

## **3b RURAL ENVIRONMENT CHAPTER**

### **3b.1 Introduction**

The Rural Environment makes up most of the land within the District and has been categorised into two distinct areas, being the General Rural Environment and the Rural Lifestyle Environment. These separate areas highlight the increasing need to protect the open space characteristics of the Rural Environment and its production values, while also providing for the growth of the District and the demand for rural lifestyle living in specific locations.

The Rural Environment also contains sites that are of significance, some of these are identified as Outstanding Landscape Areas. The Rural Environment objectives and policies seek to manage subdivision and land use activities in a way that reflects the productive nature of the land, the rural level of infrastructural services and the amenity values of the landscape, as well as managing effects and enabling rural lifestyle living in appropriate areas. Other activities that are anticipated in the Rural Environment are tourism activities, visitor accommodation and electricity generation. It is important that all such activities do not affect the ability of the rural environment to function effectively. It is expected in the Rural Environment that all properties are self-servicing in terms of the provision of potable water and the disposal of stormwater and wastewater.

The papakāinga provisions recognise the intent of Part 2 of the RMA and provide for the occupation by whanau, hapu or iwi members on Māori land. The provisions recognise the importance of enabling māori to settle on their ancestral lands. Papakāinga development will often be at higher densities than other residential land uses in the rural environment. Papakāinga may also have associated social, cultural or commercial aspects to support the community who reside there.

In addition to papakāinga there is a wide range of cultural activities and activities of importance to māori which are appropriate to occur within the rural environment.

#### **General Rural Environment**

The General Rural Environment is predominantly characterised by large open space and vegetated areas including productive farmland and forest, ridgelines, native bush, lakes, rivers and their margins. Other prime characteristics of the General Rural Environment are the diverse range of land uses including farming, horticulture and plantation forestry activities, with dispersed buildings and rural roads. There is also a

wide range of development associated with tourism activities, recreation, and the generation and transmission of electricity.

The purpose of separating the General Rural Environment from the Rural Lifestyle Environment is to preserve the productive potential of the land within the General Rural Environment by retaining large property sizes and limiting the extent of housing provided for. Yet allowing appropriate development to occur while preserving the 'openness' of the General Rural Environment. The creation of the General Rural Environment aims to support primary productive uses and rural industry, meaning an activity that directly supports, services, or is dependent on primary production and has a locational need to be within the General Rural Environment (rather than an urban environment).

Primary production activities in the General Rural Environment will produce effects that are different from urban areas, such as noise, odour, vibration, spray drift and dust. Allowing these activities to operate in a more suitable environment, along with compatible activities, aims to protect rural land uses from unnecessary restrictions.

The General Rural Environment provisions seek to limit the scale of commercial and industrial activities unless they are dependent on primary production and have a locational need to be within the General Rural Environment. This is to avoid the uptake of General Rural Environment land by activities which are provided for in other Environments and may therefore impact on the land available for primary production activities within the General Rural Environment.

### **Rural Lifestyle Environment**

The Rural Lifestyle Environment has been created to address the increasing demand for rural lifestyle living within the Rural Environment. The Rural Lifestyle Environment aims to provide for rural residential development in specific locations for those who want the benefits of rural living without necessarily undertaking a productive rural activity.

By creating a separate area within the Rural Environment, the Rural Lifestyle Environment creates areas for rural living on smaller property sizes, whilst retaining separation from the rural production activities predominating in the General Rural Environment. This separation of activities serves to minimise reverse sensitivity issues. At the same time by concentrating rural residential development within the Rural Lifestyle Environment this serves to preserve the open space characteristics and productive potential of the rest of the Rural Environment.

The Rural Lifestyle Environment will be less populated than a Residential Environment, with standards in place for minimum lot sizes to preserve the rural residential aspect of the area. Limited provision is also made for home business and commercial activity to occur, but not of a scale or extent that changes the predominantly rural residential amenity and character intended. The Rural Lifestyle Environment areas are located closer to urban areas to allow for access to community facilities within the district's townships.

## **3b.2 Objectives and Policies - General Rural Environment**

### **Objective 3b.2.1 Enable Primary Production**

Primary production is enabled by protecting the availability of the rural land resource and its productive capability.

### **Objective 3b.2.2 Maintaining the established General Rural character**

The established character of the General Rural Environment is maintained and the cumulative erosion of its character through incremental subdivision and development is avoided.

### **Objective 3b.2.3 Rural industry**

Rural industry is enabled whilst commercial and industrial activities, other than home-business, are avoided.

### **Objective 3b.2.4 Other activities**

Māori cultural activities, tourism activities, visitor accommodation and electricity generation activities are enabled in the General Rural Environment.

### **Objective 3b.2.5 Avoidance of reverse sensitivity**

Reverse sensitivity effects on permitted activities within the General Rural Environment, including conflict with activities in neighbouring Environments, are avoided.

### **Objective 3b.2.6 Impacts on infrastructure**

The impacts on infrastructure arising from subdivision and development are managed.

### **Objective 3b.2.7 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga

Papakāinga are of a form and scale that considers the functioning of the General Rural Environment.

### **Policy 3b.2.8 Maintaining the established character**

Maintain the established General Rural Environment character, as defined by:

- a) Large open spaces between built structures
- b) A mix of residential and rural production buildings
- c) Noises related to production activities during the day but low levels of noise at night
- d) Low levels of light spill.
- e) Infrequent vehicle movements to and from a site
- f) Limited signage that directly relates to the activity operating on the site.

### **Policy 3b.2.9 Residential units**

Avoid the cumulative effects of rural lifestyle development by limiting residential units that:

- a) Increase the demand for community infrastructure and services
- b) Result in the inefficient use of land or loss of future flexibility for productive uses
- c) Erode the general rural character through its density, scale and location.

### **Policy 3b.2.10 Heavy vehicle movements**

Manage heavy vehicle movements to avoid damage to the transport network and adverse impacts on road safety.

### **Policy 3b.2.11 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the rural land resource will not be compromised.

### **Policy 3b.2.12 Avoiding reverse sensitivity**

Any adverse effects generated by an activity must be managed within the allotment so as to avoid adversely affecting lawfully established neighbouring activities.

### **Policy 3b.2.13 Commercial and industrial activity**

Limit the scale of commercial and industrial activity to avoid the uptake of general rural land by activities that are provided for in other Environments and may impact on the availability of land for primary production activities within the General Rural Environment.

#### **Policy 3b.2.14 Allotment size**

Maintain allotments at a size of 10 hectares or larger to allow flexibility for a wide range of productive land uses in the future.

#### **Policy 3b.2.15 Papakāinga**

- i. Provide for the development of papakāinga on Māori land
- ii. Recognise the social and cultural benefits of the occupation and development of papakāinga by whanau, hapū and iwi on Māori land
- iii. Allow for Papakāinga on General land owned by Māori where it can be demonstrated that there is an ancestral connection to the land and the land will remain in Māori ownership or be converted to māori freehold title.

#### **Policy 3b.2.16 Maori Cultural Activities**

Support māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.

### **3b.3 Objectives and Policies - Rural Lifestyle Environment**

#### **Objective 3b.3.1 Maintain the character of the Rural Lifestyle Environment**

The character of the Rural Lifestyle Environment is maintained and protected from incremental subdivision and development.

#### **Objective 3b.3.2 Avoid reverse sensitivity**

Adverse reverse sensitivity effects, including conflict with activities in neighbouring Environments, are avoided.

#### **Objective 3b.3.3 Commercial and industrial activities**

The establishment of commercial and industrial activities that are incompatible with the residential activities occurring within the Environment are avoided.

#### **Objective 3b.3.4 Consolidate rural lifestyle activities**

Rural lifestyle activities within identified areas are consolidated to encourage more efficient use of the rural land resource and avoid the fragmentation of land in the General Rural Environment.

### **Objective 3b.3.5 Allotment sizes**

That allotments are maintained at sizes to:

- a) Enable small scale primary production to occur; and
- b) Avoid the cumulative impacts on community infrastructure and services arising from an increase in demand or increases to level of service.

### **Objective 3b.3.6 Impacts on community infrastructure**

The impacts on community infrastructure arising from subdivision and development are managed.

### **Objective 3b.3.7 Papakāinga**

Whanau, hapū and iwi can use and develop ancestral land for Papakāinga

Papakāinga are of a form and scale that considers the functioning of the Rural Lifestyle Environment.

### **Policy 3b.3.8 Character of the Rural Lifestyle Environment**

Manage the anticipated character of the Rural Lifestyle Environment as defined by:

- a) Buildings on different sites are separated from each other in a way that creates a sense of privacy.
- b) Accessory buildings that do not dominate the landscape.
- c) Houses may be large but are surrounded by open space and do not dominate the landscape.
- d) A general absence of urban infrastructure including community stormwater and wastewater services.
- e) An environment which includes residential activities, rural productive activities and home business activities.
- f) Noise related to production activities during the day but low levels of noise at night.
- g) Low levels of light spill.
- h) Limited signage that directly relates to the activity operating on the site.

### **Policy 3b.3.9 Setbacks for allotments adjoining the General Rural Environment**

Require larger lot sizes and greater building setbacks for allotments adjoining the General Rural Environment to manage reverse sensitivity.

**Policy 3b.3.10 On-site servicing**

Require properties to manage its services on-site terms of the provision of potable water and the disposal of stormwater and wastewater.

**Policy 3b.3.11 Larger lot sizes for lots which adjoin the General Rural Environment**

Require larger lot sizes and greater building setbacks for allotments adjoining the General Rural Environment to manage reverse sensitivity.

**Policy 3b.3.12 Minor residential unit**

Manage the scale and location of minor residential units to ensure it is near the principal dwelling on the allotment, is of a suitable size, and to ensure that the future availability of the land resource will not be compromised.

**Policy 3b.3.13 Papakāinga**

- i. Provide for the development of papakāinga on Māori land within the Rural Lifestyle Environment.
- ii. Recognise the social and cultural benefits of the development of papakāinga on Māori land within the Rural Lifestyle Environment.
- iii. Allow for Papakāinga on General Land owned by Māori where there is a historical ancestral connection to the land and it can be demonstrated that the land will remain in Māori ownership or be converted to māori freehold title.

**Policy 3b.3.16 Māori Cultural Activities**

Support māori cultural activities undertaken by or associated with whanau, hapū or iwi that are in accordance with their tikanga.

**4 Rules and Standards**

**4b Rural Environment**

**4b.1 General Rules - General Rural Environment**

#### **4b.1.1 Activities in the General Rural Environment**

- i. Any activity that:
  - a) Complies with all the Performance Standards for the General Rural Environment; and
  - b) Complies with all the District Wide Performance Standards; and
  - c) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the General Rural Environment; and
  - d) Is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rulesis a **permitted activity**.
- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

#### **4b.1.2 Minor residential units**

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.

#### **When considering activities under Rule 4b.1.2 Council restricts the exercise of its discretion to the following matters:**

- a. The proximity between the primary residential unit and the minor residential unit.
- b. The effect of the minor residential unit on the rural character.
- c. The likelihood of future subdivision which results in the minor residential unit being on a separate allotment to the primary residential unit.

#### **4b.1.3 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is retained or re-instated to its condition prior to activity commencing; and
  - c. An allowance of 14 non-operational days associated with the activity is not exceeded, during which time any breach of any performance



standard(s) shall only be to the extent reasonably necessary to undertake any relevant aspect of the activity.

#### **4b.1.4 Electricity Generation Core Sites and Geothermal Steamfields**

- i. Any activity involving continued operation, maintenance and minor upgrading of existing electricity generation core sites, geothermal steamfields and associated structures is a **permitted activity**.

NOTE: For the purpose of this rule "maintenance" means:

All activities associated with the protective care and monitoring of a hydro dam, a geothermal or hydroelectric power station, geothermal steamfields and associated structures, in order to arrest the processes of decay, structural fatigue, erosion or dilapidation and includes maintenance of surrounds and water areas.

NOTE: For the purpose of this rule "minor upgrading" means:

Structural improvement, repair and replacement of worn or technically deficient parts of the powerhouse, hydro dams, separation plants, switchyards, intake, control and diversion structures, wells, pipes, tunnels, cables, other equipment and accessory buildings and structures of similar character and scale, and includes associated drilling, earthworks and vegetation removal. Also the extension to existing Buildings and Structures, and the erection of new Buildings and Structures up to 100m<sup>2</sup> in area and not exceeding the maximum height standard for the Rural Environment and the erection of any aerial, antennae or communication dish not exceeding 5m<sup>2</sup> in area located on top of a hydro or geothermal existing structure, subject to compliance with the Noise Performance Standard.

#### **4b.1.5 Home businesses, commercial and industrial activities**

- i. A home business, commercial or industrial activity which complies with the performance standards is a **permitted activity**.
- ii. A home business, commercial or industrial activity which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.5 Council restricts the exercise of its discretion to the following matters:**

- a. The daily vehicle movements expected to and from the allotment.
- b. The effect of the activity on the rural character of the area.
- c. The effect of the activity on surrounding land uses and how these effects can be managed onsite and/or mitigated.

- d. The hours of operation for the activity.
- e. The proposed signage associated with the activity.

#### **4b.1.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.2 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.2 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.1.6 ii or iii will not be notified.

#### **When considering activities under Rule 4b.1.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.2 which the proposal does not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.1.6 iii, in addition to a and b:
  - a. Historical associations of the land to mana whenua and reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

#### **4b.1.7 High voltage transmission lines**

- i. Any building (except network utilities) located within 0 - 12 meters of a high-voltage transmission line is a **restricted discretionary activity**.

#### **When considering activities under Rule 4b.1.7 Council restricts the exercise of its discretion to the following matters:**

- a. The location of the structure in relation to high-voltage transmission line.
- b. Any effects on the safe and efficient functioning of the transmission line.

#### **4b.1.8 Buildings within Outstanding Landscape Areas**

- i. Provided that the activity has not been identified as a discretionary or non-complying activity by another rule in the Plan, within an Outstanding Landscape Area, the erection of structures:
  - a. Between 5m and 10m in height; or
  - b. For Masts and Poles between 5m and 20m in height; or
  - c. Which are between 250m<sup>2</sup> and 1,000m<sup>2</sup> in ground floor area, and have an aggregate coverage less than 2.5% of the allotment,

is a **restricted discretionary activity**.

EXCEPTION: This rule will not apply to the erection of structures:

- a. Within Electricity Generation Core Sites.
- b. For the purpose of papakāinga.
- c. Within any Māori Reservation established under the Te Ture Whenua Māori Act 1993/ Māori Lands Act 1993 for the purposes of a village site, marae, scenic interest and/or wildlife protection.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The location of the structure in relation to the Landscape Attributes as described in schedule 7.1, considering;
  - ridgelines and prominent landforms,
  - the need to locate the structure within an Outstanding Landscape Area, and
  - whether there are alternatives,
  - whether the location within an Outstanding Landscape Area is shown to be justified, and
  - how the location and design mitigates any adverse effects on the Landscape Attributes of the Outstanding Landscape Area.
- b. The scale of the structure on the Outstanding Landscape Area, and the ability to reduce the visual dominance of increased bulk.
- c. The use of materials and colours to respond to the natural hues of the Landscape Area, and minimisation of reflectivity levels, including the utilisation of colours from the A and B Groups of the British Standard BS 5252 colour chart with reflectivity level less than 35%.
- d. Measures to reduce window reflectivity by use of overhanging eaves, or low-reflectivity glass.

- e. Any proposed mitigation planting to assist in integrating structures with the site, and the effectiveness of such mitigation on protecting the Landscape Attributes of the Outstanding Landscape Area.
- f. The minimisation of earthworks associated with the erection of structures that may adversely affect the Landscape Attributes and character of the Outstanding Landscape Area.
- g. Consideration of cumulative visual effects of structures on the Outstanding Landscape Area.
- h. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks, which may result in an adverse effect on Landscape Attributes.

#### **4b.1.9 Earthworks within Outstanding Landscape Areas**

Earthworks within an Outstanding Landscape Area that creates a new cut face or fill that is in excess of 1.5 metres in height, or cumulative vertical ground alteration in excess of 3.0 metres over a 12 month period, is a **restricted discretionary activity**, provided that any exposed cut or fill face located in vegetation of a height 1.5 metres or less is revegetated not later than the next growing season. Revegetation should consist of indigenous species or the same or similar species (other than pest species) present on the site prior to earthworks).

EXCEPTION: This rule will not apply to Earthworks within Electricity Generation Core Sites.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The extent to which the Earthworks will change the ground level.
- b. The effect of the Earthworks on the Landscape Attributes.
- c. The degree to which the finished ground levels reflect the contour of the surrounding landform.
- d. The degree to which Earthworks will enable building facades to be extended below natural ground level.
- e. The period that soil will be exposed.
- f. Proposed methods and timing for the remediation or mitigation of potential adverse effects and the degree to which such methods would be successful, including rehabilitation, re-contouring and re-vegetation or the retention of existing vegetation.
- g. Consideration of cumulative visual effects of Earthworks on the Outstanding Landscape Area.

- h. The location of the Earthworks in relation to the Landscape Attributes as described in schedule 7.1, considering;
- i. Ridgelines and prominent landforms,
  - the location requirement of the activity
  - whether there are alternatives.
- j. Consideration of the potential for erosion and land instability (including on-going erosion and land instability) resulting from the proposed earthworks,

## **4b.2 Performance Standards - General Rural Environment**

### **4b.2.1 Vehicle movements**

- i. 100 vehicle movements per day for the allotment.
- ii. Papakāinga - 100 vehicle movements per day for the allotment or 24 per dwelling, whichever is the greater.

NOTE: For the purpose of this performance standard, the number of 'vehicle movements per day' is determined on the basis of an average day as measured over a year of the operation of the activity and a truck movement shall be considered the equivalent of 10 vehicle movements.

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations.

### **4b.2.2 Maximum Building coverage**

- i. 10% of the net allotment area.

EXCEPTION: Papakāinga.

### **4b.2.3 Maximum building size**

- i. 5,000m<sup>2</sup> gross floor area for a single building.

### **4b.2.4 Maximum density of primary residential units**

- i. One primary residential unit per 10 hectares.

EXCEPTION: Papakāinga.

### **4b.2.5 Maximum building height**

- i. 12 metres.

- ii. 5 meters in a height restricted area.
- iii. 5 meters in an Outstanding Landscape Area.
- iv. 15 meters for Electricity Generation on land identified as a Geothermal Area in Section O within an Electricity Generation Core Site.

EXCEPTIONS:

- Cranes being used as part of any construction or maintenance works for the duration of the works - no height limit.
- Drilling Rigs for up to 60 days per well allotment - no height limit.

**4b.2.6 Minimum building setbacks**

- i. 15 metres from all boundaries.
- ii. 25 meters in Outstanding Landscape Areas from all boundaries.
- iii. 300 meters for buildings for the management of farmed animals from all boundaries.
- iv. There shall be no front boundary setback for buildings and activities associated with Electricity Generation on land identified as Geothermal Area in Section O within an Electricity Generation Core Site where the road extends over any power generation Building or Structure.
- v. There shall be no boundary setback for buildings and activities associated with Electricity Generation on land identified as Geothermal Area in Section O within an Electricity Generation Core Site.

NOTE: For the purpose of this performance standard, buildings for the management of farmed animals means, but is not limited to, buildings used for accommodating livestock or farmed animals, either overnight or for a period during the day, and includes cow milking sheds, calf sheds, buildings used to house intensive farming activities, poultry farming buildings, feed pads, animal boarding facilities and stables. Buildings housing animals do not include a residential unit accommodating household pets such as cats and dogs.

EXCEPTION: For the purpose of this performance standard the definition of 'Buildings' also excludes one building per allotment not exceeding 2m in height and 6m<sup>2</sup> in gross floor area. Accordingly, these structures are not covered by this rule or the phrase 'buildings for the management of farmed animals'.

EXCEPTION: For the purpose of this performance standard water tanks are not required to comply with the setback requirements in this standard.

**4b.2.7 Minor residential units**

- i. A maximum of one minor residential unit per primary residential unit per allotment.
- ii. All minor residential units shall:
  - a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
  - b. Be located no greater than 20 metres from the primary residential unit.
  - c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

NOTE: Minor residential units also include tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

#### **4b.2.8 Home businesses, commercial and industrial activities**

- i. Any indoor or outdoor space used for home business, commercial or industrial purposes, shall have a gross floor area less than 100m<sup>2</sup> for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.

EXCEPTION: Home business or commercial activities within a Papakāinga.

#### **4b.2.9 Maximum Noise - Limits**

- i. The noise level arising from any activity measured within the notional boundary of any General Rural Environment or Rural Lifestyle Environment site or within the boundary of any residential environment site, other than the site where the noise is generated, shall not exceed the following limits:
  - a) 7.00am - 10.00pm 55dBA L<sub>eq</sub>
  - b) 10.00pm - 7.00am 40dBA L<sub>eq</sub> and 70dBA L<sub>max</sub>

NOTE: For specific noise refer to following Performance Standards.

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound.

#### **4b.2.10 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803: 1999 Acoustics Construction Noise.

#### **4b.2.11 Maximum Noise - Electricity Generation Core Sites**

- i. Noise from uses at Electricity Generation Core Sites established either prior to the notification of this Plan (July 2000) or approved by way of resource consent shall comply with the noise limits specified in 4b.2.9 above as measured:
  - a) Outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or
  - b) Within the Notional Boundary of any Dwelling within the General Rural Environment or Rural Lifestyle Environment where this is beyond the noise control boundary; or
  - c) Within the boundary of any site within the Residential Environment where this is beyond the noise control boundary.
  - d) Any new Buildings with habitable rooms (i.e. Dwellings, retirement homes, etc), built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA  $L_{eq}$ ).
  - e) The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA  $L_{eq}$  and 75dBA  $L_{max}$  contour where this is beyond the Core Electricity Generation Site boundary, as shown on the planning maps.

#### **4b.2.12 Maximum Noise - Well Drilling and Testing within Electricity Generation Core Sites**

- i. Noise from well drilling and testing within any Electricity Generation Core Site boundary as measured:
  - a) within the boundary of any site within the Residential Environment;
  - b) within the notional boundary of any dwelling or accommodation activity within the General Rural Environment or Rural Lifestyle Environment shall not exceed the noise levels set out below, measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics - Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator's expense during the drilling period.
- ii. Time Period Monday to Sunday:

	$L_{eq}$	$L_{max}$
7.00am - 10.00pm	70	85
10.00pm - 7.00am	60	75

#### **4b.2.13 Maximum Noise - Other**



- i. Nothing in the foregoing Performance Standards shall apply to farm animals including working dogs, and to agricultural and forestry vehicles, agricultural and forestry machinery or equipment (including mobile plant at produce packing facilities but excluding sawmilling equipment), operated and maintained in accordance with the manufacturer's specifications in accordance with accepted management practices (e.g. for milking, spraying, harvesting, packing, forest harvesting and the like). Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.
- ii. Nothing in the foregoing Performance Standards shall apply to sirens, circuit breakers and hydro spills associated with the operation of Electricity Generation Core sites. Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.

#### **4b.2.14 Parking, Loading and Access**

- i. In accordance with Section 6: Parking Loading and Access

#### **4b.2.15 Signage**

- i. Maximum of one sign per allotment.
- ii. Maximum total face area of sign - 2m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signage.
- v. One temporary sign per allotment for the sale of land or buildings of not more than 2m<sup>2</sup> total face area.

EXCEPTIONS: Official signs required by statute and warning signs related to aspects of public safety are not required to comply with the standards.

## **4b.3 General Rules - Rural Lifestyle Environment**

### **4b.3.1 Activities in the Rural Lifestyle Environment**

- i. Any activity that:
  - a. complies with all of the Performance Standards for the Rural Lifestyle Environment; and
  - b. complies with all the District Wide Performance Standards; and
  - c. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the Rural Lifestyle Environment; and
  - d. is not identified as a controlled, restricted discretionary, discretionary or non-complying activity within the District Wide Rules;is a **permitted activity**.
- ii. Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity is a **discretionary activity**.

### **4b.3.2 Minor residential units**

- i. A minor residential unit which complies with the performance standards is a **permitted activity**.
- ii. A minor residential unit which does not comply with the performance standards is a **restricted discretionary activity**.

**When considering activities under Rule 4b.3.2 Council restricts the exercise of its discretion to the following matters:**

- a. The extent to which the residential unit and vehicle access point design, siting and external appearance adversely affects rural character and amenity.
- b. Site topography and orientation and whether the residential unit(s) and vehicle access point can be more appropriately located to minimise adverse visual amenity effects.
- c. Effect on nearby sites, including outlook and privacy.
- d. Whether the residential unit and the vehicle access point can be more appropriately located to maintain, enhance or restore indigenous biodiversity values.
- e. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.

#### **4b.3.3 Home business, commercial, and retail activities**

- i. A home business, commercial and retail activity which complies with performance standards is a **permitted activity**.
- ii. A home business, commercial and retail activity which does not comply with performance standards is a **restricted discretionary activity**.

#### **When considering activities under Rule 4b.3.3 Council restricts the exercise of its discretion to the following matters:**

- i. The effect of the activity on the Rural Lifestyle Environment character.
- ii. The principal operator of the home business must be a permanent resident on the site to which the home business relates.
- iii. The effects of the activity's vehicle movements, parking, loading and access on the network.
- iv. Any nuisance effects such as odour, noise and glare are managed within the site.

#### **4b.3.4 Intensive indoor primary production**

- i. An intensive indoor primary production activity which complies with performance standards is a **permitted activity**.
- ii. An intensive indoor primary production activity which does not comply with performance standards is a **discretionary activity**.

NOTE: For the purpose of this rule, intensive indoor primary production means activities that principally occur within buildings and involve growing produce or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.

#### **4b.3.5 Temporary Activities**

- i. Any temporary activity, being an activity of up to a total of four operational days in any 6 month period, which exceeds any performance standard(s), is a **permitted activity**, provided that:
  - a. There are no new permanent structures constructed; and
  - b. Once the activity has ceased, the site (including vegetation and the surface of the ground of the site) is re-instated to its condition prior to the activity commencing; and
  - c. An allowance of 14 non-operational days associated with the activity is not exceeded, during which time any breach of any performance standard(s) shall only be to the extent reasonably necessary to undertake any relevant aspect of the activity.

#### **4b.3.6 Papakāinga**

- i. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.4 is a **permitted activity**
- ii. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.4 is a **Restricted Discretionary activity**
- iii. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**
- iv. Applications under Rules 4b.3.6 ii or iii will not be notified.

#### **When considering activities under Rule 4b.3.6 ii and iii Council restricts the exercise of its discretion to the following matters:**

- a. Those performance standards in 4b.4 which the proposal did not comply with
- b. Any effects on the functioning of the rural environment including effects on rural infrastructure.
- c. For 4b.1.3 iii, in addition to a and b:
  - a. Historical reasons why the land was given general title
  - b. Whether the land can be converted to Māori title under Te Ture Whenua Act 1993
  - c. Any documents or mechanisms provided by the applicant to demonstrate that the land will be secured for permanent Māori administration and maintenance of the land title.

#### **4b.3.7 High voltage transmission lines**

- i. Any building (except network utilities) located within 0 - 12m of a high-voltage transmission line is a **restricted discretionary activity**.

**When considering activities under Rule 4b.1.7 Council restricts the exercise of its discretion to the following matters:**

- a. The location of the structure in relation to high-voltage transmission line.
- b. Any effects on the safe and efficient functioning of the transmission line.

## **4b.4 Performance Standards - Rural Lifestyle Environment**

### **4b.4.1 Vehicle movements**

- i. 24 vehicle movements per day for the allotment.
- ii. Papakāinga: 100 vehicle movements per day for the allotment or 24 per dwelling, whichever is the greater.

NOTE: For the purpose of this performance standard, the number of 'vehicle movements per day' is determined on the basis of an average day as measured over a year of the operation of the activity and a truck movement shall be considered the equivalent of 10 vehicle movements

EXCEPTION: This performance standard shall not apply to traffic movements involved in forest harvesting operations.

### **4b.4.2 Maximum building coverage**

- i. 10% of the total allotment area.

### **4b.4.3 Maximum building size**

- i. 500m<sup>2</sup> gross floor area for a single building.

### **4b.4.4 Maximum density of residential units**

- i. One residential unit per two hectares.

EXCEPTION: Papakāinga.

### **4b.4.5 Minor residential units**

- i. No more than one minor residential unit per primary residential unit is permitted.
- ii. All minor residential units shall:

- a. Be no larger than 100m<sup>2</sup> in size (inclusive of garaging).
- b. Be located no greater than 20 metres from the primary residential unit.
- c. Share an accessway/driveway with the primary residential unit.

EXCEPTION: Papakāinga.

NOTE: Minor residential units also include tiny homes/houses, caravans and other structures used for accommodation for more than two consecutive months in a calendar year on the allotment.

#### **4b.4.6 Maximum building height**

- i. The maximum height of a building shall not exceed 10 metres.

#### **4b.4.7 Building setbacks**

- i. All buildings shall be located a distance of 15 metres or greater from all boundaries.
- ii. Residential units shall be setback a minimum of 50 metres from the General Rural Environment.

EXCEPTION:

- Water tanks are not required to comply with the setback requirements in this rule
- Papakāinga are not required to comply with 4b.4.7 ii

#### **4b.4.8 Intensive indoor primary production**

- i. Any intensive indoor primary production activity shall involve less than 100m<sup>2</sup> in gross floor area, or be within a building up to 100m<sup>2</sup> gross floor area per hectare within the allotment, up to a total of 250m<sup>2</sup> gross floor area.

#### **4b.4.9 Home business, commercial, and retail activities**

- i. Any indoor or outdoor space used for a home business, commercial or retail purposes, shall be less than 100m<sup>2</sup> in gross floor area for indoor activities, or 100m<sup>2</sup> of land area for outdoor activities.

EXCEPTION: Papakāinga.

#### **4b.4.10 Signage**

- i. Maximum one sign per allotment.
- ii. Maximum total face area - 1m<sup>2</sup>.
- iii. Signage must relate to the activity undertaken on the allotment.
- iv. No flashing, reflectorised or illuminated signs.
- v. One temporary sign per allotment, 2m<sup>2</sup> total face area, for the sale of land or buildings.

#### **4b.4.11 Parking Loading and Access**

- i. In accordance with Section 6: Parking, Loading and Access.

#### **4b.4.12 Maximum Artificial Light Level**

- i. 8 LUX (lumens per square meter) at the boundary.

#### **4b.4.13 Maximum Noise - Limits**

- i. The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

7.00am - 7.00pm 50dBA L<sub>eq</sub>

7.00pm - 10.00pm 45dBA L<sub>eq</sub>

10.00pm - 7.00am 40dBA L<sub>eq</sub> and 70dBA L<sub>max</sub>

NOTE: The noise levels shall be measured in accordance with the requirements of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS 6802:2008 Assessment of Environmental Sound.

#### **4b.4.14 Maximum Noise - Construction Noise**

- i. All construction noise shall meet the requirements of New Zealand Standard NZS 6803:1999 Acoustics Construction Noise.

#### **4b.4.15 Maximum Noise - Telecommunication and electricity equipment**

- i. Noise from telecommunication equipment and electricity substations and transformers located in the road reserve permitted by the plan shall comply with the noise limits specified in 4a.4.12 above as measured at a point 1 metre from the closest façade of the nearest dwelling.

## **4b.5 Subdivision Rules**

### **4b.5.1 Subdivision - General Rural Environment**

- i. Subdivision resulting in lots that are 10 hectares or larger is a **controlled activity**.
- ii. Subdivision resulting in lots that are smaller than 10 hectares is a **non-complying activity**.

### **4b.5.2 Subdivision - Rural Lifestyle Environment that adjoins the General Rural Environment**

- i. Subdivision resulting in lots that are larger than 4 hectares adjoining the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are less than 4 hectares adjoining the General Rural Environment is a **discretionary activity**.

### **4b.5.3 Subdivision - Rural Lifestyle Environment that does not adjoin the General Rural Environment**

- i. Subdivision resulting in lots that are larger than 2 hectares that do not adjoin the General Rural Environment is a **controlled activity**.
- ii. Subdivision resulting in lots that are less than 2 hectares that do not adjoin the General Rural Environment is a **non-complying activity**.

**For the purposes of Rules 4b.5.1.i, 4b.5.2.i and 4b.5.3.i the matters over which the Council reserves control for the purpose of assessment are:**

- a) The design and layout of the subdivision to ensure safe and efficient access onto existing and/or proposed roads, suitable building platforms to accommodate future complying buildings, and adequate management of stormwater.
- b) The identification of any natural hazards or contaminated sites and how these may affect the stability of the land and suitability of any future building sites, including any information provided by a suitably qualified person whose investigations are supplied with the subdivision application.
- c) Whether the desired environmental outcome with a consistent and appropriate standard of infrastructure is achieved such as through compliance with the Council's Development Guidelines and Structure Plans.



- d) The extent to which earthworks and vegetation removal is required to create vehicle tracks and building platforms.
- e) Any actual or potential effects on areas or features of cultural, historic, landscape or natural value as identified in the plan.
- f) The imposition of conditions in accordance with Sections 108 and 220 of the Resource Management Act 1991.
- g) Any potential adverse effects from Natural Hazards, including flood inundation or erosion from the District's waterways and Lakes.
- h) Any immediate adverse or potentially adverse effects, including cumulative effects, on the amenity and landscape values of the Rural Environment, and the methods by which such effects can be remedied or mitigated.

#### **4b.5.4 Subdivision - Default Activity Status**

- i. Any subdivision which is not identified as controlled, restricted discretionary, or non-complying activity, is a **discretionary activity**.

#### **4b.5.5 Subdivision resulting in a new public road, or extension of existing public road**

- i. Any subdivision or activity which results in a new public road or extension of existing public roads, water, stormwater or wastewater utility services is a **restricted discretionary activity**.

#### **The Council restricts the exercise of its discretion to the following matters:**

- a. The impact of the resulting development on the ability of the wastewater, stormwater and drinking water infrastructure to service the existing service area as well as the new development;
- b. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;
- c. The effect that the development will have on the stormwater catchment.

#### **4b.5.6 Subdivision - Other**

- i. Any subdivision of land for the sole purpose of providing for infrastructure, or access lots, or legal protection in perpetuity of Significant Natural Areas, is a **controlled activity**.
- ii. For any subdivision of land in Area Y shown on Map D3, a covenant forms part of the documentation supporting the subdivision consent application (which shall be registered on the additional titles created) specifying that no

complaints shall be made in relation to the effects of any geothermal power generation related activities and associated structures consented as at 15 September 2008, or lawfully occurring, including effects such as noise, vibration, odour or visual effects. Such covenant need not apply to:

- a) the certificates of title that contain any dwelling that existed prior to any subdivision, or
  - b) in cases where there was no dwelling existing prior to subdivision, a single exempt title to be nominated by the subdivision applicant
- iii. Any subdivision of rural land that is located within an Outstanding Landscape Area or in Area X<sup>(1)</sup> on Planning Map D3 where the resulting lots are 4 hectares or larger, or is located in Area Y on Planning Map D3 where the resulting lots are between 4 hectares and 10 hectares, is a **discretionary activity**.

NOTE: 4b.5.6 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting etc., that Area.

iv.

NOTE: 4b.5.6 does not relate to the creation of Bonus Lots, but subdivision of all or part of a Significant Natural Area for reasons of covenanting etc., that Area.

**For the purposes of Rules 4b.5.6 the matters over which the Council reserves control for the purpose of assessment are:**

- a. Those matters of control identified in rules 4b.3.1 and 4b.3.2 above;
- b. The impact of the resulting development on the ability of the wastewater, storm water and drinking water infrastructure to service the new development;
- c. The impact of the resulting development on the ability of the roading networks to safely and sustainably operate and service the new development;
- d. Whether or not the lots will be adequately serviced for drinking water;
- e. The effect that the development will have on the storm water catchment.

#### **4b.5.7 Subdivision - Outstanding Landscape Areas**

- i. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment that is located within an Outstanding Landscape Area where the resulting lots are less than 10 hectares, is a **non-complying activity**.

#### **4b.5.8 Subdivision - Bonus Lots**

- i. Any subdivision of land in the General Rural Environment or Rural Lifestyle Environment which results in the creation of Bonus Lots larger than 2ha is a **discretionary** activity provided the subdivision complies with the following requirements:
  - a. Each Bonus lot must correspond to no less than 4ha of a nominated Significant Natural Area that is:
    - i. physically protected from livestock by a well maintained stock proof fence,
    - ii. legally protected in perpetuity or via a Nga Whenua Rahui kawanata if Māori land.
  - b. The Bonus lot(s) will be located in the General Rural Environment or Rural Lifestyle Environment;
  - c. The Bonus lot(s) will not be located within a Significant Natural Area, the Foreshore Protection Area, an identified Outstanding or Amenity Landscape Area or Geothermal Area;
  - d. A maximum of 10 Bonus Lots can be created from any one certificate of title;
  - e. A consent notice shall be placed on the lot(s) which includes that part of the nominated Significant Natural Area that has been protected as per 4b.5.8.i above, identifying the area of that lot (within the SNA) which has been protected and the number of associated bonus lots created;

NOTE: Further guidance for this rule is provided through (but not limited to) Policy 3i.2.2 iii and associated explanatory text.

#### **4b.5.9 Subdivision - More than 12 allotments**

- i. Any subdivision of land where more than twelve (12) allotments share a single common access in the General Rural Environment or Rural Lifestyle Environment is a **discretionary activity**.