17.6 RURAL 2 ZONE RULES

Refer to Policy sets 5.1 - 5.3, 5.5, 7.1 - 7.4, 8.1, 8.2, 9.1 - 9.3, 10.1, 11.1, 11.2, 12.1, 13.1, 14.3, 14.4, 33.4, 34.1, 34.2, 36.2, 36.6.
Refer to Rule sections 16.11.

17.6.1 Scope of Section

This section deals with land uses in the Rural 2 Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.6.2 Land Use

17.6.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

NOTE: Rule 17.6.2.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not:

(i) an industrial or rural industrial activity;

(ii) quarrying, where the volume of land disturbed is greater than 50 cubic metres in any 12-month period;

Advice Note: Clause (a)(ii) does not apply to forestry quarrying which is managed by NES-PF regulations 51- 59.

(iii) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport;

(iv) the sale of liquor;

(v) a rural selling place where:
- the sale and display area is greater than 25 square metres; or
- access is to an arterial route;

(vi) a commercial or community activity;

(vii) tourist accommodation;

(viii) cooperative living; **C60 1/16 Op 6/19**

(ix) a papakainga development;

(x) a home occupation, except as allowed by rule 17.6.2.2. **C19 5/10 Op 8/12**

(xi) the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, rural industrial or home occupation activity. **C60 1/16 & V2-C60 7/18 Op 6/19**

Noise

(c) Except in the Richmond West Development Area, noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural Residential, Papakainga or Tourist Services zone, or at or within any site within a Residential Zone, does not exceed: **C10 10/07 Op 3/14**

	Day	**Night**
Leq	55 dBA	40 dBA
L_{max}		70 dBA

C19 5/10 Op 8/12

Except as required by condition (e), this condition does not apply to all noise from any intermittent or temporary rural plant and animal production activity, including noise from: **C14 5/09 Op 8/12 C60 1/16 Op 6/19**

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (c)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

N.B. Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays).
Night = All other times, plus public holidays.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

(d) In the Richmond West Development Area Rural 2 Zone, noise generated by the activity when measured at or within the notional boundary of any dwelling in a Rural 2 Zone (other than any dwelling on the site from which the noise is being generated), Rural Industrial, Light Industrial, Mixed Business, Open Space or Recreation Zones, or at or within the boundary of any site within a Residential Zone, does not exceed: **C10 10/07 Op 3/14 C14 5/09 Op 8/12**

	Day	**Night**
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

Except as required by condition (e), this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

(i) mobile horticultural or agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (d)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

N.B. Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays). **C10 10/07 Op 3/14**

Night = All other times plus public holidays. **C14 5/09 Op 8/12**

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Frost Protection Devices

C14 5/09 Op 8/12

(e) Noise generated by any frost protection device, in combination with noise from any other authorised frost protection device, does not at any time exceed 55 dBA L_{eq} when measured:

(a) at or within the notional boundary of any dwelling that existed before the frost protection device is installed (other than a dwelling on the site from which the noise is being generated) in the Rural 1, Rural 2, Rural 3 or Rural Residential Zone; and

(b) at or within the boundary of the Residential, Papakainga, or Tourist Services Zone; and

(c) in any other circumstances, at a distance of 300 metres from the frost protection device;

provided that evidence of the ability to meet this condition is certified by an appropriately competent person in acoustic engineering and a copy of that certification, including a plan showing the location of the frost protection device or devices to which the certification applies, is lodged with the Council prior to the installation of any frost protection device.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(f) Any frost protection device is operated only when the air temperature at the lowest level of the frost-tender part of the crop has fallen to 2 degrees Celsius, and ceases operating when the air temperature at that height has risen to 3 degrees Celsius; except that the device may be operated for maintenance purposes between 8.00 am and 6.00 pm.

(g) Any new residential activity that is sited within 300 metres of any frost protection device that is likely to exceed the noise limit in condition (e) of this rule, is located, oriented, and constructed to ensure that bedrooms and living rooms achieve an indoor design sound level of 30 dBA L_{eq} and 45 dBA L_{max} from any noise permitted in the zone beyond the notional boundary of the building or dwelling.

(h) Outdoor fan-type frost protection devices are used only for frost protection, for crops that have a distinct period of bud-burst and a distinct end of harvest, and only in the period between bud-burst and end of harvest.

Quarrying

(i) The setbacks in condition 17.6.3.1(j)(i) to (iv) are complied with.

(j) Condition 18.5.3.3(d) is complied with.

Planting Near Viewpoints

(k) Vegetation planted on or near to a viewpoint shown on the planning maps does not grow to a height that will obscure the view from the viewpoint.

Advice Note: Where vegetation is plantation forestry as defined in the NES-PF, regulation 13 allows condition (k) to apply.

Amenity Plantings

C10 10/07 Op 3/14

(l) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure:

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

Intensive Livestock Farming

C60 1/16 Op 6/19

(m) Intensive livestock farming, which is intensive pig farming, including the keeping of pigs or the disposal of piggery effluent, must achieve the following setbacks:

(i) Distance from a Residential Zone boundary existing at the date of the establishment of the pig farming activity – 2,000 metres.

(ii) Distance from a Rural Residential or Papakainga zone boundary, school, church, public hall, marae, recreation ground, or other area with frequent public use existing at the date of the establishment of the pig farming activity – 1,500 metres.

(iii) Distance from a dwelling on another site in a Rural 1, Rural 2 or Rural 3 zone existing at the date of the establishment of the pig farming activity or in relation to Rural 3 Zone, distance from any building location area as approved on a survey plan of subdivision – 500 metres.

(n) Any poultry body part and poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming, is set back at least 170 metres from any boundary of the site.

C60 1/16 & V2-C60 7/18 Op 6/19

Temporary Activities

C60 1/16 Op 6/19

(o) An event that is advertised for public admission meets the following conditions:

(i) for any one site, the zone noise limits are exceeded for not more than two days within any 12-month period and this exceedance occurs only between the hours of 8:00 am and 6:00 pm;

(ii) any temporary building or structure that is used is removed at the end of the event.

(iii) where the event is located in the High Fire-Risk Area as shown on the planning maps and occurs between 1 October to 30 April, a fire preparedness plan is provided to the Waimea Fire and Emergency New Zealand for management under the Fire and Emergency New Zealand Act 2017 and to adjacent landowners 14 days before the activity commences, which provides sufficient detail to satisfy the purposes for which it is required and includes:

(a) the location, time and duration of the event and the number of people expected to attend the event;

(b) risk reduction measures including: briefing information for participants; management of spark hazardous activities (including smoking, lighting of fires and barbeques); length and dryness of grass; and a cancellation procedure for the event if the Build Up Index (BUI) of the nearest remote access weather station forecasts or has a BUI reading of 80 or more or a Fire Weather Index forecasts or reads 24 or higher;

(c) fire readiness measures including water and equipment for firefighting; number of people on site trained in firefighting to New Zealand Qualifications Authority (NZQA) or Fire and Emergency New Zealand Training and Progressive System (TAPS) module standards; location of safe site areas; an evacuation plan with a stay/go procedure and at least two escape routes to safe areas; a plan of how emergency services will access the site; an emergency notification process for organisers and attendees and a tested communication plan for phone or radio for communication with emergency services. **C60 1/16 Op 6/19**

Note: Other legislation or requirements relating to health, food safety, building and traffic management need to be complied with.

17.6.2.2 Permitted Activities (Home Occupations) **C19 5/10 Op 8/12**

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) A home occupation which is visitor accommodation:

(i) accommodates no more than six visitors at any time;

(ii) occupies a building which is a dwelling which either existed on 25 May 1996, or is otherwise permitted by the Plan.

(b) A home occupation which is other than visitor accommodation:

(i) occupies no more than 75 square metres gross floor area;

(ii) employs or engages no more than two full-time equivalent persons who reside elsewhere than on the site.

(iii) takes place indoors if it is motor vehicle repairs or dismantling, motor body building, spray-painting, fibre-glassing, or sheet-metal working; **C60 1/16 Op 6/19**

(iv) is not bottle or scrap storage, rubbish collection or the composting of animal body parts;

(v) is not the boarding of domestic animals.

(c) The conditions for noise as set out in 17.6.2.1(c) or (d). **C60 1/16 Op 6/19**

(ca) Where a home occupation gains access from a local road, the home occupation does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic is generated by:

(i) a home occupation that is visitor accommodation; or

(ii) vehicles that are being used for or in connection with plant and animal production activities.

(d) Retailing is permitted in accordance with the rural selling place provisions in rule 17.6.2.1 and is in accordance with the definition of rural selling place.

(e) The home occupation is not undertaken on a site which is located on a shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on site;

(ii) there are no visitors, clients or deliveries to the site.

17.6.2.3 Controlled Activities (Land Use - Site Specific Activity: Ngarua Caves)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rule 17.6.2.1 is a controlled activity, if it complies with the following conditions:

Site Specific Activity

(a) The land use occurs on the part of Pt Sec 1 Blk VII Kaiteriteri SD on Record of Title 16/5 annotated on the planning maps as "Subject to Schedule 17.6A" (Ngarua Caves, Takaka Hill, near State Highway 60) and is included in the list of activities in Schedule 17.6A; and

(b) The land use complies with permitted conditions 17.6.2.1(b), (c) and (k).

A resource consent is required and may include conditions on the matters set out in Schedule 17.6A.

17.6.2.4 Restricted Discretionary Activities (Land Use)

C10 10/07 Op 3/14

C19 5/10 Op 8/12

Any land use that does not comply with condition (l) of rule 17.6.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity Plantings

(1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.6.2.5 Restricted Discretionary Activities (Land Use – Frost Protection Devices)

C14 5/09 Op 8/12

Noise generated by any frost protection device that does not comply with conditions (e) and (f) of rule 17.6.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Operational requirements of frost protection devices.

(2) Noise mitigation measures.

(3) Hours of operation (including maintenance).

(4) Height of the device.

17.6.2.6 Restricted Discretionary Activities (Home Occupations)

C19 5/10 Op 8/12

A home occupation that does not comply with the conditions of rule 17.6.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Rural Character

(1) The extent to which the activity will result in the loss of rural character on the site and in the vicinity of the site.

(2) Any adverse effect on the amenity values of the area.

General Adverse Effects

(3) Adverse effects of the home occupation in terms of noise, odour, vibration, dust, glare, visual impact, loss of privacy, traffic and parking congestion on site, and safety and efficiency of traffic on roads giving access to the site.

(4) Any effects of any outdoor storage of materials or equipment associated with the home occupation.

(5) Any effects relating to natural or technological hazards.

Miscellaneous

(6) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(7) Financial contributions, and bonds and covenants in respect of the performance of conditions (Section 108).

17.6.2.7 Restricted Discretionary Activities (Papakainga Development)

C19 5/10
Op 8/12

A papakainga development is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Appropriate access from adjoining roads and within the site.

(2) Methods of wastewater and stormwater disposal and provision of a reliable potable water supply.

(3) Risk from natural hazards.

(4) Means of avoiding conflicts within the development.

(5) Landscaping of the site to control any adverse visual effects.

(6) The objectives and policies of Chapter 7 of the Plan.

17.6.2.8 Restricted Discretionary Activities (Community Activities)

C19 5/10
Op 8/12

A community activity is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The extent to which the activity will result in loss of rural character.

(2) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(3) The scale of any building, structures and car parking compared to existing permitted development.

(4) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.

(5) The duration of the consent and the timing of reviews of conditions.

(6) Financial contributions, bonds and covenants in respect of performance of conditions.

17.6.2.8A Discretionary Activities (Cooperative Living)

C60 1/16
Op 6/19

Cooperative living is a discretionary activity if it meets the following conditions:

C60 1/16
Op 6/19
C73 12/20

(a) The activity meets permitted conditions (a) – (o) of rule 17.6.2.1.

(b) All buildings, including dwellings, meet permitted conditions (e) - (t) of rule 17.6.3.1, where applicable.

A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have regard to the following criteria and to other provisions of the Plan or Act:

(1) The extent to which the proposal has retained or enhanced the potential of the land to support plant and animal production.

C60 1/16
Op 6/19

(2) The extent to which the buildings and proposed land use are consistent with low impact design and low impact building design principles and methods.

(3) Provision for the long term protection of the site from inappropriate subdivision contributing to land fragmentation of the site.

(4) The proposed legal arrangement regarding the collective ownership or use of the land and buildings.

C60 1/16
Op 6/19
C73 12/20

(5) Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees, and cultural heritage sites.

C60 1/16
Op 6/19

(6) The extent to which the development minimises the potential for adverse cross-boundary effects and reverse sensitivity.

(7) Natural hazards within and beyond the site, including wildfire risk, slope instability and flood hazard effects.

(8) Effects on the rural landscape and on amenity values and coastal natural character.

(9) Effects on servicing, including road access, water supply, and wastewater and stormwater systems.

(9A) Effects on the road network.

(10) The extent to which buildings, structures and accessways minimise the physical fragmentation of a site.

17.6.2.8B Restricted Discretionary Activities (Intensive Livestock Farming — Poultry Farming)

C60 1/16 & V2-C60 7/18 Op 6/19

Any poultry body part or poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming that does not comply with the conditions of rule 17.6.2.1 is a Restricted Discretionary Activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Effects on amenity, including:

(a) ability to mitigate offensive odour,

(b) ability to mitigate visual effects by screening of activities from adjoining roads and sites,

(c) adverse effects of the activity in terms of traffic, parking congestion on site and safety and efficiency of roads giving access to the site,

(d) ability to manage effluent and waste generated as part of the activity.

17.6.2.9 Discretionary Activities (Land Use)

C19 5/10 Op 8/12

C60 1/16 Op 6/19

C73 12/20

Any land use that does not comply with the conditions of rules 17.6.2.1 to 17.6.2.8A is a discretionary activity, if it complies with the following conditions:

(a) Where relevant, the conditions in rule 18.6.4.1 affecting quarrying.

(b) Where relevant, the conditions in rule 17.6.2.8A. **C60 1/16 Op 6/19 C73 12/20**

(c) Where a commercial, industrial or rural industrial activity gains access from a collector road, sub-collector road, local road or residential lane, the activity does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic generated is directly associated with plant and animal production. **C60 1/16 Op 6/19 C69 6/19 Op 6/20**

A resource consent is required and may include conditions.

17.6.2.10 Non-Complying Activities (Land Use)

C60 1/16 Op 6/19

Any activity in the Rural 2 Zone that does not comply with the conditions of rule 17.6.2.8A or 17.6.2.9 is a non-complying activity. **C60 1/16 Op 6/19 C73 12/20**

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any provisions of the Plan or Act. **C60 1/16 Op 6/19**

17.6.3 Building Construction, Alteration, or Use

C60 1/16 Op 6/19

17.6.3.1 Permitted Activities (Building Construction, Alteration, or Use)

Construction, alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The activity is not the construction or alteration of any building within, or 10 metres from, any indicative road or indicative reserve in the Richmond West Development Area and the Richmond South Development Area. **C10 10/07 Op 3/14 C73 12/20**

(b) The activity is not the construction or alteration of a building on the site annotated "Subject to Schedule 17.6A" on the planning maps (Ngarua Caves, Takaka Hill). **C19 5/10 Op 8/12**

Dwellings

C60 1/16 & V2-C60 7/18 Op 6/19

(c) There is no more than one dwelling or building used for the purpose of a dwelling on a site. A dwelling contains no more than two self-contained housekeeping units, provided:

(i) both are contained within the same building;

(ii) one is clearly subsidiary;

(iii) connecting rooms or passages have a continuous roof; and

(iv) the walls are fully enclosed.

[Conditions (d) is merged with condition (c)]

Workers' Accommodation

(e) Any building that is constructed or used is not part of any workers' accommodation. **C60 1/16 Op 6/19**

Sleepout

(ea) There are no more than two sleepouts associated with any principal dwelling or second dwelling that is not a minor dwelling. **C60 1/16 Op 6/19**

(f) The area of each sleepout is no more than 36 square metres.

(g) The location of each sleepout is within 20 metres of any dwelling, including any minor dwelling.

(ga) The sleepout is not part of a cooperative living activity.

Height

(h) The maximum height of a building is 7.5 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iii) outside the Airport Height Control Areas at Motueka and Takaka described in Schedules 16.11A and 16.11B, any chimney or other structure that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the definition of "height" in the Plan. **C42 12/12 Op 4/13**

(i) Any building sited on a hill whose ridgeline is identified on the planning maps is no higher than the level of the ridgeline.

Setbacks

(j) The building is set back at least:

(i) 10 metres from road boundaries and, except as provided for under condition (ma), condition (n) or condition (na), 5 metres from internal boundaries (subject, in the case of artificial shelter, to condition 17.6.4.1(b)), except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; **C60 1/16 & C68 7/18 Op 6/19**

(Refer to 16.6.2.1(j)(iii) for applicable telecommunication and radio-communication facility setback requirements)

(ii) 20 metres from the margins of lakes, and from the boundaries of Open Space, Recreation and Conservation zones;

(iii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(iv) 20 metres from the top of the bank of any river with a bed greater than 5 metres in width;

(v) 30 metres from a plantation forest.

[Insert new condition item] **C73 12/20**

(k) In the Richmond West Development Area, notwithstanding the exemption in condition (j)(i) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps. **C10 10/07 Op 3/14**

(l) Any building forming part or all of a rural selling place is set back at least 30 metres from the road boundary.

(m) Buildings are set back at least 100 metres of a viewpoint shown on the planning maps.

(ma) A building, which is not a habitable building, may be set within 5 metres of an internal boundary, where the landowner of the property has provided written permission. **C60 1/16 Op 6/19**

(n) Any dwelling or habitable building is set back at least: **C60 1/16 & V2-C60 7/18 Op 6/19**

(i) 30 metres from any internal boundary, except where:

(a) the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced; or

(b) the boundary is to the Residential, Rural Residential or Rural 3 zone where the setback is 5 metres;

(c) the internal boundary adjoins any site that was approved by subdivision consent on or before 30 January 2016 and is less than 2500 square metres, where the setback is 5 metres;

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

(na) Any barn, shed or roofed enclosure that houses poultry on an intensive livestock farm that is a poultry farm is set back at least 100 metres from any boundary of the site. **V2-C60 7/18 Op 6/19**

(o) Dwellings are set back at least 500 metres from any boundary of a quarry site~~,~~ that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under conditions 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii). **C60 1/16 Op 6/19**

Building Coverage

(p) The total area of all buildings, excluding artificial shelters and poultry sheds or enclosures, is: **C60 1/16 Op 6/19**

(i) not greater than 600 square metres for any site with a net area of 4,000 square metres or less; or

(ii) either:

(a) not greater than 600 square metres; or
(b) 5 percent of the net site area (but not greater than 2,000 square metres)

for any site with a net area greater than 4,000 square metres.

Building Envelope

(q) Any building on a site that adjoins a Residential Zone does not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all boundaries adjoining the Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Additional Conditions for Dwellings

(r) Only in relation to the construction of a dwelling or the use of a building for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply: **C19 5/10 Op 8/12** **C34 3/12 Op 4/13** **C60 1/16 & V2-C60 7/18 Op 6/19**

- incorporating water mains fitted with fire hydrants; and
- the closest fire hydrant is no more than 135 metres from the dwelling,

the dwelling is:

EITHER

(i) provided with a home fire-sprinkler system that is fitted with a reliable year-round water supply;

OR

(ii) provided with a water supply that is:

- accessible to fire-fighting equipment; and
- between 6 metres and 90 metres from the dwelling; and
- on the same site as the dwelling (except where the specified volume or flow of water is in a pond, dam, or river that is within the required distances); and

either

- stores at least 45,000 litres;

or

- provides at least 25 litres per second for 30 minutes;

AND **C19 5/10 Op 8/12**

(iii) connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the dwelling is supplied from: **C34 3/12 Op 4/13**

- a rainwater supply; or
- a surface water source; or
- a groundwater source

that is both reliable and potable and, where stored on site, is at least 23,000 litres in volume.

Note 1: Further advice and information about managing fire risk and storage of water for fire-fighting, including information about appropriate fittings for connection with fire appliances, can be obtained from Fire and Emergency New Zealand and the Fire and Emergency New Zealand Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

Note 2: Information about the design, installation and maintenance of the sprinkler system can be found in NZS 4517:2010 Fire Sprinkler Systems for Houses.

Note 3: Fire risk can be further reduced through appropriate management of flammable vegetation near structures and ensuring fire appliances can locate and reach the dwelling in the event of a fire. Further information about managing fire risks is available from Fire and Emergency New Zealand or the Waimea Fire and Emergency New Zealand's Principal Rural Fire Officer.

Note 4: The water supply provided for in this condition may serve a second dwelling on the site provided that the requirements of the condition are met for both dwellings. **C60 1/16 Op 6/19**

(s) There is adequate area on site for effluent disposal for the dwelling.

(t) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan. **C7 7/07 Op 10/10**

17.6.3.2 Controlled Activities (Building Construction, Alteration, or Use) **C60 1/16 Op 6/19**

Construction, alteration, or use of any building that does not comply with the conditions of rule 17.6.3.1 is a controlled activity, if it complies with the following conditions:

(a) The activity is not the construction or alteration of a building on the site annotated "Subject to Schedule 17.6A" on the planning maps (Ngarua Caves, Takaka Hill). **C19 5/10 Op 8/12**

Dwellings **C60 1/16 Op 6/19**

(b) The building is a second dwelling that is a minor dwelling and the principal dwelling contains a single housekeeping unit only.

(ba) The second dwelling that is a minor dwelling complies with the permitted conditions of rule 17.6.3.1(h) – (t). **C60 1/16 Op 6/19**

Workers' Accommodation

(c) All buildings which are part of workers' accommodation are relocatable.

(d) The site of the workers' accommodation has a minimum area of 50 hectares.

(da) The site is not part of a cooperative living activity. **C60 1/16 Op 6/19**

Stormwater **C7 7/07 Op 10/10**

(e) Stormwater is managed and disposed of on site, and the stormwater discharge complies with Section 36.4 of this Plan.

General

(f) The building complies with conditions (i), (j), (l), (m), (n), (p) and (q) [Setbacks, Building Envelope and Building Coverage] in rule 17.6.3.1.

(g) If the building is a dwelling, it complies with (h) [Height] in rule 17.6.3.1.

(h) The maximum height of the building (except a dwelling) is 12.5 metres.

(i) The activity is not the construction or alteration of any building within, or 10 metres from, any indicative road, indicative reserve (including Borck Creek) or amenity planting setback in the Richmond West Development Area. **C10 10/07 Op 3/14 C73 12/20**

Electricity Transmission Corridor

(j) In the Richmond West Development Area, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The location of the building on the site and the effects on the potential availability of productive land.

(2) Location and effects of on-site servicing, including wastewater disposal, access, and traffic safety.

(2A) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of any other land in the area that is deferred, for the purposes of the relevant urban zone once it takes effect. **C51 1/15 Op 9/16**

(3) Effects on the amenities of the area and the potential impact for existing productive activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.

(3A) Where a proposed building location cannot comply with the 30-metre setback rule due to the shape of the site, the potential to mitigate the effects from any reduced setbacks for habitable buildings through measures such as building location, orientation, design, fencing or screening, and clustering of residential activities. **C60 1/16 Op 6/19**

(4) Effects of any proposed outdoor storage of goods, machinery or produce.

(5) For buildings that exceed the permitted activity height, in addition to the other matters listed, the appearance and visual impact (including colour, materials, surface treatment and fenestration), site landscaping and planting, shading effects across site boundaries, and effects on significant views, ridgelines and hill tops. **C60 1/16 Op 6/19**

(5A) Effects of buildings, including dwellings, where they exceed building coverage, on rural amenity and character, and potential for reverse sensitivity effects on plant and animal production. **C60 1/16 Op 6/19**

(5B) Low impact building design.

(6) The on-site management of stormwater in accordance with Low Impact Design solutions. **C7 7/07 Op 10/10**

(6A) The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated. **C60 1/16 Op 6/19**

(7) Alternatives for fire risk management. **C34 312 Op 4/13**

(8) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(9) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.6.3.3 Controlled Activities (Building Construction, Alteration, or Use – Site Specific Development: Ngarua Caves)

C19 5/10 Op 8/12
C60 1/16 Op 6/19

Construction, alteration, or use of any building on the part of Pt Sec 1 Blk VII Kaiteriteri SD on Record of Title 16/5 annotated on the planning maps as "Subject to Schedule 17.6A" (Ngarua Caves, Takaka Hill, near State Highway 60) is a controlled activity, if it complies with the following conditions:

(a) The land use occurs on the part of Pt Sec 1 Blk VII Kaiteriteri SD on Record of Title 16/5 annotated on the planning maps as "Subject to Schedule 17.6A" (Ngarua Caves, Takaka Hill, near State Highway 60) and is included in the list of activities in Schedule 17.6A; and

(b) The development complies with conditions (c), (h), (l), (m), (o) and (p) of rule 17.6.3.1.

A resource consent is required and may include conditions on the matters set out in Schedule 17.6A.

17.6.3.4 Restricted Discretionary Activities (Building Construction, Alteration, or Use)

C60 1/16 Op 6/19

Construction, alteration, or use of a building that does not comply with the conditions of rules 17.6.3.1 and 17.6.3.2 is a restricted discretionary activity, if it complies with the following conditions:

Dwellings

(a) Except as provided for by condition 17.6.3.2(b), no more than two dwellings or buildings used for the purpose of dwellings are placed on a site. **C60 1/16 & V2-C60 7/18 Op 6/19**

(b) Except as provided for by condition 17.6.3.2(b), a site containing more than one dwelling or building used for the purpose of a dwelling has a minimum area of 50 hectares. **V2-C60 7/18 Op 6/19**

(c) The dwelling complies with condition (r) in rule 17.6.3.1.

General

(d) If an adjoining property has horticultural plantings, including vineyards, where pesticides may be discharged to air, any school and its grounds, early childhood education facility and its grounds, visitor accommodation or tourist accommodation is set back at least: **C60 1/16 Op 6/19**

(i) 30 metres from the boundary common to the horticultural plantings, including vineyards, and the building or grounds; or

(ii) 20 metres from horticultural plantings, including vineyards, where a spray belt is established along the boundary common to the horticultural plantings and the building or grounds.

(da) Dwellings are set back at least 500 metres from any boundary of a quarry site that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under condition 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii).

(e) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan. **C7 7/07 Op 10/10**

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of control (1) – (9) in rule 17.6.3.2. **C60 1/16 Op 6/19**

(2) Effects of a building with reduced setbacks.

(3) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of any other land in the area that is deferred, for the purposes of the relevant urban zone once it takes effect.

(4) In the Richmond West Development Area: **C10 10/07 Op 3/14**

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001).

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.6.3.5 Discretionary Activities (Building Construction, Alteration or Use) **C60 1/16 Op 6/19**

Any construction, alteration, or use of a building that does not comply with the conditions of rule 17.6.3.4 is a discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act.

17.6.4 Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts

17.6.4.1 Permitted Activities (Plantation Forests, Horticultural Plantings, Spray Belts and Shelter Belts)

NOTE: Rule 17.6.4.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Planting of plantation forests, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Plantation Forest Setbacks

(a) Plantation forests are set back at least:

(i) 50 metres from a Residential Zone boundary;

(ii) 30 metres from a dwelling;

(iii) 10 metres from any boundary, except that:

(a) trees are not planted or allowed to grow in a position which could result in any dwelling on an adjoining property becoming shaded between 10.00 am and 2.00 pm on the shortest day; and

(b) this setback need not apply where there is a written agreement between adjoining property owners that is lodged with Council;

(iv) 10 metres from the intersection of any formed legal road;

(v) 10 metres from the bed of any river or stream greater than 3 metres average bed width;

(vi) 10 metres from the bed of any lake;

(vii) 50 metres from the coastal marine area.

Advice Note: Clause (a)(vii) prevails over NES-PF regulations 14(3)(b) and 78(2)(c) because it is more stringent under regulation 6(1)(b).

Spray and Shelter Belt and Artificial Shelter Setbacks

(b) Spray belts, shelter belts and artificial shelter are set back at least:

(i) 3 metres from property boundaries;

(ii) 10 metres from the intersection of any formed legal road.

Horticultural Planting Setbacks

(c) Horticultural plantings are set back at least:

(i) 10 metres from the intersection of any formed legal road;

(ii) 3 metres from property boundaries.

(d) Horticultural plantings where pesticides may be discharged to air are set back at least:

(i) 30 metres from any dwelling, any other building used for any residential activity, visitor accommodation or tourist accommodation, or any school or school grounds, or early childhood education facility or its grounds on an adjoining property; or

(ii) 20 metres from any of the buildings or grounds specified in (i) above, where a spray belt is established along the boundary common to the horticultural plantings and the buildings or grounds.

Trees and Shelter near Roads

(e) Trees are not planted or allowed to grow, and artificial shelter is not constructed, in a position which could result in any icing of roads being prolonged by shading of the road between 10.00 am and 2.00 pm on the shortest day.

(f) Horticultural plantings, spray belts and shelter belts are planted in a position that is set back at least three metres from the position underneath the nearest power line running above or adjacent to any road.

Height

(g) The maximum height of horticultural plantings, spray belts or shelter belts growing within 20 metres of a boundary is 6 metres.

(h) The maximum height of artificial shelter is 6 metres.

(i) The height of horticultural plantings, spray belts or shelter belts does not exceed the horizontal distance between the shelter or horticultural plantings and the nearest dwelling.

Maintenance of Horticultural Plantings

(j) Spray belts or shelter belts and horticultural plantings are maintained by the owner so that no vegetation extends over property boundaries or roads or up into power lines.

(k) Prunings are removed or otherwise disposed of by the tree owners when they fall on other properties, with the permission of the owners of the other properties.

(l) Root pruning of horticultural plantings, shelter or spray belt trees along a property boundary is carried out by the owner of the trees at least once every five years, or at a lesser frequency agreed between adjoining landowners.

17.6.4.2 Restricted Discretionary Activities (Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts)

Planting of plantation forests, trees, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter that does not comply with the conditions of rule 17.6.4.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The adverse effects of shading on adjoining properties.

(2) The actual or potential fire risk.

(3) The actual or potential adverse effects on the open space or amenity values of the area.

(4) The actual or potential adverse effects of pesticide drift across property boundaries.

(5) The adverse effects of tree planting or construction of artificial shelter on visibility at road intersections and property accesses or icing on roads.

(6) The influence of topography on shading.

(7) The nature of adjoining uses and adverse effects of higher trees or shelter.

(8) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(9) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.6.5 Destruction or Removal of Indigenous Vegetation and Forest

17.6.5.1 Permitted Activities (Destruction or Removal of Indigenous Vegetation)

[17.5.9A Proposed]

NOTE: Rule 17.6.5.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous vegetation (excluding indigenous forest) is a permitted activity, if it complies with the following conditions:

(a) The site is not a naturally occurring wetland.

(b) The site does not include any of the following:

(i) indigenous dune vegetation;

(ii) salt herb fields;

Proposed as at 1 November 2008 **C3 12/03**

(b) (iii) woody indigenous vegetation in the Coastal Environment Area;

[(c) Proposed]

(iv) indigenous vegetation on any area of karst that contains an area of fissured or fluted rock outcrops, a cliff face or any talus slope;

(v) indigenous vegetation containing small-leaved coprosma shrubs (*Coprosma propinqua* or *Coprosma rigida*) or small-leaved shrub daisy (*Olearia virgata*) on any lowland alluvial site (up to 600 metres above sea level) in the Buller catchment; between 600 and 1200 metres above sea level in the Takaka catchment (including the Cobb); and up to 950 metres in the Canaan Downs/Pikikirunga area.

Advice Note: Clauses (b) (i), (ii), (iii), (iv) and (v) prevail over NES-PF regulation 93 because they are more stringent under regulations 6(1)(b) NZCPS and 6(3)(b) Karst.

17.6.5.2 Discretionary Activities (Destruction or Removal of Indigenous Vegetation)

The destruction or removal of indigenous vegetation that does not comply with the conditions of rule 17.6.5.1 is a discretionary activity.

A resource consent is required and may include conditions.

17.6.5.3 Permitted Activities (Destruction or Removal of Indigenous Forest) [17.5.10 Proposed]

NOTE: Rule 17.6.5.3 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous forest is a permitted activity, if it complies with the following conditions:

Proposed as at 1 November 2008

(a) The site is outside the Coastal Environment Area. **C3 12/03**

[(aa) Proposed]

EITHER

(b) The area of indigenous forest to be destroyed or removed is less than 0.2 hectare (2000 square metres) per site over a three-year period.

OR

(c) The area is subject to a sustainable forest management plan, permit, or personal use approval under Part 3A of the Forests Act 1949, approved as at 31 March 2007.

OR

(d) The area is subject to a sustainable forest management plan, permit, or personal use approval either required or approved under Part 3A of the Forests Act 1949 after 31 March 2007 that is not:

(i) on a lowland alluvial site; or

(ii) on karst;

and a copy of the approved plan, permit, or personal use approval has been lodged with Council.

17.6.5.4 Controlled Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.6.5.3 is a controlled activity, if it complies with the following conditions:

(a) The area of indigenous forest destroyed or removed is greater than 0.2 hectare and less than 1 hectare per site over a three-year period.

(b) The forest is not on a lowland alluvial site.

(c) The site is outside the Coastal Environment Area.

(d) The activity is not subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Species to be removed and volume.

(2) Replanting.

(3) Extraction techniques.

(4) Mitigation of effects.

17.6.5.5 Restricted Discretionary Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.6.5.4 is a restricted discretionary activity, if it complies with the following conditions:

(a) The activity is subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949 and a copy of the approved plan or permit has been lodged with Council.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The significance of the indigenous forest affected (including the presence of rare or endangered plant or animal species) and the impact of the proposal on ecological, scientific, recreational, tourist and landscape values, and natural features of the area.

(2) The extent to which any retention of the forest is necessary to prevent instability, flooding or erosion of land, and to maintain water quality.

(3) Effects on archaeological, cultural and historic sites within the application area.

(4) The extent to which the proposal provides for regeneration or modification of indigenous forest or sustainable management of the indigenous forest resource.

(5) The extent of the reduction of the indigenous forest associations in the District should the application proceed, and the impact on the sustainability of that indigenous forest association.

(6) The extent to which the adverse effects of the activity can be mitigated (for example, revegetation, covenanting, fencing, pest and weed management).

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.6.20 Principal Reasons for Rules

Noise

The rural environment is a working environment where noise is generated as part of many rural activities. Rules limit noise problems arising from continuous sources and from residential sources within the zone, but greater freedom is given to the types of noise that arise in normal day-to-day rural activities. For these types of noise, methods other than rules such as codes of practice or the best practicable option approach, will be applied as appropriate.

Building Height

The height of buildings in rural areas is regulated to preserve visual amenities and, coupled with setback requirements, to avoid shading across boundaries.

Setback

Setback from roads will promote road safety and help maintain rural open space. It will also separate dwellings from the adverse effects of road use, such as dust, noise and vibration. Separation between buildings on adjoining sites maintains open space and privacy and minimises shading of neighbouring properties.

The 30-metre setback requirement for habitable buildings has been imposed primarily to manage cross-boundary effects, limit impacts on the productive potential of adjoining sites, and minimise impacts on rural character and amenity. **C60 1/16 Op 6/19**

Tasman District has a legacy of small rural sites in the Rural 1 zone that may be constrained in meeting the 30-metre internal boundary setback standard for habitable building due to the shape of the site. In these cases, the mitigation of the effects identified in the preceding paragraph from a reduced internal boundary setback may be achievable through measures such as building location, orientation, design, fencing or screening, as well as clustering of residential activities.

Rules for setbacks to legacy sites below 2500 square metres recognised that the majority of these sites are already built on and used for residential activities; and there is very limited productive opportunity of these small sites. Risks of reverse sensitivity complaints or loss of rural amenity are less likely to arise on sites where residential activities are clustered with other residential activities.

The setbacks for dwellings from quarry activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (for example, where future residents may try to limit quarry activities) is addressed.

Building Setback from Rivers

The setback of buildings from rivers avoids or mitigates the risk to buildings from bank erosion and provides for access in order to maintain channels or bank stability. Setbacks provide a degree of mitigation from flooding. They also provide for open space to maintain natural character and possible public access or recreational use through esplanade reserves or strips.

Setbacks help reduce possible conflicts between river use and adjacent residential or other uses of buildings. The variation in setback from rivers of different widths reflects the varying risks and access requirements.

Setback of Buildings from Lake Margins and Other Zone Boundaries

The setback of buildings from the margins of natural occurring lakes and large impounded lakes, and from the boundary with Open Space, Recreation and Conservation zones provides for open space to retain natural character and possible public access or recreational use through esplanade reserves or strips. The setbacks also help reduce possible conflict between lake use and adjacent residential or other uses of buildings.

[Insert new heading and paragraph] **C73 12/20**

Shading Caused by Buildings and Trees

Shading, caused by buildings or trees, is a problem over winter, with buildings or trees casting long shadows to the southwest, south and southeast. The setback from southern boundaries, coupled with the height restrictions, is based on a sun path for June, and avoids shading of neighbouring dwellings between 10.00 am to 3 00 pm.

Trees, located alongside roads can cause shading of roads in winter with consequent problems with icing of the road surface and obvious traffic hazards and road maintenance effects. New shading problems can be avoided by ensuring that new plantings are not located in positions that would impede the access of sunlight to road surfaces in the middle of the day in winter.

Live Shelter and Horticultural Plantings

These rules mitigate shading and crop competition effects and also provide access for tree maintenance, including both root and branch pruning on the owner's property. The setbacks allow for pruning to be undertaken from the property and avoid traffic hazards.

Fire Hazard

Fire hazard controls are applied to all rural buildings, not just dwellings. A 30-metre separation distance between buildings and plantation forests will help to contain a fire in proximity to an isolated rural building. A setback of 50 metres from Residential Zone boundaries is required because of the potentially greater risks in the higher density built-up areas. The rule reflects the firebreak recommendations for exotic forestry in the Waimea Rural Fire Control Policy.

Building and Planting Near Viewpoints

Some viewpoints in rural areas have been identified as amenities of value to the community. It is usually possible to re-site buildings, structures and plantings so that views are not compromised.

Pesticide Discharges

The setback and spray belt requirements will avoid or mitigate adverse effects arising from the drift of pesticides across property boundaries.

Land Fragmentation

The construction of buildings, especially dwellings has been recognised as a contributing factor to fragmentation of land which limits the productive values, including versatility of land. Other activities, such as industry, also have an actual or potential adverse effect on the productive values of the land. Rules are included to mitigate the adverse effects of land fragmentation on the productive values of the land. Rural 2 land, while not being as highly valued or suited to the range of uses as Rural 1 land, still has productive values which the Council wishes to protect. The risks to this land are not as great as to Rural 1 land and the rules reflect this difference.

Small subsidiary units that are dependent on the main dwelling are permitted, whereas consent is required for additional dwellings because of their propensity to contribute to land fragmentation. Cooking facilities are not allowed in these subsidiary units as they can encourage separation and independence from the main dwelling.

Destruction or Removal of Indigenous Forest and Vegetation

Indigenous forest and other indigenous vegetation has intrinsic ecological and biodiversity value. It also adds to the visual character of the District. While much of the upland vegetation of the District is protected in the extensive conservation estate, the lowland forest remnants and coastal vegetation is less well protected and has been identified in Chapter 10 as a priority for protection. Specific locations where there are distinctive indigenous vegetation associations, with some threatened species, are protected. These include indigenous vegetation on largely rocky surfaces of karst formed on limestone, marble, dolomite or magnesite, and frost flat shrublands. Frost flat shrublands containing small-leaved species of Coprosma and Olearia is indigenous vegetation in locations along inland valley floors in the Buller or at higher altitudes elsewhere, where frequent heavy frosts limit larger woody species. Some frost flat species are nationally threatened. The Forests Amendment Act Part 3A provides for the management and some protection of indigenous forest. The rules are interim and may be changed when further studies have been done to identify significant natural areas.

Home Occupations

Rural areas are appropriate for small-scale industrial and commercial activities, which can provide employment opportunities for site occupants and a limited number of employees, with minimal adverse impact on the environment. The rules ensure that permitted activity home occupations can be managed in a way that limits potential adverse effects.

Quarrying

Quarry activities have a range of associated potential adverse effects so the effects of quarries of any size throughout the zone need to be evaluated on a case-by-case basis. However, smaller quarries, provided there are adequate setbacks and management, are permitted.

Papakainga Development

In accordance with the principles of the Treaty of Waitangi and Part II of the Act, provision is made for a degree of self-management of communally-owned Maori land. The flexible style of development provided for is specifically targeted to meet the needs of land held in multiple ownership.

Water Supply

C34 3/12
Op 4/13

Where water reticulation is available, new dwellings will be expected to connect to the service. In Rural and Rural Residential zones, except in locations where a high pressure reticulation is present, new dwellings are required to have access to sufficient stored water for fire protection or install a home sprinkler system for the purpose of fire protection and to install water collection and storage systems to ensure that a minimum potable water supply is available. The potential for adverse landscape and amenity effects of water storage tanks, especially on small sections is acknowledged, however an efficient fire risk management solution can also be provided by home sprinkler systems. Water supplies may include ponds, lakes or rivers with sufficient storage or flow that are not on the same site as the dwelling but are within the required distances.

Industrial and Commercial Activities

The Rural 1 and Rural 2 Zones are generally not appropriate for accepting the potential cumulative effects of business activities, either outside zoned locations for them or where they are more appropriately located in industrial or mixed business zones. This is because the primary purpose of these zones is to support the use of productive land for plant and animal production. Business activity associated with plant and animal production and with efficient locations with capacity and for transport links may be appropriate.

Sleepouts

C60 1/16
Op 6/19

The number of sleepouts on any given property is two sleepouts per principal dwelling and second dwelling, where that second dwelling is not a minor dwelling. Those sleepouts may be located within 20 metres of any dwelling, including any minor dwelling.

SCHEDULES

Schedule 17.6A: Controlled Activities – Ngarua Cave Site

Refer to rules 17.6.2.2 and 17.6.2.3.

1. Subject to rule 17.6.2.2, the following activities are controlled activities on the Ngarua Cave site:
   (i) tourist accommodation, including those licensed to sell liquor, and associated office, service, tourist and recreation promotion and sales activities;
   (ii) hire and servicing of sport and recreational equipment;
   (iii) tutoring and training in outdoor recreational pursuits and life skills;
   (iv) sale of souvenirs, and arts and crafts;
   (v) recreational activities and recreational tour bases;
   (vi) open space areas, walkways and children's play areas;
   (vii) visitor car and bus parking areas;
   (viii) restaurants, including those licensed to sell liquor;
   (ix) one caretaker's or manager's dwelling per site.

2. Subject to rule 17.6.3.3, building construction and alteration is a controlled activity on the Ngarua Cave site.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Site layout.

(2) Location of the activity or building on the site.

(3) Location and size of parking areas on the site, access and circulation.

(4) Design, appearance, screening and other methods of managing visual effects.

(5) Provision of services, including water supply, stormwater and management of liquid and solid waste.

(6) Signage.

(7) Effects on the amenities of the site and area.

(8) Timing and duration of any special activity or event.

(9) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(10) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).