dealt with through consideration as a limited discretionary activity with discretion exercised in relation to height and setbacks.*

**2.7.9.2 Any roadside retail activity for the display and sale of produce (primary and craft) adjacent to the State Highway.****Standards and Terms:**

Except for the matters specified in this rule the activity must comply with the conditions within the permitted activity category. The written approval of Transit New Zealand will be required before consideration will be given to non notification.

**Council has limited the exercise of discretion to the following:**

(a) Siting

The extent to which the proposed location is likely to create a hazard and reduce visibility for road traffic.

(b) Access

The design and location of access points to and from the site in terms of effects on road traffic.

(c) Signage;

The location, size and effects of any signage on amenity and the safety of road users.

*Explanation:*

*In order to avoid, remedy or mitigate any likely adverse effects of produce stalls on the safety of state highway road users consideration will be given to this matter through the consent process.*

### 2.7.9.3 Intensive Farming Activity

#### **Standards and Terms:**

Except for the matters specified in this rule the activity must comply with the conditions within the permitted activity category.

#### **Council has limited the exercise of discretion to the following:**

(a) Setbacks

Whether the location of any intensive farming activity (including any associated oxidation pond, effluent holding pond or waste disposal area) will adversely affect adjoining activities particularly in terms of noise and odour and the extent to which the proposed setbacks will reduce any adverse effects including on any bodies of surface water.

The following setbacks will be used for **guidance** purposes:

- 500 metres from the urban environment boundary;
- 150 metres from any existing dwelling on an adjoining site;
- 50 metres from the boundary of any adjoining site;
- 20 metres from any public road and state highway.

The relevant provisions from industry codes of practice will also be used for guidance where appropriate.

(b) Screening

Whether any proposed screening will adequately reduce the visual impact of any buildings and structures associated with the activity. Consideration will be given to the positive benefits of landscaping including reducing odour effects. However, generally landscaping should not be undertaken around oxidation ponds to allow for aeration.

(c) Services

The proposed means of effluent disposal and other required servicing including water supply.

(Note: The Wellington Regional Council will need to be contacted regarding requirements for any consents for discharges to air, land or water.)

*Explanation*

*In order to deal with the potential adverse effects of intensive farming activities conditions may be required and this will be assessed as part of an application. No fixed buffer limits have been set as an assessment on a case by case basis will allow the most appropriate setbacks to be established for the particular proposed activity. The assessment criteria contained in the New Zealand Pork Industry Board Code of Practice will be used to help assess the likely effects of piggeries and proposed setbacks to avoid likely effects.*

**2.7.9.4 Any structure or building on a hilltop or ridgeline.**

**Standards and Terms:**

Except for the matters specified in this rule the activity must comply with the conditions within the permitted activity category.

**Council has limited the exercise of discretion to the following:**

(a) Visual effects

The extent to which the building or structure is visible against the skyline when viewed from the urban area, any public road or from any natural environment area or feature and the means proposed of mitigating any visual effects. Particular consideration will be given to the visual effects on any prominent coastal escarpment or cliff.

*Explanation:*

*Visual effects of any building or structure will be assessed in order to maintain existing landforms. Any proposal will be considered particularly in terms of the modification of the skyline when viewed from public places.*

**2.7.9.5 Signs for controlling, directing, or managing traffic (including road names) which are not erected by the roading authority or its authorised agent.**

**Standards and Terms:**

Except for the matters specified in this rule the activity must comply with the conditions within the permitted activity category. The written approval of the owner of any allotment and the roading authority or its authorised agent will be required before consideration will be given to non notification.

**Council has limited the exercise of its discretion to the following:**

(a) Visual

The effect of any signage on the amenity of the rural environment.

(b) Siting

The extent to which the proposed location is likely to create a hazard and reduce visibility for road traffic.

*Explanation:*

*To protect and enhance the visual amenity of the rural environment and the safe and efficient functioning of the State Highway consideration needs to be given to the adverse effects that directional signs may have. Such adverse effects include cumulative effects.*

**2.7.10 DISCRETIONARY ACTIVITIES**

- (a) Any activity not referred to in this zone as permitted, controlled or limited discretionary and not referred to in Part B, District Provisions.
- (b) Any industry.
- (c) Any redevelopment or change of use of a contaminated site.
- (d) Any subdivision not meeting the standards and terms for controlled activities and not referred to in Part B, District Provisions.
- (e) Any earthworks not meeting Permitted Activity conditions.

**2.7.11 Council may have regard to the following matters:**

**2.7.11.1 Any activity not referred to in this zone as permitted, controlled or limited discretionary and not referred to in Part B, District Provisions.**

- (a) Whether the scale of the development is generally in keeping with the character and amenity of the rural area;
- (b) the nature and scale of the effects created by the activity for example, on noise, glare, dust, and smoke and the methods proposed to avoid, remedy or mitigate the effects;
- (c) any effects on the operation of the road, access provision, provision for vehicle parking, loading and manoeuvring. Access to the State Highway will be carefully assessed;
- (d) the proposed restoration of any quarried land. A restoration plan shall be submitted with any application;

- (e) the effects on the visual amenity of the rural environment and the proposed mitigation measures in terms of screening and landscaping;
- (f) consideration will be given to the likely cumulative effects where activities are being concentrated in one locality including effects on the rural character and amenity;
- (g) the proposed means of waste disposal and other required servicing including water supply. A solid waste management plan may be required;
- (h) the effects of the use or storage of hazardous substances and the proposed methods for avoiding, remedying or mitigating any adverse effects;
- (i) whether the methods of disposal of tailings and spoil and other waste will mitigate any adverse effects on the environment;
- (j) whether any adverse effects on natural environment features and areas, the coastal environment, heritage features and areas of indigenous vegetation can be avoided, remedied or mitigated;
- (k) whether any adverse effects can be remedied in terms of natural hazard areas; and
- (l) Where there are odour effects reference will be had to the FIDOL factors in assessing the methods proposed to avoid, remedy or mitigate the adverse effects. The FIDOL factors are:
  - Frequency;
  - Intensity;
  - Duration;
  - Offensiveness;
  - Location.

(Note the Wellington Regional Council will need to be contacted regarding requirements for any consents for discharges to land, air or water, for bores and/or wells. The Wellington Regional Council may also need to be contacted if water is to be taken from waterbodies.)

*Explanation:*

*Where an activity is likely to create adverse effects on the rural environment consideration will be given on a case by case basis. The matters outlined above will be used as the basis for an assessment of likely adverse effects.*

**2.7.11.2 Any industry**

- (a) Whether the visual effects of any building, structure or earthworks can be remedied or mitigated through landscape planting and screening. Existing on-site planting should be retained. In particular consideration will be given to the proposed means of screening outdoor storage areas. Where a yard adjoins the State Highway frontage the yard screening and landscaping should be appropriate to adequately screen the area;
- (b) the effects of the use or storage of hazardous substances and the proposed methods for avoiding, remedying or mitigating any adverse effects;
- (c) the nature and scale of the effects on the rural amenity created by the activity for example, on noise, glare, dust, odour and smoke;
- (d) any effects on the operation of the road, access provision, provision for vehicle parking, loading and manoeuvring. Access to the State Highway will be carefully assessed;
- (e) consideration will be given to the likely cumulative effects where industry is being concentrated in one locality including effects on the rural character and amenity; and
- (f) the proposed means of waste disposal and other required servicing including water supply. A solid waste management plan may be required.

(Note: The Wellington Regional Council will need to be contacted regarding requirements for any consents for discharges to land, air or water, for bores and/or wells. The Wellington Regional Council may also need to be contacted if water is to be taken from waterbodies.)

*Explanation:*

*The appropriateness of industrial type activities in the rural environment will be assessed in terms of any effects on the amenity and character of the rural environment. Proposed measures to avoid, remedy or mitigate any likely adverse effects will be considered.*

**2.7.11.3 Any redevelopment or change of use of a contaminated site.**

- (a) Nature and degree of contamination;
- (b) the proposed approach to decontaminating a site; and
- (c) management or mitigation measures to avoid any significant adverse effects on public health and safety and the environment.

*Explanation:*

*At this stage work is being undertaken through the Wellington Regional Council to identify any contaminated sites. It is appropriate that where a contaminated site is identified that any likely adverse effects on future activities be avoided and the importance of site clean up be acknowledged. Council will work with the Wellington Regional Council to develop a register of (confirmed) contaminated sites that can be updated regularly by adding sites when contamination is confirmed and deleting sites which decontamination is confirmed. This register could be part of a Regional Register of (confirmed) Contaminated Sites.*

**2.7.11.4 Any subdivision not meeting the standards and terms for controlled activities and not referred to in Part B, District Provisions.**

- (a) The requirements of section 106 of the Resource Management Act;
- (b) provisions for access to all lots;
- (c) provision for sewage disposal and stormwater disposal which will not adversely affect public health and the environment;
- (d) the provision and availability of adequate and potable water supply;

- (e) whether there may be cumulative effects on the roading network and utility services.  
The location of entrance and exit lanes and the impact on State Highway traffic. Approval for the granting of licensed crossing places rests with Transit New Zealand.
- (Note: Transit New Zealand must be consulted as an affected party before consideration will be given to dealing with this matter on a non-notified basis).
- (f) Whether subdivision not meeting the minimum lot size requirement will increase the density of development and reduce the open rural amenity;
- (g) provision is made as required for esplanade land. (Refer to the provisions of the Water Margins Section);
- (h) whether the adverse effects of the proposed subdivision can be remedied in terms of natural hazard areas; and
- (i) whether the adverse effects on natural feature and areas and the coastal environment can be avoided.

*Explanation:*

*The effects of subdivision within more sensitive environments will be considered as a discretionary activity in order to deal with the scale of the effects on a case by case basis. In addition the effects of closer density will be assessed in order to control the potential visual impact. The effects on the safety and operation of the State Highway can be minimised through the appropriate siting of both access points and signage.*

**2.7.11.5 Any earthworks not meeting Permitted Activity conditions.**

- (a) Alteration and disturbance of ground, in particular effects on bodies of surface water, visual amenity, vegetation, important natural features and areas, and heritage resources.

*Explanation:*

*Where the removal, relocation or deposition of earth is undertaken, it is important to*

*ensure that the effects are avoided, remedied or mitigated through the resource consent process.*