

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under section 120 of the Act
BETWEEN LAKEFIELD ESTATE UNINCORPORATED
GROUP
(ENV-2018-CHC-18)
Appellant
AND CENTRAL OTAGO DISTRICT COUNCIL
Respondent
AND WOONG TREE HOLDINGS LIMITED
Applicant

Environment Judge J R Jackson – sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

Date of Consent Order: 14 August 2018

CONSENT ORDER

A: Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

(1) the appeal is allowed and the plan change is approved subject to amended:

- (i) Chapter 4;
- (ii) Chapter 7;
- (iii) Chapter 8;
- (iv) Chapter 18;
- (v) Schedule 19.4; and
- (vi) final Zone Map;

– all of which attach to and form part of this Consent Order.



(2) the appeal is otherwise dismissed.

B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This proceeding concerns an appeal by Lakefield Estate Unincorporated Group against a decision by Central Otago District Council granting an application for a private plan change (Plan Change 12) made by Wooing Tree Holdings Limited.

[2] The court has now read and considered the consent memorandum of the parties dated 9 July 2018 which proposes to resolve the appeal.

Other relevant matters

[3] The following parties have given notice of an intention to become parties under section 274 of the Resource Management Act ("the RMA" or "the Act") and have signed the memorandum setting out the relief sought:

- (a) New Zealand Transport Agency;
- (b) Trina Affleck;
- (c) Wally Sanford; and
- (d) Michelle Morpeth.

[4] No other person has given notice of intention to become a party under s 274.


Orders

[5] The court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;



- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction, and to the purpose and principles of the Act including, in particular, Part 2 and relevant objectives and policies of the operative Central Otago District Plan and the Regional Policy Statement for Otago.



J R Jackson
Environment Judge



SECTION 4 : RURAL RESOURCE AREA

4.1 INTRODUCTION

The Rural Resource Area comprises the rural environment of the District. This area has been identified as distinct from the urban areas of the District on the basis of its environmental character. The amenity values of the rural environment are dominated by Central Otago's unique, semi-arid landscape of broad basins separated by low mountain ranges with sparse vegetation, covered in tussock grassland and exotic pasture, and broken by schist rock outcrops. This landscape retains a high natural character and has significant scenic values and some of it is identified in this District Plan as an outstanding natural landscape or outstanding natural feature. These values can be enhanced by human made elements which include orchards and vineyards; homesteads accompanied by stands of trees (often poplars); remnant stone cottages; small irrigation and stock water dams and water races; energy generation facilities; and shelter belts of trees. Former mining sites also give the District a distinctive character. For a full description of the District's landscape refer to Section 2.3.1 page 2:6. It is apparent that the character of the landscape is an important element in making Central Otago an attractive place to live in and to visit. For many people it is the reason they reside and recreate here, and that became particularly apparent during the community consultation phase of the Rural Study which was carried out in 2005 and 2006.

Activities that locate within the rural environment do so generally for one of four reasons.

- (i) They are reliant upon the resources of the rural area. For example, farming activities need large areas of open land, while horticulture and viticulture activities need particular soil types in combination with a number of other factors, particularly climatic conditions and irrigation.
- (ii) They need to be close to an activity that is reliant upon the resources of the area. For example, a pack house or a juice factory needs to locate near the fruit source and a winery/wine making facility needs to locate near the grape source.
- (iii) They need a large open space where they can generate effects without significantly affecting more sensitive activities. For example, an abattoir which generates discharges (including odour) or a transport yard which generates high levels of traffic.
- (iv) Persons wish to enjoy the lifestyle opportunities offered by its open space, landscape and natural character amenity values.
- (v) They need to locate directly adjacent to the resource. For example, mineral extraction and related activities do not have the ability to locate anywhere other than directly adjacent to where the deposit occurs.

The provisions of Section 4 apply within the area shown as Rural Resource Area on the planning maps.

See also Section 5 – Water Surface and Margin Resource Area and Section 13 Infrastructure, Energy and Utilities that provide for various types of development in the rural environment.

4.2 ISSUES

The significant resource management issues of the Rural Resource Area are set out below. The issues set out in Section 2 of the Plan which are relevant to the Rural Resource Area are included here with no explanation. Reference should be made to the relevant part of Section 2 for a discussion on these issues. Issue 4.2.15 and 4.2.16 are specific to the Rural Resource Area and an explanation is included.

4.2.1 Outstanding Natural Landscapes and Outstanding Natural Features

The District contains a number of outstanding natural landscapes and outstanding natural features that require identification and protection from inappropriate subdivision, use and development. In determining what is inappropriate subdivision, use and development in these landscapes it must be recognised that these landscapes are often utilised by people and communities to provide for their social, economic and cultural wellbeing.

Cross Reference
Section 2.3.1
Objectives: 4.3.1,
4.3.2

4.2.2 Central Otago's Unique and Distinctive Landscape

The Central Otago District contains many unique and distinctive landscapes. While those landscapes are constantly evolving through natural processes, farming and other land use activities the semi-arid, rocky nature of the landscape means it can be vulnerable to the visual effects of new structures (including telecommunication masts, wind farms, transmission line pylons, and other large structures), cultivation of tussock grasslands, large scale earthworks, new roads, residential built development on elevated land, establishing woodlots, production forestry or shelterbelts on elevated land and wilding tree spread. Subdivision is often the precursor of land use activities such as those listed above. The District's built heritage, particularly in the form of cottages and ruins, and remnants of the early goldmining era has also made a significant contribution to the landscape values of Central Otago.

Cross Reference
Section 2.3.1
Objectives: 4.3.1,
4.3.3

4.2.3 Natural Features

Major development work has potential to damage or destroy outstanding natural features. It is also acknowledged that major development work if properly managed can enhance natural features. This plan seeks to manage the use, development and protection of outstanding natural features to ensure protection in terms of section 6(b) of the Act.

Cross Reference
Section: 2.3.2
Objectives: 4.3.1,
4.3.3

4.2.4 Development of Mineral Resources

The Central Otago District contains mineral deposits that may be of considerable social and economic importance to the district and the nation generally. Mineral development and associated land restoration can provide an opportunity to enhance the land resource and landscape values and has done so in the past. However, the development of these resources has the potential to have significant adverse effects upon soil, water and air resources of the District, and landscape and heritage values if not appropriately controlled. The ability to extract mineral resources can adversely affect or be adversely affected by land use, including development of other resources above or in close proximity to mineral deposits.

Cross Reference
Section 2.3.2
Objectives: 4.3.1,
4.3.3, 4.3.5, 4.3.7



4.2.5 Soil Resources

Some of Central Otago's soils are readily susceptible to damage from physical causes and lack of adequate care. Unimproved areas require care and management, and effective rabbit control, while areas which have been modified by cultivation, oversowing, topdressing and irrigation may require ongoing fertiliser inputs as well as effective rabbit control, if soil degradation is to be prevented. All soils are vulnerable to activities that can cause erosion, compaction or contamination, or to loss of nutrients or loss of water-holding capacity.

Cross Reference
Section 2.3.3
Objectives: 4.3.1,
4.3.7

4.2.6 Special Land Resources

There are some areas of land in the District that because of particular soil characteristics and quality that in combination with the local climate and irrigation are considered to be a special resource. The potential of this resource to meet the reasonably foreseeable needs of future generations should be sustained. This potential is capable of being compromised by activities which have the effect of reducing the life supporting capacity of these soils.

Cross Reference
Section 2.3.3
Objectives: 4.3.1,
4.3.7

4.2.7 Effects on Water bodies

Many of the District's water bodies are significant recreational, ecological and economic resources. These values are capable of being compromised by land use (including water surface activities) which may have the following adverse effects:

- (a) a decrease in the stability of the beds and banks of water bodies,
- (b) degradation of plant and animal habitats within or adjacent to water bodies,
- (c) a decrease in the stability of structures located in or near water bodies,
- (d) degradation of amenity, natural character, landscape and historic values of water bodies and their margins,
- (e) an increase in the incidence of plant and animal pests,
- (f) threats to the safety of other users,
- (g) adverse noise effects, and
- (h) restrictions on public access to and along the margins of lakes and rivers.

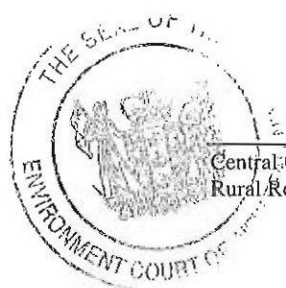
These effects can also lead to a reduction in water quality, water quantity and cultural values.

Cross Reference
Section 2.4.3
Objectives: 4.3.1,
4.3.4, 4.3.5, 4.3.6

4.2.8 Access to Lakes and Rivers

Public access to and along the margins of the District's lakes and rivers is important to existing and future residents and visitors to the District. Such access is not always available and is capable of being obstructed by development adjacent to lakes and rivers.

Cross Reference
Section 2.4.4
Objectives: 4.3.1,
4.3.4
Section 15
Financial
Contributions
Section 16
Subdivision



- 4.2.9 Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna**
The Central Otago District contains a number of areas of significant indigenous vegetation and significant habitats of indigenous fauna which have their own intrinsic values that are not always recognised. Some of these areas can also have value for activities enabling people and communities to provide for their social, economic and cultural well-being and for their health and safety. The potential for conflict in protecting these intrinsic values and utilising them is a significant issue facing the community in the sustainable management of the natural and physical resources of the District.
- Cross Reference*
Section 2.5.1
Objectives: 4.3.1, 4.3.8
- 4.2.10 Statutorily Managed Sports Fish and Game Resources**
The District contains a number of trout, salmon and game bird habitats which are a valuable recreational resource of the District. Some forms of land development are capable of having a detrimental effect on the quality of these habitats and access to them.
- Cross Reference*
Section 2.5.2
Objectives: 4.3.1, 4.3.4, 4.3.5, 4.3.6
- 4.2.11 Transportation Network**
The Central Otago District is dependent on an efficient transport network to utilise and develop its resources and to provide mobility and access for its people and communities. However, the development of transportation networks and the forms of transport themselves can have significant adverse environmental effects particularly in terms of introducing noise, visual intrusion, vibration, glare, discharges, and impacts on watercourses and upon the efficient use of energy. Conversely land use activities can greatly affect the safe and efficient operation of the transportation network and its sustainable management. This can occur through poorly located and designed access points, a lack of adequate parking facilities, the visual distraction of signs, and glare from buildings and activities.
- Cross Reference*
Section 2.6.2,
Section 12 District Wide Rules and Performance Standards, and
Section 13
Infrastructure,
Energy and Utilities
Objective 4.3.1
- 4.2.12 Public Works and Network Utilities**
The development and continued operation and maintenance of public works and network utilities is a vital component in providing for the social, economic and cultural wellbeing and health and safety of the people of the District. However, the construction and operation of such works can have significant adverse environmental effects particularly in terms of visual impact.
- Cross Reference*
Section 2.6.2
Objectives 4.3.1, 4.3.2, 4.3.3
Section 13
Infrastructure,
Energy and Utilities
- 4.2.13 Increasing Visitor Numbers**
The increase in visitor numbers to the District provides opportunities for economic and social benefits that are to be recognised in the management of the District's natural and physical resources.
- Cross Reference*
Section 2.8.5
Objectives: 4.3.1 to 4.3.6
Section 11 Heritage Precincts, Section 14
Buildings, Places, Sites, Objects and Trees, Section 15
Financial Contributions,
Section 16
Subdivision



4.2.14 Heritage Resources

The Central Otago District contains a significant number of heritage buildings and areas that have a distinct historical character. The District also contains a large number of archaeological and historic sites, particularly sites associated with early Maori and goldmining activities. These buildings, precincts and sites contribute to community wellbeing through their historical and cultural values, and also economically in terms of their worth to the tourism industry. However, modification and loss of significant historic buildings, sites, structures, precincts and streetscapes can occur due to a general lack of awareness and appreciation of historic values or the financial inability to maintain such resources.

Cross Reference
Section 2.7.1
Objectives: 4.3.1,
6.3.5, 11.2.1, 11.2.2,
14.3.1

4.2.15 Development in Rural Areas

Increased development in the rural environment may have adverse effects, such as:

- compromising landscape and amenity values of the rural environment especially on prominent hillsides and terraces;
- adversely affecting the sustainable management of natural and physical resources (in particular, water quality and infrastructure);
- creating situations where effects of existing primary production and residential activities come into conflict.

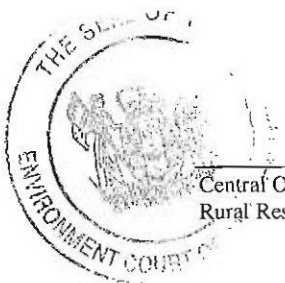
Such development can also contribute to the sustainable management of natural and physical resources and have the positive effects of strengthening rural communities, creating diversity in the rural community and economy, and maintaining or enhancing heritage resources.

Cross Reference
Objectives: 4.3.1,
4.3.3, 4.3.4, 4.3.7

Explanation

There is increasing pressure for lifestyle and residential subdivision and development in what has historically been the rural area of the District. This development trend has the potential to create significant adverse effects that must be dealt with:

- (a) Increased pressures on the roading network, including safe and efficient operation and construction standards.
- (b) Increased pressure for development of physical resources such as sewerage, water, electrical and telecommunication services.
- (c) Potential contamination of ground water due to proliferation of septic tanks and effluent disposal systems.
- (d) Potential loss of landscape values and detracting from outstanding natural landscape and outstanding natural features and heritage items or values.
- (e) The introduction of residential subdivision and built development on hillsides, skylines and prominent places.
- (f) Conflict between the land management practices (such as spraying, pest control, frost fighting and harvesting activities carried out at night etc) of established rural activities such as orcharding or farming and residential activities.
- (g) The potential for irreversible loss of unique land resources, including areas of high class soils and high growing degree days.



Lifestyle development can also bring positive benefits to the district's rural communities and this must also be recognised."

4.2.16 Industrial and Commercial Activities (excluding energy generation activities)

Activities of an industrial and commercial nature may seek to locate in the rural environment. Together with intensive farming activities (eg. pig and poultry farms), these activities can sometimes have an adverse effect on the rural environment if effects are not avoided, remedied or mitigated. It must also be recognised that some such activities locate in the rural area so as to avoid adverse effects on more densely populated areas.

*Cross Reference
Objectives: 4.3.1,
4.3.3, 4.3.7*

Explanation

The effects of industrial and commercial type activities are not always compatible with the amenity values of the rural environment, while in some instances the rural environment is the best place for these activities.

Adverse effects associated with these activities and intensive farming activities include:

- (a) Noise, vibration, lightspill and electrical interference
- (b) Discharge to air, land and water including odour and dust
- (c) The generation of high levels of traffic and/or heavy traffic and the associated effects on the roading network.
- (d) Adverse visual impacts (including the effects associated with large structures and signs) and loss of landscape values.
- (e) The use and storage of hazardous substances.
- (f) Adverse effects on infrastructure, particularly roading.
- (g) High water requirements.
- (h) Potential for loss of unique land resources.

Note: For provisions relating to energy generation activities see Section 13 of this plan.



4.3 OBJECTIVES

The objectives contained in this section are specific to the Rural Resource Area. The objectives contained in the following sections are also relevant to the subdivision, use, development, and protection of land in the Rural Resource Area;

- Section 3.3 (Manawhenua)
- Section 12.3 (District Wide Issues)
- Section 13.3 (Infrastructure, Energy and Utilities)
- Section 14.3 (Heritage)
- Section 15.3 (Financial Contributions)
- Section 16.3 (Subdivision)
- Section 17.3 (Hazards)

- | | | |
|-------|--|---|
| 4.3.1 | <p><u>Objective - Needs of the District's People and Communities</u>
To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.</p> | <p><i>Cross Reference</i>
Issues: 4.2.1 to 4.2.16
Policies: 4.4.1 to 4.4.16</p> |
| 4.3.2 | <p><u>Objective – Outstanding Natural Landscapes and Outstanding Natural Features, and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</u>
To protect the District's outstanding natural landscapes and outstanding natural features, and land in the Upper Manorburn/Lake Onslow Landscape Management Area (including landforms) from the adverse effects of inappropriate subdivision, use and development.</p> | <p><i>Cross Reference</i>
Issues: 4.2.1, 4.2.3, 4.2.13,
Policies: 4.4.1, 4.4.14</p> |
| 4.3.3 | <p><u>Objective - Landscape and Amenity Values</u>
To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.</p> | <p><i>Cross Reference</i>
Issues: 4.2.2, 4.2.4, 4.2.12, 4.2.13, 4.2.15, 4.2.16,
Policies: 4.4.1, 4.4.2, 4.4.3, 4.4.8, 4.4.9, 4.4.10, 4.4.11, 4.4.12, 4.4.14</p> |
| 4.3.4 | <p><u>Objective - Recreation Resources</u>
To maintain and enhance the quality of the District's recreation resources and public access to those resources.</p> | <p><i>Cross Reference</i>
Issues: 4.2.7, 4.2.8, 4.2.9, 4.2.10, 4.2.13, 4.2.15,
Policies: 4.4.2, 4.4.4, 4.4.13, 4.4.14, 4.4.15</p> |
| 4.3.5 | <p><u>Objective - Water Resources</u>
To maintain and enhance the quality of the District's water resources by avoiding, remedying or mitigating the adverse effects of land use activities adjacent to water bodies.</p> | <p><i>Cross Reference</i>
Issues: 4.2.4, 4.2.7, 4.2.8, 4.2.10, 4.2.13, 4.2.16
Policies: 4.4.2, 4.4.4, 4.4.5, 4.4.7, 4.4.10</p> |



- 4.3.6 **Objective - Margins of Water bodies**
To preserve the natural character of the District's water bodies and their margins.
- Cross Reference*
Issues: 4.2.7, 4.2.8, 4.2.10, 4.2.13, 4.2.15
Policies: 4.4.4, 4.4.5, 4.4.7, 4.4.10
- 4.3.7 **Objective - Soil Resource**
To maintain the life-supporting capacity of the District's soil resource to ensure that the needs of present and future generations are met.
- Cross Reference*
Issues: 4.2.4 to 4.2.6, 4.2.15, 4.2.16
Policies: 4.4.6, 4.4.10, 4.4.12
- 4.3.8 **Objective - Significant Indigenous Vegetation and Habitats of Indigenous Fauna**
To recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- Cross Reference*
Issue: 4.2.9
Policy: 4.4.7



4.4 POLICIES

The policies contained in this section apply to the Rural Resource Area. Some of these policies also apply in the Water Surface and Margin Resource Area. The policies contained in the following sections are also relevant to the subdivision, use, development and protection of land in the Rural Resource Area;

- Section 3.4 (Manawhenua)
- Section 12.4 (District Wide Issues)
- Section 13.4 (Infrastructure, Energy and Utilities)
- Section 14.4 (Heritage)
- Section 15.4 (Financial Contributions)
- Section 16.4 (Subdivision)
- Section 17.4 (Hazards)

4.4.1 Policy - Outstanding Natural Landscapes and Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area

To recognise the District's outstanding natural landscapes and outstanding natural features and land in the Upper Manorburn/Lake Onslow Landscape Management Area which:

- (a) Are unique to the district, region or New Zealand; or
- (b) Are representative of a particular landform or land cover occurring in the Central Otago District or of the collective characteristics and features which give the District its particular character; or
- (c) Represent areas of cultural or historic significance in the district, region or New Zealand; or
- (d) Contain visually or scientifically outstanding geological features; or
- (e) Have characteristics of cultural, historical and spiritual value that are significant to Kai Tahu ki Otago;
- (f) Have high natural character values and high landscape quality that can be distinguished from the general landscapes of the Central Otago District

and provide protection for them from inappropriate subdivision, use and development.

Explanation

Section 6(b) of the Act requires Council to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development as a matter of national importance. There are activities that have the potential to compromise the values of these areas. In these circumstances resource consents will be required to enable a thorough environmental impact assessment to take place. This assessment must include recognition of the fact that people and communities often utilise these areas to provide for their social, economic and cultural wellbeing. Landscapes and natural features considered to be outstanding in the Central Otago District are identified in Sections 2.3.1 and 2.3.2 commencing on page 2:6

Cross Reference
Objectives: 4.3.1,
4.3.2
Method: 4.5.6
Rule: 4.7.6 L



and are identified on the planning maps. Land in the Upper Manorburn/Lake Onslow Management Area is also identified on the planning maps.

4.4.2 **Policy – Landscape and Amenity Values**

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:

- (a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,
- (b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,
- (c) The ability to adequately dispose of effluent on site,
- (d) Controlling the generation of noise in back country areas,
- (e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,
- (f) Controlling the spread of wilding trees.
- (g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.
- (h) Strongly discouraging buildings in the Rural Resource Area of the Wooing Tree Overlay Area to ensure a vineyard or treed park-like character with an absence of built form.**

Cross Reference
Objectives: 4.3.1, 4.3.3, 4.3.4, 4.3.5, 4.3.8
Method: 4.5.6
Rules: 4.7.1 to 4.7.6

Explanation

Central Otago has a unique landscape in the context of New Zealand. The District is dominated by parallel mountain ranges separated by broad valley basins and has a semi-arid character. This type of landscape is sensitive to modification. To sustainably manage what is considered a significant resource of the District, for both present and future generations, care must be taken with respect to the impact of activities on landscape and natural character.

The open space and natural character of the rural environment is also seen as a significant resource of the District. These values are capable of being compromised by commercial, industrial and/or residential forms of development not traditionally found in a rural context.

Some activities, particularly those involving motorised vehicles, can also adversely impact on the amenity values of back country areas. The effects of such activities need to be addressed through the resource consent process.



4.4.3 Policy – Sustainable Management of Infrastructure

To ensure that the development of infrastructure in the rural environment promotes sustainable management by:

- (a) Requiring developers to contribute a fair and reasonable proportion of the costs involved, and
- (b) Maintaining and enhancing the safe and efficient operation of the infrastructure network (including roading), while avoiding, remedying or mitigating adverse effects.

Cross Reference
Objectives 4.3.1, 4.3.3
Policy 4.4.13
Section 12 District Wide Rules and Performance Standards
Section 13 Infrastructure, Energy and Utilities
Section 15 Financial Contributions
Section 16 Subdivision

Explanation

Developers will be responsible for the provision of adequate services such as water supply, roading and foul sewage disposal for any dwelling or other development in the Rural Resource Area. The Council for its part will not extend existing public services where it is not economic to do so or the general ratepayer receives no benefit. Development of new infrastructure must be integrated with existing works to ensure safety and efficiency is not compromised. New development must also recognise and provide for the landscape quality of the District.

4.4.4 Policy - Riparian Margins

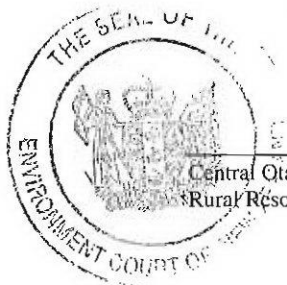
To manage the effects of the use, development or protection of land within riparian margins of water bodies (including wetlands) to ensure that the natural character and amenity of water bodies and their margins are preserved, by, as far as practicable:

- (a) Maintaining bank stability,
- (b) Protecting, and where appropriate, enhancing riparian and instream habitat quality,
- (c) Maintaining and enhancing riparian vegetation,
- (d) Maintaining water quality,
- (e) Maintaining and enhancing public access to and along the lakes and rivers,
- (f) Reducing the incidence and severity of flooding where this is achievable, and
- (g) Maintaining and enhancing the safety and efficiency of navigation on the adjacent water body where this is relevant

Cross Reference
Objectives 4.3.1, 4.3.3, 4.3.4, 4.3.5, 4.3.6
Methods 4.5.2, 4.5.6
Rules: 4.7.6A 4.7.6I

while recognising that some activities need to locate within riparian margins to operate efficiently.

Note: In matters relating to riparian vegetation Policies 8.7.1 and 8.7.2 of the Otago Regional Council's Regional Plan : Water are relevant.



Explanation

Water resources are critical to the economic and ecological base of the District and management of this resource must recognise the needs of present and future generations. Management should also attempt to provide optimum flexibility in the use of water resources both for the present and the future.

Riparian margins play an extremely important part in the sustainable management of water bodies. Riparian vegetation filters sediment, nutrients and surface runoff, reduces stream bank erosion and provides habitat for aquatic species. The adverse effects of activities involving earthworks, removal of vegetation, the dumping of fill and other waste must therefore be controlled.

Vegetation within riparian margins is also a significant component in the natural character of water bodies. Development of land and activities within riparian margins have the potential to compromise public access to and along the District's water bodies. It is recognised that some activities (such as bridges, jetties etc) need to locate within riparian margins to operate efficiently.

4.4.5 Policy - Effects on Water Quality

To assist the Otago Regional Council in its role of maintaining and enhancing water quality, by ensuring allotments are adequate for effluent disposal requirements and encouraging the use of land management techniques that maintain and/or enhance the life supporting capacity of water.

Cross Reference
Objectives: 4.3.1,
4.3.5, 4.3.6
Methods: 4.5.2
4.5.6
Rule: 4.7.6G

Explanation

The control of discharges to water and land is a Regional Council function. Council in its role of controlling the effects of land use, will assist the Regional Council where appropriate, to ensure water quality is not adversely affected by land use activities adjacent to water bodies. The minimum site size associated with activities will often be determined by the area needed to safely dispose of effluent. Council will also encourage resource users to assess how their activities impact on water quality (see Method 4.5.2). Fencing riparian margins to prevent stock access to water bodies may be justified in some places in Central Otago such as at the Taieri River in the Maniototo. However, this method does not involve regulation as such an option is not considered cost effective, practicable or necessary in the Central Otago context.

4.4.6 Policy – Adverse Effects on the Soil Resource

To ensure that the location, construction and/or operation of land use activities and subdivision make adequate provision for the protection of the soil resource by avoiding, remedying or mitigating the adverse effects of practices which may cause:

(a) Erosion, instability or loss of topsoil,

Cross Reference
Objectives: 4.3.1,
4.3.7
Methods: 4.5.2,
4.5.6
Rule: 4.7.6J

- (b) **Loss of nutrient or incidence of soil contamination,**
- (c) **Loss of soils with special qualities,**
- (d) **A reduction in vegetation cover and moisture holding capacity, and**
- (e) **Soil compaction.**

Explanation

Some land use activities (eg. mining) can have a significant impact on the soil resource. As soil resources are considered non-renewable resources and are of great significance to the District, practices that avoid, remedy or mitigate these effects are encouraged when considering land use proposals.

It must also be recognised that the rehabilitation process involved in land disturbance activities applying current technology and good practice, (such as in mining) can enhance the productive capacity of the soil resource.

4.4.7 Policy – Significant Indigenous Vegetation, Wetlands and Wildlife

To protect areas of:

- (a) **Significant indigenous vegetation,**
- (b) **Significant habitats of indigenous fauna,**
- (c) **Significant wetlands,**
- (d) **Indigenous vegetation or habitats that support a significant indigenous fresh water fishery, and**
- (e) **Habitats of statutorily managed sports fish and game.**

Cross Reference:
Objectives: 4.3.1,
4.3.5, 4.3.6,
4.3.8
Methods: 4.5.2
4.5.6
Rule: 4.7.6K,
4.7.6KA

from the adverse effects of land use activities and subdivision and to promote and encourage, where practicable, the retention, enhancement and reinstatement of indigenous ecosystems within the District.

Explanation

Section 6(a) of the Act requires the preservation of wetlands and their margins from inappropriate subdivision, use and development while section 6(c) requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Section 7(h) of the Act requires consideration of the protection of the habitat of trout and salmon. Activities that significantly impact on these resources will need some form of control, however, this must be balanced against the sustainable management of those resources for other purposes.

The promotion and encouragement of retaining and enhancing indigenous ecosystems within the District will also assist in maintaining biodiversity and preserving the landscape values of the District. Voluntary protection or use of covenants promoted by developers through the resource consent process will be seen by Council as a positive aspect of any development and/or subdivision proposal. Areas of significant indigenous vegetation, habitats of indigenous fauna and wetlands are listed at Schedule 19.6.1 and are identified on the planning maps. Acutely threatened and chronically threatened plant species found within the District are listed in Schedule 19.6B.



Method 4.5.2(iv) provides for a review of the areas currently listed in Schedule 19.6.1 to provide for further sites to be included, as necessary. Policy 10.5.2 of the Regional Policy Statement for Otago may apply in establishing a site's significance; as may guidelines in the anticipated national policy statement on biodiversity. Wetland policies in Chapter 10 of the Regional Plan : Water for Otago apply in terms of Policy 4.4.7(c).

4.4.8 Policy - Adverse Effects on the Amenity Values of Neighbouring Properties.

To ensure that the effects associated with some activities including (but not limited to):

- (a) Noise (including noise associated with traffic generation, night time operations), and vibration,
- (b) The generation of a high level of traffic, in particular heavy vehicles,
- (c) Glare, particularly from building finish,
- (d) A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site,
- (e) The generation of odour, dusts, wastes and hazardous substances, and
- (f) The use and/or storage of hazardous goods or substances

do not significantly adversely affect the amenity values and privacy of neighbouring properties or the safe and efficient operation of the roading network.

Explanation

Effects such as noise, dust, odour and impacts on the landscape have the potential to compromise the amenity values of neighbouring properties. The safe and efficient operation of the roading network can also be compromised by increased traffic generation and the proliferation of signs. These potential adverse effects must therefore be controlled.

4.4.9 Policy - Effects of Rural Activities

To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.

Explanation

With the recent trend towards country living, traditional agriculture, mining, horticulture, viticulture, utilities and energy generation and transmission activities may be subject to an increasing number of complaints in respect of the effects of their day to day activities. The effects of these activities often cannot be readily avoided, remedied or mitigated by the person undertaking the activity without causing significant adverse economic effects. If people choose to live in the rural area of the Central Otago District, they should be prepared to accept the

Cross Reference
Objectives 4.3.1,
4.3.3
Policy 4.4.9
Method 4.5.6
Rule 4.7.6

Cross Reference
Objectives 4.3.1,
4.3.3
Method 4.5.6
Rules 4.7.2(i),
4.7.6E



inconveniences, discomforts, disturbances or irritation that are caused and will be caused by such operations as a normal and necessary aspect of living in a district with strong rural character and a healthy developing agricultural/horticultural/viticultural sector and utility and energy generation/transmission activities. Although such inconveniences, discomforts, disturbances or irritations may not be acceptable in an urban area, they are to be expected in rural areas. It is therefore considered appropriate that those activities that locate adjacent to an existing rural activity should take steps to mitigate the effects that the existing rural activity may have upon them.

4.4.10 Policy – Rural Subdivision and Development

To ensure that the subdivision and use of land in the Rural Resource Area avoids, remedies or mitigates adverse effects on:

- (a) **The open space, landscape and natural character amenity values of the rural environment in particular the hills and ranges,**
- (b) **The natural character and values of the District’s wetlands, lakes, rivers and their margins,**
- (c) **The production and amenity values of neighbouring properties,**
- (d) **The safety and efficiency of the roading network,**
- (e) **The loss of soils with special qualities,**
- (f) **The ecological values of significant indigenous vegetation and significant habitats of indigenous fauna,**
- (g) **The heritage and cultural values of the District,**
- (h) **The water quality of the District’s surface and groundwater resources, and**
- (i) **Public access to or along the rivers and lakes of the District,**

particularly through the use of minimum (and average) allotment sizes.

Cross Reference
Objectives: 4.3.1,
4.3.3, 4.3.5, 4.3.6,
4.3.7
Method 4.5.6
Rules 4.7.2(ii),
4.7.4(iii) &
4.7.5(iii)
Section 16
Subdivision

Explanation

Council’s duty under the Resource Management Act is to control the effects of activities. The creation of a new allotment on a plan has, in itself, no real direct effect on the environment. However, the control of subdivision, particularly in respect of minimum (and average) allotment sizes, is a tool which assists in controlling the adverse effects of the land use that follows thereby promoting sustainable management. Minimum allotment sizes for subdivision are considered to be the best practicable methods to control adverse effects. In some instances adherence to an arbitrary minimum is not always the most appropriate approach. This is particularly true when subdivision for existing activities, network utilities, and reserves and heritage resources are considered. Furthermore, there is no difference in terms of effects on the environment between development on an 8 hectare property and the same development on property having a slightly lesser area. Because of these issues, subdivision in the Rural



Resource Area is subject to a three tiered approach which will allow Council to assess the effect of the subdivision in terms of the objectives of the plan.

Subdivision control in the Rural Resource Area also recognises a number of special areas created under previous planning instruments. These areas, identified as Rural Resource Areas (1) and (2), are located east of State Highway 8 in the Bendigo locality.

4.4.11 Policy - Subdivision for Other Purposes

To provide for subdivision for boundary adjustments, surplus buildings, reserves, the retention or enhancement of heritage values, utilities, public facilities, and other purposes that do not meet minimum area requirements provided significant adverse effects on the environment are avoided, remedied or mitigated.

Cross Reference
Objectives 4.3.1
4.3.3
Method 4.5.6
Rule 4.7.2(ii)
Section 13
Infrastructure,
Energy and Utilities
Section 14
Buildings, Places,
Sites, Objects and
Trees
Section 16
Subdivision

Explanation

This policy complements Policy 4.4.10. Requiring adherence to minimum allotment sizes for the activities identified in this policy may not facilitate sustainable management or the efficient use of resources.

4.4.12 Policy - Weed and Pest Plant and Animal Infestation

To encourage land use practices that avoid, remedy or mitigate weed infestation, in particular wilding tree spread, and the spread of pest plants and animals throughout the district.

Cross Reference
Objectives 4.3.1,
4.3.3, 4.3.7, 4.3.8
Methods 4.5.2,
4.5.3

Explanation

Weeds (including wilding trees), and pest plants and animals are an increasing problem within the Central Otago District. Spread of weeds and pest plants and animals can result in the loss of biodiversity and land productivity and can also have an adverse effect on landscape values. Landowners are responsible for pest control on their properties, through the pest management strategy requirements formulated by the Otago Regional Council. While the Regional Council has primary responsibility in the area of pest plants and animals management, the District Council can assist through actively promoting good land management practices and advocacy to regional and national authorities to ensure there is an ongoing commitment to managing the problem within the District.

4.4.13 Policy - Public Access to Significant Features

To promote the provision of public access opportunities to the Districts significant natural and physical land features including areas of value for recreational purposes.

Cross Reference
Objectives 4.3.1,
4.3.4
Method 4.5.4



Explanation

The Central Otago District contains numerous natural and physical land features that are important to many people for recreation, scientific, educational and other purposes. Many valued natural and physical resources are on land administered by the Department of Conservation and consequently access to them is controlled by the Department. Public access to and over these areas is generally unrestricted, however, commercial development and/or protection of conservation values can restrict public access to and over these areas. The District Plan cannot impose public access over privately owned or Crown pastoral lease land. However, the tenure review process does provide the opportunity to maintain and enhance public access to these areas. The resource consent process also provides an opportunity to consider this issue to a limited degree.

4.4.14 Policy - Back Country Amenity Values

To ensure that activities avoid, remedy or mitigate adverse effects on the open space, landscape, historic, natural character, natural quiet and amenity values of the quality and range of recreational opportunities available in, the District's back country and/or remote areas.

Cross Reference
Objectives: 4.3.1,
4.3.2, 4.3.3, 4.3.4
Methods: 4.5.5,
4.5.6
Rule: 4.7.6K

Explanation

The back country and remote areas of the District generally have significant landscape and amenity values and are often greatly valued recreation areas. These values can be compromised by the very activities that seek them out. Furthermore, these activities have the potential to conflict with one another in terms of the effects that they may generate.

4.4.15 Policy - Conflict between Recreation Activities

To recognise and avoid, remedy or mitigate the potential conflict between different types of recreation activities that occur within the District, whilst encouraging multiple use of public open space and recreation areas wherever this is possible and practicable.

Cross Reference
Objectives: 4.3.1,
4.3.4
Method 4.5.5
Rule 4.7.4(vii)

Explanation

The Central Otago District is a popular recreational area. The different recreation activities that occur in the district are not always compatible with one another. Conflict can arise between motorised recreation and more passive recreation activities that seek peace and tranquillity. These activities often seek the same environment which, particularly during winter months, can be limited to a few range tops.

4.4.16 Policy – Community & Emergency Service Activities

To recognise the special characteristics and needs of community and emergency service activities and to ensure that they are accessible and convenient for the community they serve, while avoiding, remedying or mitigating adverse effects on:

Cross Reference
Objective 4.3.1

(a) Amenity values,



- (b) Environmental qualities of neighbouring properties,
and
- (c) The safe and efficient operation of the roading
network and other community infrastructure.

Explanation

Community facilities are important to the District as they enable the community to meet social, cultural, health and safety needs. Provision needs to be made for such activities while ensuring adverse effects on adjoining properties and services are not significant.



4.5 METHODS OF IMPLEMENTATION

4.5.1 Creation of the Rural Resource Area

The planning maps identify the rural areas of the District as the Rural Resource Area within which the provisions of Section 4 apply. The planning maps also identify outstanding natural landscapes and outstanding natural features, significant amenity landscapes and other land in the Rural Resource Area which constitute other rural landscapes along with the Upper Manorburn/Lake Onslow Landscape Management Area.

Reason

Identifying this area as distinct from urban areas of the District best promotes the sustainable management of the natural and physical resources of the rural environment.

*Cross References
All policies*

4.5.2 Promotion, Education and Investigation Initiatives

(i) Natural Hazard Mitigation

With respect to the use, development or protection of land, the Council shall,

- (a) Co-operate with the Otago Regional Council in establishing monitoring programmes to assess the degree to which long term trends in land use practices and patterns may increase or decrease vulnerability to natural hazards such as flooding.
- (b) Promote and encourage the revegetation and retention and enhancement of vegetative cover and the retention and enhancement of wetland areas, as natural methods of managing natural hazards.

Reason

There is some evidence to suggest that some land management practices can have an adverse effect on the water retention characteristics of land. These land uses can therefore impact downstream in times of a flood hazard event. More work needs to be carried out to determine the extent that land use patterns impact on the intensity and frequency of flood events. It is known that the maintenance of vegetation cover and the retention of wetlands can mitigate the effects of flood events in small to medium sized catchments. Council, through its various functions including civil defence can assist the Regional Council in this area.

*Cross Reference
Policies: 4.4.4 to
4.4.6*

(ii) Land Management Practices

In carrying out any activity, whether subject to specific rules in this plan or not, the Council encourages resource users to adopt the "best practicable method" to avoid, remedy or mitigate adverse effects on:

- water quality and quantity
- riparian vegetation and associated habitat
- stability of the banks of any water body
- landscape values

*Cross Reference
Policies: 4.4.1,
4.4.4, 4.4.5,
4.4.6, 4.4.7, 4.4.9*



and to avoid, remedy or mitigate the adverse effects of:

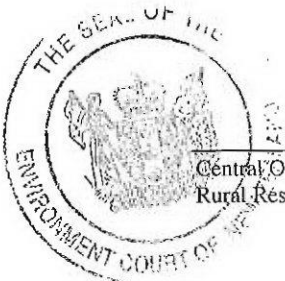
- erosion and instability
- nutrient loss
- soil compaction
- removal of vegetation, particularly in catchment areas
- the spread of non-desirable weeds and plants (the definition of which will depend on local conditions), including wilding trees.

Council encourages resource users to give consideration to relevant guidelines and Codes of Practice, such as:

- New Zealand Forest Code of Practice (Logging Industry Research Organisation, 1993),
- South Island High Country Forestry Design, Ministry of Forestry 1994,
- Code of Practice - Pig Farming, New Zealand Pork Industry Board 1997,
- Otago Regional Council's guide on Riparian Management,
- Guidelines for the Control and Management of Wilding Trees, Ledgard and Langer, NZ Forest Research Institute (see Method 4.5.2(iii)).

In avoiding, remedying or mitigating adverse effects, the Council encourages resource users to recognise the following practices which minimise the adverse effects of land use activities on water bodies:

- Activities that intensively use land within 10 to 20 metres (depending on the particular environment) of the bank of any water body which may give rise to degradation in both the water quality of the water body and the stability of the bank structure, should be avoided.
- To such an extent as is practicable, the spreading of fertilisers should be accurate, and avoid riparian areas, and should be carried out at the correct time and at a rate matching crop nutrient uptake.
- No disturbed vegetation, soil or debris should be placed in such a position where it may enter or move into any water body.
- Agricultural and other chemicals are to be used carefully and in accordance with approved guidelines and Codes of Practices, for example NZS 8409 1995 "Agrichemical Users Code of Practice". Users of sprays are to take all reasonable and practicable steps to avoid drift onto neighbouring properties.
Note: Where spraying is to occur in close proximity to orchards, vineyards or trees, consultation is to occur with neighbouring property owners in order to protect the interests of both parties.
- Maintenance of thick riparian vegetation filters sediment and nutrients in surface runoff. Indigenous vegetation is important for the role it plays in the ecosystems of water bodies, and the habitat it provides for other native species.



Riparian vegetation also stabilises banks.

- Wetlands should be retained for denitrification, filtration and habitat purposes. Wetlands also mitigate the effects of floods.
- Minimise trampling damage and overgrazing.
- Avoid stream bank erosion and direct faecal inputs by exclusion of stock from waterways and riparian margins where this is practical.
- Adjust land use type to land capability.
- Locate activities that have high water requirements in areas that have adequate supply.

The Otago Regional Council has also prepared a guide on Riparian Management. This document provides information on best management practices for activities within or adjacent to riparian margins. Copies of the document are available from Regional Council offices.

Resource users are advised that a number of the activities above may be subject to Regional Council controls. The following activities are also controlled by the Regional Council -

- Activities, including the operation of machinery, taking place in any water body.
- Activities, such as silage pits, farm tips, and offal pits, involving potential discharges to land or water.
- Structures, bed disturbance, introduction of vegetation, deposit of substances, drainage and reclamations on the beds of lakes and rivers.

Reason

In promoting and encouraging good land management practices, the Council wishes to avoid excessive regulation that may not be practically monitored and enforced, and may frustrate innovation in land management practices in different environments and situations. The Council also recognises that land use effects on water may also be subject to Regional Council controls which take precedence on water quality matters. The District Plan may be reviewed as riparian land use issues are better defined through the regional planning process.

Rule 4.7.6 Standards (p4:57) contains a number of rules relating to riparian management. Policies and rules in Section 15 (Financial Contributions) and 16 (Subdivision) also provide mechanisms the Council may use to protect riparian margins. The Council supports the protection of riparian margins and will work with the Otago Regional Council on this issue.

No standards regulating burning are included in this plan. The principal reason for this is that the Otago Regional Council has primary responsibility for discharges to air and for soil conservation. While burning may have an impact on landscape values this is only temporary and can be considered under the



Regional Council burning permit regime. Rule 4.7.6.K will control burning in areas of significant indigenous vegetation identified in the plan.

(iii) Wilding Tree Spread

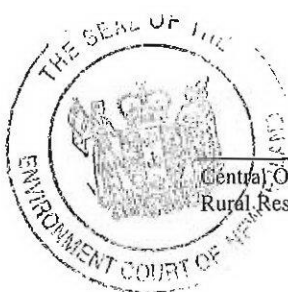
*Cross Reference
Policy 4.4.12*

The Council encourages all prospective tree planters to consider the possibility of wilding tree spread and to adopt methods to avoid, remedy or mitigate this occurring as a result of their activity. Prospective tree planters should pay particular attention to species choice, siting, plantation design, and surrounding land management in order to minimise the risk of unwanted spread onto adjoining properties. In essence spread-prone species should not be planted upwind of undeveloped land which has an indigenous vegetation component, bare ground or a thin vegetative cover, particularly if take-off sites are involved.

There are guidelines available for the management of wilding trees such as "Guidelines for the Control and Management of Wilding Trees" W J Ledgard and E R Langer, New Zealand Forest Research Institute Ltd. This guideline can be made available by the Council.

The following factors are involved in wilding tree spread and can assist in controlling spread.

- Spreading vigour varies according to species' competitiveness, palatability and seed weight. The order of declining spreading vigour is: lodgepole pine (*Pinus contorta*), Scots pine (*P. sylvestris*), Douglas fir (*Pseudotsuga menziesii*), Corsican pine (*Pinus nigra*), European larch (*Larix decidua*), Ponderosa pine (*Pinus ponderosa*), Bishops pine (*P. muricata*), Maritime pine (*P. pinaster*) and Radiata pine (*P. radiata*). Douglas fir is more able to invade shady situations than the pines.
- Age of seed production is predictable - generally 8-12 years. Therefore land managers have 8-12 years to remove young trees before they in turn produce seed.
- Seed dispersal is mostly by wind. On flat sites the majority of wildings occur as fringe spread within a few hundred metres of seed source. More distant spread (over 500m) and outlier trees originate from ridges, hill tops and sites on or adjacent to north or west facing slopes. These are called take-off sites.
- Most seed germinates within 2 years of dispersal. No germination occurs after 6 years.
- Spread is most likely to occur on undeveloped land, downwind of a seed source, especially where there is an indigenous vegetation component, bare ground or a thin vegetative cover.
- Spread is least likely to occur where there is a well established, dense vegetation cover (eg., improved grassland or intact forest), or where intensive grazing (mob stocking) is practiced.
- Grazing by animals (mainly sheep) is the main human-induced controlling agent. Corsican pine is the least palatable conifer,



followed by Douglas fir, Scots pine, larch, lodgepole, ponderosa and radiata pine.

The above factors indicate that conifer and other exotic tree (including eucalyptus and sycamore) spread is very predictable. Predictable natural events or sequences are usually the easiest to manage or control.

Landowners and interested agencies and groups are able to control or eradicate wilding trees through direct action. In 1998 the Wilding Tree Action Group removed wilding trees in the Cromwell Gorge area. This provides an example of action that can be taken to control or eradicate the spread of wilding trees. Such action is encouraged, particularly on areas of outstanding landscape value, in areas of significant indigenous vegetation and habitats of indigenous fauna, within historic areas and on other areas of particular landscape and ecological value to the community.

Rules are applied to assist in the control of wilding spread. These rules control the planting of certain species that have particular spreading vigour, and enable the effects of plantations of other species with propensity for wilding spread to be avoided, remedied or mitigated.

Reason

Management of wilding tree spread can be effectively and efficiently carried out. Education, the provision of appropriate information, direct action by other agencies and regulation through rules are considered the most appropriate management options in respect of this issue.

(iv) Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna

*Cross Reference
Policy 4.4.7*

With respect to areas of significant indigenous vegetation and habitats of indigenous fauna, the Council shall:

- (a) Encourage and advocate to the Minister of Conservation that the Department of Conservation negotiate directly with landowners (and adjoining landowners that may be affected) whose properties may contain areas of significance, worthy of protection.
- (b) Encourage and advocate to central Government, that in consultation with affected lessees, areas of significance be appropriately protected through the tenure review process.
- (c) Encourage landowners to provide voluntary protection and enhancement for areas of significant indigenous vegetation and significant habitats of indigenous fauna and areas with particular landscape values, through the following methods:
 - Developing sustainable land management plans that take into account the values of those areas.
 - Utilising covenants under the QEII Trust, Conservation and Reserves Acts, and other covenants.



- Sale to public bodies.
 - Fencing off such areas to enable more control over management.
 - Regular weed and pest eradication.
 - By taking account of the benefits provided by such voluntary protection and/or environmental compensation when considering applications for resource consents.
- (d) Review the extent to which significant areas are protected by being included in the conservation estate or made subject to restrictions to protect natural values within 5 years of the operative date of this District Plan. A plan change may be initiated to revise relevant provisions of the District Plan within this 5 year period.

Reason

At the time of preparing this plan [1998], in excess of 48,000 hectares of land within the District is held in the conservation estate (see Schedule 19.6.1). This figure may increase significantly as the Crown completes the tenure review process in the district. The tenure review process which involves full consultation with affected runholders, conservation, recreation and other interested groups is considered the most practical, appropriate and cost effective method of identifying and protecting areas of significant indigenous vegetation and habitats of indigenous fauna.

The tenure review process is proceeding and central Government has indicated that it is likely to prepare a national policy statement to address effects of land use on biodiversity. In these circumstances it is considered appropriate to conduct a review with respect to natural values within a 5 year period. It is anticipated that such a review and, if appropriate, the formulation of a plan change to address relevant matters will involve a process of consultation with all interested parties.

Council will also actively promote to landowners that they provide voluntary protection of areas that may have significance for their intrinsic values or landscape values. The resource consent process also provides an opportunity to consider this issue where appropriate, and a degree of regulation (through rules) is justified with respect to landscape values.

(v) Sustainable Land Management Groups

The Council will encourage and, where practicable, assist the formation of landcare groups and similar community initiatives that promote sustainable management of land and associated resources.

Cross Reference

*Policies: 4.4.4,
4.4.5, 4.4.6,
4.4.12*

Reason

In many instances the most positive environmental results are brought about by projects that are initiated and driven by the community most affected. These types of initiatives should be encouraged.



4.5.3 Advocacy on Pest and Weed Management

*Cross Reference
Policy 4.4.12*

The Council will continue to advocate to the Otago Regional Council and Central Government to seek increased financial commitment to pest and weed control/eradication in the Central Otago District.

Reason

Effective pest and weed eradication programmes require a significant level of commitment from not only regional agencies but also central government. Unless this is forthcoming, pest and weed infestation will continue to adversely impact on the District's natural and physical resources.

4.5.4 Advocacy for Public Access

*Cross Reference
Policy 4.4.13*

The Council shall advocate that Central Government consider the need for public access for recreation, educational, scientific and other purposes, including the provision of financial resources for the future maintenance of such access:

- (a) During the tenure review process, and
- (b) Through the management of the conservation estate

Reason

A large number of Central Otago's significant natural and physical land features and important recreation areas are found within the conservation estate and pastoral lease land. To a large extent, therefore, the issue of public access rests with Central Government and its management of these resources.

4.5.5 Advocacy for Wilderness and Back Country Recreation

*Cross Reference
Policies: 4.4.14,
4.4.15*

Council shall advocate to the Department of Conservation that the Department consider the needs of recreationalists seeking wilderness and back country experiences in suitable areas in the management of the conservation estate.

Reason

A large area of Central Otago's wilderness and back country areas are either in the conservation estate or will become part of that estate through the tenure review process. The provision of wilderness areas free of motorised commercial recreation operations and other areas that provide for back country experiences and activities such as mountain biking is able to be addressed by the Department of Conservation through the management planning process for such areas.

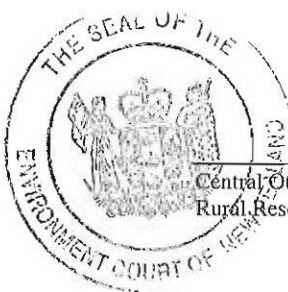
4.5.6 Rules

*Cross Reference
Policies: 4.4.1 to
4.4.11, 4.4.14,
4.4.15*

To develop rules to ensure that the adverse effects of activities are avoided, remedied or mitigated.

Reason

Council has considered and adopted a wide range of methods to promote the sustainable management of the rural environment including education and advocacy. However, in some instances the adverse effects of activities are such that some form of control



is needed. Rules are the most appropriate option in these situations as they are the only methods that can be readily enforced.

Although the tenure review process may greatly increase the amount of land held in the conservation estate and to some extent may relieve the Council of some of its responsibilities in terms of sections 6 and 7 of the Act, these responsibilities remain relevant to significant parts of the district outside of the conservation estate. A systematic landscape study has been undertaken as part of the Rural Study that has assisted in the identification of outstanding natural landscapes and outstanding natural features, significant amenity landscapes and other rural landscapes. These landscapes and features are identified on the planning maps. It is noted that "other rural landscapes" constitute those landscapes in the Rural Resource Area that are not identified in any other landscape category.



4.6 PRINCIPAL REASONS FOR ADOPTING OBJECTIVES, POLICIES AND METHODS

4.6.1 Outstanding Natural Landscapes and Outstanding Natural Features, and Land in the Upper Manorburn/Lake Onslow Landscape Management Area.

*Cross Reference
Objectives: 4.3.1,
4.3.2*

Section 6(b) of the Act requires Council to protect outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development as a matter of national importance. The plan also recognises the landscape values of land in the Upper Manorburn/Lake Onslow Management Area. The plan provisions enable consideration of what is appropriate in these areas taking into account the impact on people and communities social, economic and cultural wellbeing. Significant inherent values including landscape values are also protected through the teure review process. Section 6(e) is also relevant to this issue.

4.6.2 Landscape and Amenity Values

*Cross Reference
Objectives: 4.3.1,
4.3.3*

The effects of using, developing or protecting natural and physical resources on landscape and landforms is a matter that should be provided for in the District Plan. The unique landscape of the Central Otago District has been identified as an important resource of the District that is renowned internationally. Ensuring adverse effects on its values are avoided, remedied or mitigated is considered a significant resource management issue. Section 6(e) identifies the relationship of Maori and their culture and traditions with their ancestral lands, sites and taonga as a matter of national importance. There are landscapes within the district that are significant for this reason. Section 7 of the Act requires Council to have particular regard to maintaining and enhancing amenity values, and the maintenance and enhancement of the quality of the environment. Landscape qualities provide a significant contribution to the cultural and amenity values, and the environmental quality of Central Otago. The provisions of the plan have been adapted to ensure that amenity and landscape values of the District's rural environment are not compromised, while ensuring people and communities can continue to provide for their social, economic and cultural wellbeing

4.6.3 Recreation Resources and Public Access

*Cross Reference
Objectives: 4.3.1,
4.3.4*

Section 6(d) requires Council to recognise and provide for the maintenance and enhancement of public access to and along lakes and rivers. Section 7 requires the Council to have particular regard to the maintenance and enhancement of amenity values (section 7(c)). The definition of "amenity values" is "those natural or physical qualities and characteristics of an area that contribute to peoples appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes." (see Note at Section 1.2.1 page 1:7). Furthermore the purpose of esplanade reserves and esplanade strips includes enabling public recreational use of the esplanade reserve or strip and the adjacent river or lake where that use is compatible with conservation values.



The District's natural and physical resources are seen as a significant recreational resource and one that is becoming increasingly important to the District's economy. Because the majority of land valued for this activity is found within the conservation estate or will become part of the conservation estate through the tenure review process, the best way to provide for back country recreation and access to it is through advocacy to Central Government and the Department of Conservation. Control over motorised commercial recreation through the resource consent process is considered the best option to avoid, remedy or mitigate the conflict between motorised and non-motorised recreation that utilise the same environments.

4.6.4 Water Resources

The Central Otago District Council has a role in controlling the effects that using, developing and/or protecting land may have on water quality and quantity. Water resources are also of great significance to iwi and sections 6(e) and 8 of the Act are relevant to this issue. The Otago Regional Council is the principal authority in respect of maintaining and enhancing the quality and quantity of water in the District and for this reason, the provisions adopted in this plan, will complement the Regional Council's functions while ensuring duplication of controls is minimised. Issues relating to water quantity have not been directly addressed in this plan as the District Council believes that this is an issue that is most appropriately addressed by the Otago Regional Council.

*Cross Reference
Objectives: 4.3.1,
4.3.5*

Section 7 of the Act also requires Council to have particular regard to Kaitiakitanga (7(a)); the ethic of stewardship (7(aa)); the intrinsic values of ecosystems (section 7(d)); the maintenance and enhancement of the quality of the environment (section 7(f)); and the protection of the habitat of trout and salmon (section 7(h)).

4.6.5 Margins of Water bodies

Section 6(a) of the Act requires Council to recognise and provide for the preservation of the natural character of wetlands and lakes and rivers and their margins and the protection of them from inappropriate subdivision, use and development as a matter of national importance. Again sections 6(e), 7(a), 7(aa), 7(d), (f) and (h) and 8 of the Act are also relevant to this issue. Land use at the margins of water bodies can have a significant impact on these issues and hence the riparian margin provisions in the plan. The Council believes education of landowners, complemented by performance standards for activities within riparian margins, will achieve the best long term environmental results. Fencing of riparian margins to prevent stock access to water bodies may be justified in some places in Central Otago, but requiring such measures by regulation is not considered cost effective, practicable or necessary in the Central Otago context.

*Cross Reference
Objectives: 4.3.1,
4.3.6*

4.6.6 Soil Resources

The District Council's functions under the RMA relates to managing the effects of the use, development or protection of land and associated natural and physical resources. Soil is part of the land resource or is at least an associated natural and physical resource. The Otago Regional Council is the principal authority in respect of controlling the use of land for the purposes of soil conservation. Consequently the provisions of the plan relate to Council's role in controlling the adverse effects of land use only. The approach adopted in this plan recognises the community's need to utilise the District's soil resources to provide for social, economic and cultural wellbeing.

*Cross Reference
Objectives: 4.3.1,
4.3.7*

4.6.7 Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna

Section 6(c) of the Act requires Council to recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance. These resources are also significant to iwi and sections 6(e) and 8 are again relevant. The Department of Conservation also has a role in this regard and has the function of managing the Crown conservation estate and other natural and historic resources entrusted to it. Section 7 requires Council to have particular regard to Kaitiakitanga (7(a)); the ethic of stewardship (7(aa)); the intrinsic value of ecosystems (section 7(d)) and recognition and protection of heritage values of areas (section 7(c)) and the maintenance and enhancement of the quality of the environment (section 7(f)). Council's role in protecting such resources is considered complementary to the Department of Conservation's statutory functions and the relevant provisions of the plan are consistent with the Regional Policy Statement for Otago.

*Cross Reference
Objectives: 4.3.1,
4.3.8*

The tenure review process is proceeding and central Government has indicated that it is likely to prepare a national policy statement to address effects of land use on biodiversity. In these circumstances the Council has determined that it is appropriate to conduct a review with respect to natural values within a 5 year period.

4.7 RULES

Note: In considering a resource consent application under rules in this Plan, in the absence of specific policy in this Plan the Council may have regard to other policies related to assessment matters, including the relevant policies in the Regional Policy Statement for Otago, and regional plans.

See also Sections 3 and 14 of the Plan – Manawhenua and Heritage Buildings, Places, Sites, Objects and Trees

4.7.1 PERMITTED ACTIVITIES

*Cross Reference
Policies: 4.4.1 to
4.4.16*

(i) Compliance with Standards

Any activity that is not listed as either a controlled, discretionary (restricted), discretionary, non-complying activity or prohibited activity and that complies with the rules and standards set out in Sections 12 to 15 of this Plan, and the standards set out in section 4.7.6 is a permitted activity.

Reason

The standards set out in section 4.7.6 will ensure that adverse effects on the environment are kept to a minimum. The standards relate to -

1. *Bulk and location of buildings*
2. *Traffic generation and characteristics of activities*
3. *Tree planting*
4. *Visual effect of buildings*
5. *Noise*
6. *Storage*
7. *Provision of services*
8. *Signs*
9. *Riparian margins*
10. *Earthworks for access tracks and extractive activity*
11. *Areas of significant indigenous vegetation, habitats of indigenous fauna, and wetlands.*
12. *Outstanding landscapes, land over 900 metres and land in the Upper Manorburn/Lake Onslow Landscape Management Area.*

Activities that comply with these standards and are not identified in sections 4.7.2 to 4.7.5A are considered to have no more than a minor effect on the environment.

Note: Sections 12 to 15 contain a number of general provisions and rules that apply across the district. Section 12 addresses access, parking, noise, signs, lightspill and vibration. Section 13 deals with the development of infrastructure, energy production facilities and utilities. Section 14 addresses general heritage issues. Section 15 deals with matters relating to financial contributions. Section 16 that relates to subdivision and Section 17 that relates to hazards contain general provisions to complement Resource Area rules. Section 18 contains definitions of terms used in the Plan.



(ii) **Scheduled Activities and Existing Community Facilities**

4.7.1 (cont'd)

Any scheduled activity identified in clause 19.3.1, 19.3.2, 19.3.3, 19.3.4, 19.3.5 and 19.3.6 of Schedule 19.3 and identified as a scheduled activity on the planning maps and any other community facility lawfully established prior to notification of this plan is a permitted activity provided that rules and standards set out in Section 12 shall not apply to activities identified in clause 19.3.5 of Schedule 19.3 and provided that Scheduled Activity 127 (SA 127) in Schedule 19.3.6 complies with Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road.

Reason

See reference at Section 1.2.9 of this Plan (page 1:12).

Activities identified in clause 19.3.5 Schedule 19.3 are subject to Rule 13.7.3. It is therefore unnecessary for Section 12 to apply to activities listed in clause 19.3.5 of Schedule 19.3.

4.7.2 CONTROLLED ACTIVITIES

Cross Reference

Policies: 4.4.2, 4.4.3, 4.4.5, 4.4.6, 4.4.8, 4.4.9, 4.4.10

(i) **Residential Activity**

Residential activity in areas identified as "Rural Residential" ([RR]), Rural Resource Area (1) and Rural Resource Area (2) on the planning maps or located on a residential building platform consented under Rule 4.7.3(vii) or located on a residential building platform identified on a plan of subdivision that has been granted subdivision consent prior to 28 May 2011 and which is set in a condition of consent subject to a consent notice is a controlled activity provided the following standards are complied with:

(a) **General Standards**

The relevant standards set out in 4.7.6 are complied with.

(b) **Residential Activities per Site**

There shall be no more than one residential activity on the relevant certificate of title unless additional residential activity is required to accommodate people working on the property and their families.

Breach:
discretionary
activity see Rule
4.7.4(i)

(c) **Access**

No additional formed accesses are to be created to any State Highway.

Breach:
discretionary
activity see Rule
4.7.4(i)

(d) **Separation Distances**

Where the dwelling is not located on a building platform established by way of resource consent the following separation distances to any existing dwelling, any dwelling under construction, any registered building platform established by way of resource consent, or any urban area shall apply;

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)



Rural-Residential	- 50 metres
Rural Resource Area (1)	- Not applicable
Rural Resource Area(2)	- Not applicable
Elsewhere in Rural Resource Area	- Not applicable

(c) **Visibility**

Rural Resource Area (1). The dwelling and accessory buildings are not to be visible from State Highway 8.

Breach:
discretionary
activity see Rule
4.7.4(i)

Rural Resource Area (2) The dwelling, other residential buildings and accessory buildings are not to be visible from State Highway 8 and Lake Dunstan.

Note: This rule only applies to Rural Resource Area (1) that applies in the Bendigo area – see Maps 41D & E, 48 and 52 and to Residential Resource Area (2) that applies at Rocky Point in the Bendigo area – see Maps 41D & E.

(f) **Colour and Finish of Buildings**

Rural Resource Area (1) The following colour and finish of buildings (including accessory buildings) shall apply; All buildings shall be finished in any of the following materials:

Breach:
discretionary
activity see Rule
4.7.4(i)

- (i) Timber (vertical and horizontal)
- (ii) Plaster/Adobe
- (iii) Stone
- (iv) Corrugated iron: Desert Sand, Lichen, Sandstone Grey, Kauri, Grey Friars, New Denim Blue, (Coloursteel colours).

Detailing around verandahs, posts windows and doors may differ. The exterior walls, accents and trim for all buildings shall comply with the following colour palette:-

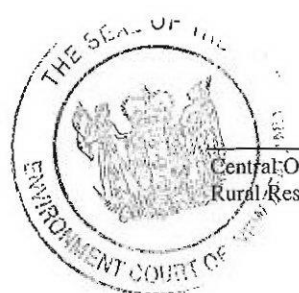
Ash Resene	9-099	Laser Resene	4Y020*
Schooner Resene	5B030*	Apache Resene	4Y030*
Sandstone Resene	4B030*	Sandrift Resene	2-027
Coral Resene	3-035	Teak Resene	3-043
Thistle Resene	4-047	Toast Resene	4RO10*
Putty Resene	3-042	El Salva Resene	3RO30*
Granite Green	4-049		

Note: All colours are British Standard 2660 (101 colour range) unless marked otherwise by asterisk.

* Resene colour charts. Like colours from other manufacturers' colour charts are acceptable.

- (v) Roofing shall be finished in any of the following: Unpainted natural products, ie, timber shingles or corrugated iron in one of the following colours: Lignite, Ironsand, Grey, Kauri, Grey Friars, New Denim Blue (Coloursteel colours), turf.

Rural Resource Area (2) The following colour and finish of buildings (including accessory buildings) shall apply;



All buildings shall be finished in any of the following materials:

- (i) Timber (vertical and horizontal)
- (ii) Plaster/Adobe
- (iii) Schist
- (iv) Corrugated iron: Desert Sand, Lichen, Sandstone Grey, Kauri, Grey Friars, New Denim Blue, (Coloursteel colours).

Detailing around verandahs, posts windows and doors may differ. The exterior walls of all buildings shall be finished in the colour range of browns, dark greens and greys.

- (v) Roofing shall be finished in any of the following: Unpainted natural products, ie, timber shingles, slate or corrugated iron in one of the following colours:

Iron sand, Lignite, kauri, Grey Friars, New Denim Blue (Coloursteel colours), turf.

Council shall exercise its control in respect of the following matters;

1. Any impact on landscape values, including the colour of the dwelling and accessory buildings and the specific location of the building and design of the exterior in terms of impact on skylines and important views. Colours shall generally be consistent with those identified in Rule 4.7.6D on page 4:54.
 2. Methods to avoid, remedy or mitigate the effects of existing activities including the provision of screening, landscaping and methods for noise control.
 3. Provision of services, including fire fighting water supply.
- Any application made under this rule will generally not be notified or require the written consent of affected persons.

Reason

The Council acknowledges that some people seek to live in the rural environment. The increasing pressure for dwellings in the District's rural environment has the potential to compromise the landscape and amenity values of the District. Such development also has potentially adverse affects on water quality and the roading network. Control in respect of colour and location will ensure impact on landscape values is kept to a minimum. With respect to "Rural Residential" areas identified on the planning maps, Council recognises that these areas are more intensively developed and a 50 metre separation distance will provide privacy for adjoining property owners.

Council has also retained the ability to require new residential activities to make some allowance for the fact that they are located in a rural environment within which some activities generate noise, dust, odour, and use chemical sprays and the like. The new developer who locates next to an existing activity is expected to accept the disturbance, irritation, discomfort and inconvenience of living in a developing rural area. That person may be required to take steps to mitigate the effects of the existing activity.



(ia) **Residential Activity in Rural Resource Area (3)**

Residential activity is a controlled activity in the Rural Resource Area (3) provided the following standards are complied with:

(a) **Building Platform/Development Zone**

The dwelling and any accessory building is located within a building platform as shown on the concept plan attached as Schedule 19.20 or is located in the Development Zone shown on the concept plan attached as Schedule 19.20 provided that a separation distance of 50 metres or greater is achieved between building platforms. Identified (numbered) building platform 4 as shown on the concept plan attached as Schedule 19.20 shall not exceed 10m x 28m and any other building platform shall not exceed 30m x 40m.

Breach:
discretionary
activity see Rule
4.7.4(i)

(b) **Access/Covenant**

The dwelling and accessory building is located on a site that:

(i) Has legal access in the position shown on the concept plan attached as Schedule 19.20 provided that the position of the access to the Development Zone on Lot 18 DP 15301 is indicative only.

Breach:
discretionary
activity see Rule
4.7.4(i)

(ii) Has no formed access to State Highway 8.

(iii) Is subject to a covenant that serves to protect natural values and open space on the site or on land held in common by the owner of the site and other sites in Rural Resource Area (3) except for identified (numbered) building platform 25 as shown on the concept plan attached as Schedule 19.20. Any covenant shall be registered on the certificate of title for the site and shall permit the dwelling and any accessory building and associated curtilage to occupy no more than the following areas in relation to building platforms identified (numbered) or located in the Development Zone on the concept plan attached as Schedule 19.20-

<u>Building Platform</u>	<u>Area for Buildings and Curtilage</u>
1-7, 13-22, 26, 29, 30	3000m ²
23, 24, 27, 28 and 31	4000m ²

(c) **Height**

Any dwelling or accessory building shall not exceed the height specified below for building platform as identified (numbered) or located in the Development Zone on the concept plan attached as Schedule 19.20-

Breach:
discretionary
activity see Rule
4.7.4(i)



<u>Building Platform</u>	<u>Maximum Height</u>	4.7.2(ia)(c) <i>(cont'd)</i>
4	4 metres	
1, 2 & 5	4.5 metres	
3, 6, 7, 13-22, 24-26, 29 & 30	6.0 metres	
23, 27, 28 & 31	8.0 metres	

(d) **Colour and Finish of Buildings**

The following colour and finish of buildings (including accessory buildings) shall apply:

Breach:
discretionary
activity see Rule
4.7.4(i)

All buildings shall be finished in any of the following materials:

- (i) Timber (vertical and horizontal)
- (ii) Plaster/Adobe
- (iii) Schist Stone
- (iv) Corrugated iron: Desert Sand, Lichen, Sandstone Grey, Kauri, Grey Friars, New Denim Blue, (Coloursteel colours).

Detailing around verandahs, windows and doors may differ. The exterior walls, accents and trim for all buildings shall comply with the following colour palette:-

Schoouer Resene	5B030*	Laser Resene	4Y020*
Sandstone Resene	4B030*	Sandrift Resene	2-027
Putty Resene	3-042	Teak Resene	3-043
Granite Green	4-049	Toast Resene	4R010*
El Salva Resene	3R030*		

provided that any part of a building on the identified (numbered) building platforms 1, 2 or 4 on the concept plan attached as Schedule 19.20 that is visible from State Highway 8 shall be clad in schist stone or stone that presents the same appearance as schist, when viewed from a distance.

Note: All colours are British Standard 2660 (101 colour range) unless marked otherwise by asterisk.

* Resene Colour Charts. Like colours from other manufacturers' colour charts are acceptable.

- (v) Roofing shall be finished in any of the following: Unpainted natural products, ie, timber shingles, slate or corrugated iron, or in an alternate manufactured roofing material, in one of the following colours:
Lignite, Ironsand, Grey Friars, New Denim Blue (Coloursteel colours).



(e) **Residential Activities per Site**

There shall be no more than one residential activity on the site.

Breach:
discretionary
activity see Rule
4.7.4(i)

(f) **Visibility from State Highway 8**

Notwithstanding Rule 4.7.2(ia)(a) and (d) any dwelling or accessory building located on building platforms 1, 2 or 5 as shown on the concept plan attached as Schedule 19.20 shall not be visible from State Highway 8 to the south of a point adjacent to the common boundary of Lots 2 and 3 DP 15299.

Breach:
discretionary
activity see Rule
4.7.4(i)

(g) **General Standards**

The relevant standards set out in Standard 4.7.6 shall be complied with provided that a building is permitted to encroach into the yards provided for in Rule 4.7.6A(a) and is exempt Rule 4.7.6D(a) and (b) if such building is to be erected on a building platform or erected within the Development Zone shown on the concept plan attached as Schedule 19.20.

Council may exercise its control in respect of any impact on landscape values, including the colour of the dwelling and accessory buildings and the specific location of the building and design of the exterior in terms of impact on skylines and important views and avoiding or mitigating any adverse effects on natural values.

Any application made under this rule will generally not be notified or require the written consent of affected persons.

Reason

The Rural Resource Area (3) has been applied to land adjacent to State Highway 8 and Conroys Road, north of Butchers Dam. The land was historically subdivided into 4 hectares (10 acre) blocks that has created an unsuitable subdivision pattern for future development. The concept plan attached as Schedule 19.20 takes a comprehensive approach to future subdivision and development, provides for some resubdivision and rationalisation of access to the land, and nominates building platforms to facilitate future development that is sympathetic to the natural values found in this locality. The Rural Resource Area (3) provisions reflect a balance between the interests of private landowners who wish to develop properties in this locality and the community's long standing recognition of the landscape values of the land contained in Rural Resource Area (3).

(ib) **Structures and Buildings : Mount St Bathans Station**

Any structure (excluding post and wire fences) or building on that part of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River is a controlled activity.



Council shall exercise its control in respect of the following matters:

4.7.2(ii)(a)(i)
(cont'd)

Any impact on landscape values, including the colour of any structure or building and the specific location of any structure or building and design of the exterior in terms of impact on skylines and important views.

(ii) Subdivision

- (a) Except as otherwise provided in (b) below and Rule 4.7.4(iii), subdivision shall be a controlled activity provided the following standards are complied with:

(i) Minimum Allotment Sizes

Minimum allotment sizes shall be as follows;

Breach:
discretionary
activity see Rule
4.7.4(iii) or non-
complying activity
see Rule 4.7.5(iii)

In areas identified as "Rural Residential" ([RR]) on planning maps -

average allotment size of no less than 2 hectares.

Note – allotments in excess of 4 hectares are deemed to be 4 hectares for averaging purposes.

In the area identified as "Rural Resource Area (1)" ([RuRA(1)]) on planning maps -

10 hectares provided that the average area is 25 hectares. Note – allotments in excess of 40 hectares are deemed to be 40 hectares for averaging purposes.

In the area identified as "Rural Resource Area (2)" ([RuRA(2)]) on planning maps --

any application for subdivision consent shall include a minimum area of 1 hectare within which land can be further subdivided to create allotments and units as follows:

- (a) *For residential purposes* – sufficient area to meet open space and bulk and location rules.
- (b) *For travellers accommodation* – minimum area 2000m² with sufficient area to meet open space and bulk and location rules.

In the area identified as "Rural Resource Area (3)" [RuRA(3)] on the planning maps an application for subdivision consent shall:

- (a) Provide for a minimum allotment area of 1500m² and a maximum allotment area of 3000m² to contain each of the identified (numbered) building platforms 1-3, 5-7, 13-17 and for the recreational area shown as 60 on the concept plan attached as Schedule 19.20.
- (b) Provide elsewhere in the Rural Resource Area (3) for a minimum allotment area of 4 hectares.



(ii) Separation Distances for Dwellings

Where the development of the site is to accommodate a dwelling, the plan of subdivision shall identify a building platform for a dwelling with no less than the following separation distances from any existing dwelling, dwelling under construction, other registered building platform identified on a plan of subdivision, or any urban area:

Rural Residential	- 50 metres
Rural Resource Area (1)	- Not applicable
Rural Resource Area (2)	- Not applicable

4.7.2(ii)(a)(ii)

Breach:
discretionary
(restricted)
activity see
Rule 4.7.3(i)

(iii) Concept Plans

In the area identified as "Rural Resource Area (1)" on the planning maps - subdivision shall comply with the concept plan attached as Figure 4.1B at Schedule 19:15.

Breach:
discretionary
activity see Rule
4.7.4(iii)

In the area identified as "Rural Resource Area (2)" on the planning maps subdivision shall comply with the concept plan attached as Schedule 19.16.

In the area identified as "Rural Resource Area (3)" on the planning maps subdivision shall comply with the concept plan attached as Schedule 19.20. Such subdivisions shall:

- (a) Provide for legal access in the position shown on the concept plan attached as Schedule 19.20 provided that the position of the access to the Development Zone on Lot 18 DP 15301 is indicative only.

Note: Such access may be achieved by legal road, right of ways, access strips or access allotments, as appropriate.

- (b) Provide for the land adjacent to the allotments containing the identified (numbered) building platforms 1-3, 5-7, and 13-17 and the recreational area shown as 60 on the concept plan attached as Schedule 19.20 to be held in an allotment that shall be subject to a covenant that serves to protect the natural values and open space values of the land held in that allotment.

Note: Such covenant may be a covenant pursuant to section 22 of the Queen Elizabeth the Second National Trust Act 1977 or shall be subject to a consent notice that shall be registered pursuant to section 221(4) of the Resource Management Act 1991.

(iv) Maximum Number of Allotments for Residential Activities

The maximum number of allotments on a plan of subdivision likely to accommodate a residential activity shall be as follows:

Breach:
discretionary
activity see Rule
4.7.4(iii)



Rural Residential	- 5
Rural Resource Area (1)	- 16
Rural Resource Area (2)	- No limit
Rural Resource Area (3)	- 12

4.7.2(ii)(a)
(iv)
(cont'd)

(v) Access Formed

No additional accesses are to be created to any State highway.

Breach:
discretionary
activity see Rule
4.7.4(iii)

Council shall exercise its control in respect of the following matters:

1. The adequacy of the allotment in respect of its ability to safely dispose of effluent and stormwater on-site, without compromising health, and the quality of ground and surface water resources.
2. The provision of an adequate water supply, given the intended use of the subdivision.
3. The location, design and construction of access, and its adequacy for the intended use of the subdivision.
4. The provision of adequate utility services, (including roading), and in particular the location, design and construction of these services.
5. Earthworks necessary to prepare the site for occupation and/or use.
6. The effects of closer development and/or settlement patterns on:
 - Reserves and recreation facilities, including the provision and maintenance of such facilities,
 - Heritage sites, including archaeological sites and waahi tapu,
 - Sites, lakes and rivers and their margins and other features of cultural value to Kai Tahu ki Otago,
 - Notable trees, and areas of significant indigenous vegetation and significant habitats of indigenous fauna,
 - Water bodies and their margins, and
 - Natural features, landscapes and other significant amenity values.
7. The provision of access to back land.
8. The provision of esplanade reserves and strips.
9. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
10. Any amalgamations or easements that are appropriate.
11. Any other matters provided for in Section 220 of the Act.

Note: see Section 16.7 General Standards (pg 16:14) for the standards that are likely to be imposed as conditions of consent.

Any application made under this rule will generally not be notified, or require the written consent of affected parties. Where a State highway is affected, written comment from Transit New Zealand will be required.



Reason

Subdivision is often the precursor to a more intensive level of development. It also often gives rise to an expectation of being able to build on newly created allotments. As a result of this Council has controlled the density of subdivision to ensure that the amenity and landscape values of the District are not compromised. The minimum (and average) allotment sizes and separation distances identified have been adopted to maintain these values.

- (b) Subdivision for the following purposes shall be a controlled activity:
- (i) Network and public utilities.
 - (ii) The creation of reserves, land to be held for conservation and/or landscape protection purposes or land to be protected by covenant for conservation and/or landscape protection purposes.
 - (iii) Existing dwellings already on the site and surplus to the requirements of a permitted activity.
 - (iv) Community facilities.
 - (v) Heritage items.
 - (vi) Boundary adjustments.

Cross Reference
Policy 4.4.11

Council shall exercise its control in respect of the following matters:

1. The area of the proposed allotment taking into consideration the proposed use of the allotment, amenities of neighbouring properties, and the site's ability to dispose of waste (if required).
2. The location, design and construction of access, and its adequacy for the intended use of the subdivision.
3. The provision of esplanade reserves and strips.
4. The provision of services and their adequacy for the intended use of the subdivision.
5. Any amalgamations and easements that are appropriate.
6. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
7. Any other matters provided for in section 220 of the Act.

Any application made under this rule will generally not be notified or require the written consent of affected persons.

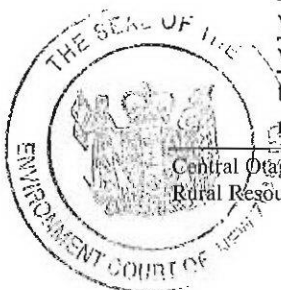
Reason

Subdivision for these activities has only a limited effect on the environment. A minimum allotment size to control density of development is not considered appropriate given the purpose of these activities.

(iii) **Retail Activity - Rural Selling Place**

Except as provided for in **Rule 4.7.2(v) Retail Activity - Winery (Off Licence)** and **Rule 4.7.4(iv) Retail Activity - Winery**, retail activity shall be a controlled activity provided that this is restricted to a "rural selling place" that is defined as a rural retail facility that is EITHER:

Cross Reference
Policies 4.4.2, 4.4.3, 4.4.8



- (a) ancillary to the growing of produce on the site and may in addition offer for sale any of the following goods:
1. fresh fruit and vegetables and nursery plants, whether grown on the property or not.
 2. processed fruit and vegetable products, including dried fruit and vegetables, jam, sauces, preserves, juices and other cold drinks (excluding alcoholic beverages).
 3. nuts, honey and eggs.
 4. fertilisers, manure and garden mixes.

4.7.2(iii)

(cont'd)

Breach:
non-complying
activity see Rule
4.7.5(iv)

OR

- (b) ancillary to the making of art and craft products on the site and offers for sale any art and craft products produced in the Central Otago District whether made on the property or not

AND IN EACH CASE,

- (c) the retail activity complies with Rule 12.7.1 (page 12:13) and provided that the sale of beverages (excluding alcoholic beverages) and snack foods is permitted in conjunction with the operation of a rural selling place.

Council shall restrict the exercise of its control to the following matters:

1. The provision of parking, loading and manoeuvring areas.
2. The size, design and location of any signs associated with the activity.
3. The design and colour of buildings.
4. The provision of landscaping.
5. Setback from State highways.

Any application made under this rule will generally not be notified if the written consent of the appropriate roading authority is received. In respect of State highways, Transit New Zealand is the appropriate roading authority.

Except as provided for in **Rule 4.7.2(v) Retail Activity Winery Off Licence** and **Rule 4.7.4 Discretionary Activities (iv) Retail Activity - Winery**, any activity that does not comply with this rule is a non-complying activity.

Reason

This rule recognises and provides for the social, economic and cultural wellbeing of rural producers by allowing them to retail their produce and other supplementary goods from their properties. However, large scale retail operations in the rural environment can have significant adverse effects. This is recognised by limiting the scale of these operations to being ancillary to the growing of produce or the making of crafts on the site, and controlling adverse effects on the roading network and amenity values through controlled activity status. Traditionally, these types of retail activities have also been an important component of the tourist trade.



(iv) **Scheduled Activities and Existing Community Facilities**

Any extension, upgrade or expansion that changes the character or increases the intensity or scale of the effects of a use that has status as a scheduled activity identified in Clauses 19.3.1, 19.3.2, 19.3.3, 19.3.4 or 19.3.6 of Schedule 19.3 and identified as a scheduled activity on the planning maps or of any other community facility lawfully established prior to notification of this plan is a controlled activity.

Note: Activities listed in clause 19.3.5 of Schedule 19.3 are subject to Rule 13.7.4, page 13:17.

Any such work need not comply with the standards set out in Section 4.7.6A-H and J.

Council shall restrict the exercise of its control to the following matters:

1. The provision of access, parking, loading and manoeuvring areas.
2. The size, design and location of any signs.
3. Methods to avoid, remedy or mitigate effects on existing activities including the provisions of screening, landscaping and insulation for noise control.
4. The design and colour of buildings.
5. Impact on landscape values.

Any application made under this rule will generally not be notified where the written consent of affected persons is received.

(v) **Retail Activity – Winery (Off Licence)**

The sale of wine for consumption off the site (excluding mail order) authorised by an off-licence in terms of the Sale of Liquor Act 1989 is a controlled activity provided it is ancillary to the growing of grapes or production of wine on the site.

Note: The sale of wines also requires authorisation under the Sale of Liquor Act 1989 and complimentary tasting is authorised at an off-licence pursuant to section 29(3) of that Act.

(vi) **Outstanding Natural Landscapes, Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area**

- (a) Except as otherwise provided for in (b) below any new bladed/excavated fence line, new fire break, new fertiliser bin, new stock yards, or fire fighting water ponds within any area identified as an outstanding natural landscape, outstanding natural feature or as land in the Upper Manorburn/Lake Onslow Landscape Management Area as shown on the planning maps is a controlled activity.

Council shall restrict the exercise of its control to the actual and potential effects on landscape values including any impact on the natural and historic values of these areas including the characteristics identified in the description of the outstanding natural features and landscapes in Schedule 19.6.2.



Any application made under this rule will generally not be notified where the written approval of affected persons is received. The Department of Conservation is deemed to be an affected person for the purposes of this rule.

4.7.2(vi)
(cont'd)

- (b) Rule 4.7.2(vi)(a) shall not apply to:
- (i) reviewable land that has been freeholded under Part 2 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and
 - (ii) unrenovable occupation licence land that has been designated for disposal as fee simple under Part 3 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and
 - (iii) freehold land listed in Schedule 19.6.3.
- (c) For the purpose of Rule 4.7.2(vi)(b)(i) reviewable land shall be deemed to be “freeholded” when the holder’s acceptance of a substantive proposal takes effect under section 60 of the Crown Pastoral Land Act 1998.
- (d) For the purpose of Rule 4.7.2(vi)(b)(ii) unrenovable occupation licence land shall be deemed to be “designated for disposal as fee simple” when the Commissioner of Crown Land’s adoption of a substantive proposal takes effect under section 89 of the Crown Pastoral Land Act 1998.

(vii) Accommodation Facilities

Accommodation facilities in areas identified as “Rural Residential” ([RR]), Rural Resource Area (1) and Rural Resource Area (2) on the planning maps or located on a residential building platform identified on a plan of subdivision that has been granted subdivision consent prior to 28 May 2011 and which is set in a condition of consent subject to a consent notice and that do not exceed that required to accommodate 6 persons on a commercial fee paying basis is a controlled activity provided the following standards are complied with:

- (a) **General Standards**
The relevant standards set out in 4.7.6 are complied with.
- (b) **Access**
No additional formed accesses are to be created to any State Highway.
- (c) **Separation Distances**
Where the accommodation facility is not located on a building platform established by way of resource consent the following separation distances to any existing dwelling, any dwelling under construction, any building platform established by way of resource consent, or any urban area shall apply;
- | | |
|-------------------------|------------------|
| Rural-Residential | - 50 metres |
| Rural Resource Area (1) | - Not applicable |

Breach
discretionary
activity
see Rule 4.7.4(i)

Breach
discretionary
(restricted)
activity
see Rule 4.7.3(i)



Rural Resource Area (2) - Not applicable
Elsewhere in the Rural Resource Area
- Not applicable

4.7.2(vii)(c)
(cont'd)

Council shall exercise its control in respect of the following matters;

1. Any impact on landscape values, including the colour of buildings and the specific location of the building and design of the exterior in terms of impact on skylines and important views. Colours shall generally be consistent with those identified in Rule 4.7.6D on page 4:63.
2. Methods to avoid, remedy or mitigate the effects of existing activities including the provision of screening, landscaping and methods for noise control.
3. Provision of services, including fire fighting water supply.

Any application made under this rule will generally not be notified or require the written consent of affected persons.

Reason

Limited scale accommodation facilities have effects on the environment that are likely to be comparable to residential activity. The Council acknowledges that some people seek to stay in the rural environment.

The increasing pressure for such accommodation in the District's rural environment has the potential to compromise the landscape and amenity values of the District. Such development also has potential adverse effects on water quality and the roading network. Control in respect of colour and location will ensure impact on landscape values is kept to a minimum. With respect to "Rural Residential" areas identified on the planning maps, Council recognises that these areas are more intensively developed and consequently large separation distances are impracticable. A 50 metre separation distance will provide privacy for adjoining property owners.

Council has also retained the ability to require accommodation facilities to make some allowance for the fact that they are located in a rural environment within which some activities generate noise, dust, odour, and use chemical sprays and the like. The new developer who locates next to an existing activity may be required to take steps to mitigate the effects of the existing activity.

4.7.3 DISCRETIONARY (RESTRICTED) ACTIVITIES

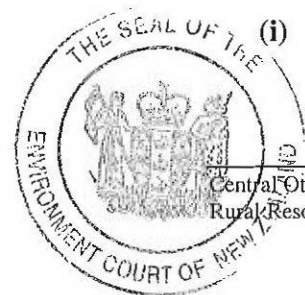
Cross Reference Policies: 4.4.1, 4.4.3, 4.4.8, 4.4.9, 4.4.10

(i) Breach of Standards

Any activity that fails to comply with the following rules:

4.7.2(i)(d) Separation Distances

4.7.2(ii)(a)(ii) Separation Distances for Dwellings



4.7.2(vii)(c) Accommodation Facilities

4.7.6A Bulk and Location Requirements
(a), (b), (e), (f), (h) (i) and (k)

4.7.6C Tree Planting

4.7.6F Storage

4.7.6H Signs

is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. The effect on the safe and efficient operation of the roading network or airport.
2. The effect on the health and safety of people and communities.
3. The effect on the amenity values of neighbouring properties.
4. The effect on landscape values.

- (ii) Any activity that fails to comply with **Rule 4.7.6A Bulk and Location** (g) is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the effect on the following matters:

1. Provision to avoid or mitigate the risk of injury and/or property damage.
2. The maintenance of electrical safety distances.
3. Allowance for access for maintenance and inspection of transmission lines.

- (iii) Any activity that does not comply with **Rule 4.7.6D Visual Effects of Buildings** is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. Whether or not the building or structure can be appropriately screened from public view by topographical features, appropriate planting or other screening having regard to the open space, landscape, natural character and amenity values of the rural environment.
2. Whether the building or structure will breach the form of or be visually prominent in public view on any skyline or terrace edge.
3. The colour scheme for the building or structure which should in general be darker than the background in which it is set.

- (iv) Any activity that fails to comply with **Rule 4.7.6E Noise** is a discretionary (restricted) activity.



Council shall restrict the exercise of its discretion to the effects of noise on amenity values of the neighbourhood, particularly on the amenity values of adjoining properties.

4.7.3 (cont'd)

- (v) Any activity that fails to comply with **Rule 4.7.6G Provision of Services** is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. The effect on the quality and quantity of water.
2. The safe and efficient operation of the roading network.
3. The sustainable management of public utility resources.
4. The health and safety of people and communities.

- (vi) Any activity that fails to comply with the following Rules; **4.7.6I. Riparian Margins** or **Rule 4.7.6J Earthworks For Access Tracks & Extractive Activity (a) Tracks** is a discretionary (restricted) activity

Council shall restrict the exercise of its discretion to the following matters, where applicable:

1. The effect on water quality and quantity.
2. The intrinsic values of riparian and aquatic ecosystems.
3. The habitat of native fish species, trout and salmon.
4. Indigenous vegetation and habitats of indigenous wildlife and statutorily managed sports fish and game.
5. The effects on bank and slope stability.
6. The location and timing of construction, design and density of earthworks.
7. The re-establishment of an appropriate vegetation cover.
8. The disposal and stabilisation of waste material and fill.
9. The impact on landscape values.
10. The effect on heritage sites, including archaeological sites.
11. The effect on sites of cultural value to Kai Tahu ki Otago.

Reason

Failure to conform with these standards has been identified as discretionary (restricted) activities to provide Council with a discretion whether to notify any application made under these rules. In some instances discretionary (restricted) activities will only have a minor effect and do not justify notification. Applicants have greater certainty in that attention can be focussed upon those matters identified for consideration. This in turn will increase efficiency in processing such applications.

- (vii) **Residential Activity, Residential Building Platform & Accommodation Facilities**

Residential activity, a residential building platform and/or accommodation facilities that do not exceed that required to accommodate 6 persons on a commercial fee paying basis and that are not provided for in Rule 4.7.2(i), 4.7.2(ia) and Rule 4.7.2(vii) is a discretionary (restricted) activity provided the following standards are complied with:



(a) **General Standards**

The relevant standards set out in 4.7.6 are complied with.

Breach
discretionary
activity see Rule
4.7.4(i)

(b) **Residential Activities Per Site**

There shall be no more than one residential activity on the relevant certificate of title unless additional residential activity is required to accommodate people working the property and their families

(c) **Access**

No additional formed accesses are to be created to any State Highway.

Breach
discretionary
activity see Rule
4.7.4(i)

(d) **Separation Distances**

Where the dwelling is not located on a building platform established by way of resource consent a 50 metre separation distance to any existing dwelling, any dwelling under construction, any residential building platform established by way of resource consent, or any urban area shall apply.

Breach
discretionary
activity see Rule
4.7.4(i)

Council shall restrict the exercise of its discretion to the following matters:

1. Whether or not the building and associated development or future building located on the residential building platform can be appropriately screened from public view by topographical features appropriate planting or other screening having regard to the open space, landscape, natural character and amenity values of the rural environment.
2. Whether the siting of the building and associated development or future building located on the residential building platform will give rise to earthworks including access carriageways and planting, which will adversely affect the open space, natural character and amenity values.
3. Whether the building and associated development or future building located on the residential building platform will maintain the open natural character of hills and ranges, without compromising the landscape and amenity values of prominent hillsides and terraces, including any skyline or terrace edge.
4. The colour scheme for the building which should in general be darker than the background in which it is set.
5. Whether the building and associated development or future building located on the residential building platform will have adverse cumulative effects when assessed in conjunction with existing and consented unimplemented built development including any residential building platforms established by way of resource consent.



6. Any objectives and policies relevant to the above matters.
7. Methods to avoid, remedy or mitigate the effects of existing activities including potential for reverse sensitivity, the provision of screening, landscaping and methods for noise control.
8. Provision of services, including fire fighting water supply.

4.7.3(vii)
(cont'd)

Notes: 1. Any buildings (including buildings for residential activity and accommodation facilities) on Outstanding Natural Landscapes and in the Upper Manorburn/Lake Onslow Landscape Management Area are a full discretionary activity in terms of Rules 4.7.6L(1) and 4.7.4(i).
2. Applicants under this rule will be expected to erect suitable profile poles to enable the assessment of matters listed in discretionary matters (1) – (7) above.

(viii) Seasonal Workers Accommodation

Seasonal workers accommodation to accommodate a maximum of 60 persons is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. Visual effects.
2. Management of the adverse effects of noise.
3. Management of the adverse effects of activities conducted on site that are incidental to the seasonal workers accommodation.
4. The effect on the safe and efficient operation of the roading network and the provision of parking.
5. The management regime for the operation of the seasonal workers accommodation.
6. The provision of water, wastewater, electricity and telecommunication services.

4.7.4 DISCRETIONARY ACTIVITIES

*Cross Reference
Policies: 4.4.1,
4.4.2, 4.4.3,
4.4.4, 4.4.6,
4.4.8, 4.4.10*

(i) Breach of Standards

Any activity that fails to comply with the following rules:

4.7.2(i) Residential Activities
(b), (c), (e) and (f)

4.7.2(ia) Residential Activities in Rural
Resource Area (3)
(a), (b), (c), (d), (e) and (f)

4.7.2(vi) Outstanding Natural Landscapes,
and Land in the Upper
Manorburn/Lake Onslow
Landscape Management Area

4.7.2(vii)(b) Accommodation Facilities



- 4.7.3(vii)(b)-(d) Residential Activity, Residential Building Platform & Accommodation Facilities 4.7.4(i)
(cont'd)
- 4.7.6A Bulk and Location Requirements (c) and (d)
- 4.7.6B Traffic Generation and Characteristics of Activities
- 4.7.6J Earthworks for Access Tracks & Extractive Activity (b) Extraction and Displacement Activities
- 4.7.6K Areas of Significant Indigenous Vegetation, Habitats of Indigenous Fauna and Wetlands
- 4.7.6.L Outstanding Landscapes, Land Over 900 metres and Land in the Upper Manorburn/Lake Onslow Landscape Management Area

is a discretionary activity.

Any application made relating to a breach of Rule 4.7.2(ia)(a) – (c), (e) and (f) will generally be publicly notified.

Reason

Breach of the standards listed in these rules can have significant adverse effects on the environment.

(ii) Noxious Effects

Any activity that:

- (a) uses, stores or generates quantities of hazardous substances that exceeds the limits specified in Schedule 19.14, OR
- (b) requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956, OR
- (c) provides less than 120% spill containment where hazardous substances are stored within 50 metres of any surface water body and within the Etrick or Roxburgh groundwater protection zones as defined by the Regional Plan : Water,

*Cross Reference
Policy 17.4.5 (pg
17:6)*

is a discretionary activity.

Note: This rule shall not apply to hazardous substance use or storage in association with any temporary or emergency service activities.

Reason

These activities generate significant adverse effects that can impact on adjoining properties. The resource consent procedure is considered necessary to ensure all adverse effects are assessed



and considered. The hazardous substances listed in Schedule 19.14 generally follow those identified in the Explosives Act, Dangerous Goods Act, Pesticides Act and the Hazardous Substances and New Organisms Act 1996 and are listed for information purposes. Timber preservatives and chlorinated solvents have also been added because of their potential adverse effects on the environment. The quantities that can be used or stored as of right reflect the existing legislation controlling these substances and community expectations within the various Resource Areas of the District. Exemptions for temporary and emergency service activities recognise that activities such as fire fighting appliances and military training activities involve the use of hazardous substances. The use of such substances by these organisations is generally only on a small scale but may sometimes exceed these limits and is controlled by other legislation. It is also acknowledged that industry developed design standards are also in existence to manage effects on the environment and that codes of practice and guidelines recognised by industry may be relevant to the consideration of applications. Examples include the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems 1992; Supplement No 1 Management of Existing Underground Petroleum Storage Systems, June 1995; Environmental Guideline for Above ground Bulk Tank Containment Systems; and the Australian/New Zealand Standard 1596:1997 LP Gas Storage and Handling and Supplement 1, 1994 Siting of LP Gas Automotive Outlets.

4.7.4(ii)
(cont'd)

(iii) Subdivision

Except as otherwise provided for in Rule 4.7.2(ii)(b) subdivision that:

- (a) Creates an allotment fails to comply with any of the standards set out in Rules 4.7.2(ii)(a)(iii) to (v), OR
- (b) Creates allotments with an average allotment area of no less than 8 hectares and a minimum allotment area of no less than 2 hectares in an area not identified on the planning maps as Rural-Residential, Rural Resource Area (1) or Rural Resource Area (2) or Rural Resource Area (3), OR
- (c) Creates allotments that are not in accordance with Rule 4.7.2(ii)(a)(i) in an area identified on the planning maps as Rural Resource Area (3), OR
- (d) Involves land that is subject to or potentially subject to, the effects of any hazard as identified on the planning maps, or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source,

is a discretionary activity.

For the purposes of Rule 4.7.4(iii)(b) allotments in excess of 16 hectares are deemed to be 16 hectares for averaging purposes,

Any application made under (a) and (b) will generally not be publicly notified where it is accompanied by the written approval

Cross Reference
Policy 4.4.2,
4.4.10



of every person that may be adversely affected including the owners and occupiers of every adjacent property and NZ Transport Agency where a State highway is affected and Transpower New Zealand Limited where a transmission asset is affected. When assessing an application made under (a) and (b) the following matters will be given particular consideration:

1. The effects of subdivision and future development on:
 - Open space, landscape, natural character and amenity values,
 - Reserves, all public conservation land managed by the Department of Conservation and recreation facilities, including the provision and maintenance of such facilities,
 - Heritage sites, including archaeological sites and waahi tapu, and heritage landscapes.
 - Sites, lakes and rivers and their margins and other features of cultural value to Kai Tahu ki Otago,
 - Notable trees, and areas of significant indigenous vegetation and significant habitats of indigenous fauna, and,
 - The natural character of water bodies and their margins.
2. Potential for visual absorption of future built development with particular attention being given to those areas identified as outstanding natural landscapes and significant amenity landscapes on the planning maps.
3. Capability for sustainable use of the productive land and soil resource.
4. The potential for reverse sensitivity effects and methods to address such effects on existing rural production activities and on existing infrastructure, including the use of separation distances and yards.
5. The adequacy of the allotment in respect of its ability to safely dispose of effluent and stormwater on-site, without compromising health, and the quality of ground and surface water resources.
6. The provision of an adequate water supply, given the intended use of the allotments, unless an allotment is incapable of being occupied by a dwelling.
7. The location, design and construction of access, and its adequacy for the intended use of the allotments.
8. The provision of adequate utility services, (including roading), and in particular the location, design and construction of these services.
9. Earthworks necessary to prepare the site for occupation and/or use.
10. The provision of access to back land.
11. The provision of esplanade reserves and strips and access to them.
12. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
13. Any amalgamations or easements that are appropriate.



14. The identification of potential building platforms that are encouraged in locations that will maintain the open natural character of hills and ranges, without compromising the landscape and amenity values of prominent hillsides and terraces.
15. Whether or not the clustering of lots would be beneficial in terms of avoiding or mitigating adverse environmental effects.
16. Whether or not the applicant will commit or has committed to work or services as environmental compensation (such as the control of wilding pines) and if so committed, whether it is or will be :
 - to remedy at least in part any adverse effects of onsite works; or
 - on the site or within the same general area, landscape or environment as the proposed activity; and/or
 - effective by way of conditions, bond or covenant; and/or
 - the product of public consultation or participation.
17. The appropriate size of any allotment bearing in mind any of the above factors.
18. Any objectives and policies relevant to the above matters.
19. Any other matters provided for in section 220 of the Act.
20. **In the Wooing Tree Overlay Area:**
 - (i) The use of covenants, consent notices or other legal instruments necessary to ensure the long-term management of the Rural Resource Area so as to bring about an attractive and high amenity highway corridor and residential buffer to existing residential activities to the north featuring grapevine plantings or treed park-like character. The covenants, consent notices or other legal instruments shall take account of the potentially changing circumstances and ownership over time in such a way that appropriate ongoing maintenance and management is ensured into the future;
 - (ii) The provision for pedestrian and cyclist movement within and through the area, including the provision of footpaths and cycling infrastructure.

Any application made in terms of Rule 4.7.4(iii)(c) will generally be publicly notified.

Any application made under (d) will generally not be publicly notified but is to be accompanied by written comment obtained from a qualified professional that addresses the risk associated with the hazard and any remedial measures necessary to avoid, remedy or mitigate the adverse effects of the hazard.



Reason

Proposals for subdivision under (a) and (b) will be subject to careful consideration in terms of its impact on landscape and amenity values. The use of an average allotment area in (b) is intended to encourage imaginative subdivision design while having regard to such values. The subdivision of land subject to the effects of a natural hazard will also be subject to careful consideration. See Section 16 Subdivision and Section 17 Hazards.

(iv) **Retail Activity – Winery**

Except as provided for in Rule 4.7.2(v) Retail Activity – Winery (Off Licence) the sale of wine for consumption both on and off the site (excluding mail order), the sale of goods that bear the vineyard label and the sale of food ancillary to the consumption of wine on the site is a discretionary activity provided it is ancillary to the growing of grapes or production of wine on the site.

Note: The sale of wines also requires authorisation under the Sale of Liquor Act.

Cross Reference
Policies: 4.4.2,
4.4.8

Breach:
non-complying
activity see Rule
4.7.5(iv)

4.7.4(iv)
(cont'd)

Reason

This rule recognises and provides for the social, economic and cultural wellbeing of wine producers while ensuring that the adverse effects this type of activity can have in a rural environment are avoided, remedied or mitigated through the resource consent process. This type of activity also has the potential to become an important component in the tourism industry.

(v) **Tree Planting in Rural Resource Areas (1) (2) and (3)**

Tree planting not associated with landscaping in the immediate vicinity of any building in the areas identified as Rural Resource Areas (1) and (2) on the planning maps is a discretionary activity.

Tree planting not associated with landscaping in the Area for Buildings and Curtilage as provided for in Rule 4.7.2(ia)(b)(iii) or with the purpose of mitigating the visual effects of access involving kowhai or other species appropriate to the locality and which is not specifically provided for in a covenant that serves to protect natural values and open space within the area identified as Rural Resource Area (3) on the planning maps is a discretionary activity.

Cross Reference
Policy 4.4.2

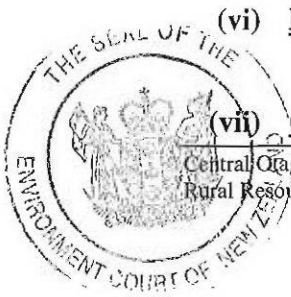
Reason

Tree planting in these localities has the potential to create significant adverse visual effects and to lead to the spread of wilding trees.

(vi) **Emergency Service Activities**

Cross Reference
Policy 4.4.16

(vii) **Commercial Recreational Activity**



Commercial recreational activity that:

- (a) Involves the use of motorised equipment or vehicles as part of the activity, or
- (b) Uses motorised vehicles and/or aircraft for access to the activity over private land, or
- (c) Generates more than 30 vehicle movement equivalents per day on public roads

is a discretionary activity.

Reason

Control over motorised commercial recreation activities will ensure that landscape and amenity values of wilderness and back country areas are recognised and provided for through the resource consent process.

(viii) Tree Planting

Tree planting for the purpose of establishing a woodlot, production forest and/or shelter belt that exceeds 2 hectares in area and comprises Douglas Fir (*Pseudotsuga menziesii*), European larch (*Larix decidua*), Ponderosa pine (*Pinus ponderosa*), Bishops pine (*Pinus muricata*), Maritime pine (*Pinus pinaster*) and/or Radiata pine (*Pinus radiata*) is a discretionary activity. This rule shall not apply to a shelter belt having a maximum width of 8 metres measured stem to stem.

4.7.4(viii)
(cont'd)

Reason

Tree planting with species that have spreading vigour has the potential for adverse effects upon amenity and ecological values in terms of wilding spread. In considering any application for tree planting in terms of its potential for wilding spread the Council will have particular regard to:

the species of trees proposed, and their potential to naturalise and spread;

the location of the site, having particular regard to slope, and exposure to wind;

the neighbouring land use and the amenity and ecological values of the neighbouring land, having particular regard to land downwind of the site; and

whether management plans are proposed for the eradication and/or control of wilding spread.

(ix) Corsican Pine

Tree planting with Corsican pine (*Pinus nigra*) is a discretionary activity.

Reason

*Corsican pine (*Pinus nigra*) has significant spreading vigour and potential for adverse effects upon amenity and ecological values on some sites particularly in the Dunstan-Hawkdun-Kakanui Mountains area. Corsican pine may be an appropriate species on sheltered sites or in particular topographical areas of the District. In considering any application for tree planting with Corsican pine in terms of its potential for wilding spread the*



Council will have particular regard to: the potential to naturalise and spread; the location of the site, having particular regard to slope, and exposure to wind; the neighbouring land use and the amenity and ecological values of the neighbouring land, having particular regard to land downwind of the site; and whether management plans are prepared for the eradication and/or control of wilding spread.

(x) **Seasonal Workers Accommodation**

Seasonal workers accommodation to accommodate more than 60 persons is a discretionary activity.

4.7.5 **NON-COMPLYING ACTIVITIES**

(i) **Building on Land Subject to Hazards**

Any building that fails to comply with **Rule 4.7.6A(j) Land Subject to Hazards** or any building to be erected upon land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a non-complying activity.

*Cross Reference
Policy 17.4.3 (pg
17:5)*

Reason

Locating buildings in known land subject to a hazard can compromise the health and safety of people and communities. Establishment of buildings in these areas would need to avoid, remedy or mitigate risk before being permitted.

(ii) **Waste Disposal and Hazardous Substances on Land Subject to Hazards**

Any activity that involves the disposal or storage of waste or the storage or use of commercial quantities of hazardous goods or substances in any area identified on the planning maps as being subject to a hazard or involves land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source, is a non-complying activity.

*Cross Reference
Policy 17.4.5 (Pg
17:6)*

Provided that this rule does not apply to cleanfill landfills, farm tips, silage pits and offal pits permitted by the Regional Waste Plan.

For the purpose of this rule “commercial quantities” means quantities used or stored for the purpose of supplying or offering a service to the general public and does not include substances or goods to be used solely on the property upon which it is kept for the purpose of maintaining or improving the health of stock, crops, land quality or for eradicating pests and/or undesirable weeds or plants from that property.

Note: Consent from the Regional Council may be required to authorise any discharge of contaminants.

Reason



The effects of these activities have great potential to cause significant environmental damage if associated with a natural hazard. Council considers the best means to avoid such effects is not to permit activities of this nature in actual or potential natural hazard sites unless all risk is avoided. Small scale farm landfills and offal pits have been excluded on the basis that they would have minimal effect as opposed to large public waste disposal areas.

(iii) **Subdivision**

Except as otherwise provided for in Rule 4.7.2(ii)(b) subdivision that creates an allotment or allotments with an average area less than 2 hectares in areas identified as “Rural Residential” ([RR]) on the planning maps, or that creates an allotment or allotments with an average area less than 8 hectares and/or with an area less than 2 hectares in an area in the Rural Resource Area not identified on the planning maps as Rural Residential ([RR]), or an allotment that breaches Rule 4.7.2(ii)(a)(i) as it relates to Rural Resource Area (1) or Rural Resource Area (2) is a non-complying activity.

*Cross Reference
Policies: 4.4.2,
4.4.10*

Reason

Intensive subdivision results in future development that has a significant potential effect on landscape and amenity values, the transport network, and ground water quality.

(iv) **Retail Activity**

Retail activity not provided for by Rule 4.7.2(iii) or Rule 4.7.4(iv) is a non-complying activity.

Reason

Retail activities can have a significant adverse effect on the safe and efficient operation of the roading network through generating large volumes of traffic (including heavy service vehicles). Landscape and amenity values can also be compromised through a proliferation of signs and large buildings, and the generation of noise and waste. They can also have significant implications in terms of energy consumption and convenience by requiring people to travel significant distances to shop.

(v) **Tree Planting**

Tree planting with Scots pine (*Pinus sylvestris*) and/or Swiss Mountain pine (*Pinus mugo*) is a non-complying activity.

Reason

Tree planting with species that have significant spreading vigour has the potential for adverse effects in terms of wilding spread.

(vi) **Building on a Outstanding Natural Feature**

Any building on a outstanding natural feature as shown on the planning maps is a non-complying activity.



Reason

These features have been identified as outstanding natural features of the Central Otago landscape worthy of greater protection than the landscape as a whole. The effect of any building activity is unlikely to be suitable in visual terms.

(vii) **Buildings in the Rural Resource Area in the Wooing Tree Overlay Area.**

Any building in the Rural Resource Area in the Wooing Tree Overlay Area is a non-complying activity.

Reason

The Rural Resource Area in the Wooing Tree Overlay Area has been designed to be an open space buffer from the adjoining State Highways and existing residential activities to the north. As such it is appropriate to strongly discourage buildings within this area to maintain the open space values.

4.7.5A **PROHIBITED ACTIVITIES**

(i) **Planting of Lodgepole Pine**

Tree plantings with Lodgepole pine (*Pinus contorta*) is a prohibited activity.

Reason

Lodgepole pine is a tree species that has the greatest spreading vigour and propensity to create the adverse effect of wilding tree spread. This species is not to be planted in the district.

4.7.6 **STANDARDS**

The following standards relate specifically to activities which occur within the Rural Resource Area. There are other rules and standards contained in Sections 12, 13, 14 and 15 of this Plan which may also apply to activities which occur in the Rural Resource Area.

A. **Bulk and Location Requirements**

Buildings and any area used for storage purposes (including the stockpiling of materials) that is not enclosed or partly enclosed by a building shall be located to conform with the following standards.

(a) **Yards**

Except as provided for in (c) below, a minimum side and rear yard of 25 metres and a front yard of 10 metres for buildings used for residential activity and/or an accommodation facility except on land subject to the Rural Residential notation; and a minimum yard of 10 metres for all other buildings and buildings used for residential activity and/or an accommodation facility on land subject to the Rural Residential notation shall be provided to all adjoining property boundaries (including roads) provided that a minimum yard of 20 metres shall be provided to all State

*Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)*



highways and Arterial Roads listed in Schedule 19.7.

Note: See also Rule 4.7.6A(h) and Rule 12.7.7.

(b) Open Space in Rural Resource Area (2)

Every dwelling, or travellers accommodation unit shall have an open space of not less than 45m² in area with a minimum dimension of 5 metres. Such open space is to be located adjacent to the lounge and/or dining area and is to be for the exclusive use of the occupants. This rule shall not apply to apartments or travellers accommodation units located entirely at or above the first floor level.

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)

A landscaped area of 500m² is to be provided on the same site occupied by travellers accommodation. This area shall be planted in trees and shrubs or otherwise landscaped.

(c) Water bodies

No building shall be located within 20 metres of the bank of:

- any stream or river
- any wetland identified in Schedule 19.6.1
- any lake (excluding irrigation dams within a farm property) 0.5 hectares or greater in area

Breach:
discretionary
activity see Rule
4.7.4(i)

Provided that this does not apply to

- (i) Navigational aids, beacons and other structures whose sole or primary purpose is to provide for public safety.
- (ii) Fences provided that where public access is permitted adequate provision is made for continuance of that access (eg the use of gates, stiles, etc).
- (iii) River monitoring and recording facilities. Such facilities may include a stilling tower and/or instrument housing not exceeding 2.5m x 2.5m, a catwalk directly from the adjacent river bank to the housing and associated telemetry and power supply housing. The stilling tower, instrument housing(s) and catwalk are to be not more than 2.5 metres in height above the predicted maximum flood level and are to be finished in a colour or colours that blend with the surrounding landscape.
- (iv) Warning and safety information signs not exceeding 3m² in area.
- (v) Bridges and culverts provided fish passage is not restricted and scouring is avoided.
- (vi) Structures necessary for the taking and carrying of water, including intake structures, races, pipelines, and associated irrigation works, pumphouses and treatment plants no larger than 9m² in area and 2 metres in height and provided their design and colour blends with the environment.

4.7.6A(c)
(cont'd)

- (vii) Maimai provided that:



- (a) The structure is a maximum size of 4m²;
- (b) The structure is open piled;
- (c) The placement of the structure complies with regulations controlling maimai promulgated in terms of the Wildlife Act.

Provided that the erection of structures identified in (i) to (vii) above does not:

1. adversely effect public access to or along the margins of the water body
2. create a disturbance to the margin of the water body that is more than minor
3. compromise safe and efficient navigation

Note: Where any of these structures are to be attached to the bed of any water body consent may be required from the Regional Council. Activities permitted in terms of the rules stated in Section 13.7 of the plan are not subject to Standard 4.7.6A(c).

(d) Housing or Intensive Confinement of Animals or Plants

Buildings designed and/or used to house animals shall comply with the following yard requirements;

Pigs (up to 5 pigs beyond weaner age (8 weeks))	-	50 metres
Other animals	-	30 metres

Breach:
discretionary
activity see Rule
4.7.4(i)

provided that "intensive farming" (as defined) shall not occur within 2 kilometres of any urban area or Rural Residential part of the Rural Resource Area, or within 500 metres of any isolated rural residence or other building designed to accommodate people (excluding any such buildings that are ancillary to the intensive farming activity itself) except that in the case of intensive pig farming for more than 5 pigs beyond weaner age (8 weeks) the following buffer zones shall apply;

4.7.6A(d)
(cont'd)

<u>Description</u>	<u>Minimum distance in metres</u>	
	(up to 2000)	(2001 – 5000)
Number of pigs (P)		
Piggery to the boundary of an urban area	2000	P x 1.00 metres
Piggery to the boundary of a Rural Residential area, or place of public assembly; (eg public hall, church, school, recreation area)	1500	P x 0.75 metres
Piggery to an isolated rural dwelling (excluding any dwelling ancillary to the piggery itself)	500	P x 0.25 metres



(e) **Separation Distances from Water Races and Irrigation Pipelines**

- (i) On slopes of 0-12 degrees no buildings, excavations or tree planting shall be permitted within 6 metres of the water's edge of a water race or irrigation pipeline.
- (ii) On slopes of 13-20 degrees no buildings, excavations or tree planting shall be permitted within 7 metres of the water's edge of a water race or irrigation pipeline.
- (iii) On slopes of greater than 20 degrees no buildings, excavations or tree planting shall be permitted within 10 metres of the water's edge of a water race or irrigation pipeline.
- (iv) No fences shall be erected within 6 metres of a water race or irrigation pipeline except for those which cross the race/pipeline and then a gate will be included across any access berm or tracks.

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)

Note: Reference to buildings and excavations in this standard does not include maintenance, replacement and/or reconstruction of water races and associated irrigation works.

Activities permitted in terms of the rules stated in Section 13.7 of the plan are not subject to Standard 4.7.6A(e).

(f) **Height**

Except in the area shown as Rural Resource Area (1) on the planning maps where the maximum height shall be 5 metres and in Rural Resource Area (2) on the planning maps where the maximum height for dwellings shall be 5 metres and for travellers accommodation the maximum height shall be 7 metres, the maximum height is as follows:

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)

<u>Landscape Category</u>	<u>Dwellings and buildings accessory to dwellings</u>	<u>Other Buildings including buildings accessory to farming activity</u>
Outstanding Natural Landscape (ONL)	5.5m	6m
Significant Amenity Landscape (SAL)	6m	7.5m
Other Rural Landscapes (ORL)	7.5m	10m

4.7.6A(f)
(cont'd)

Provided that frost fighting fans are exempt the maximum heights stated above and are subject instead to a maximum height of 15 metres.

Note: see also Rule 4.7.6A(i) and Rule 13.7.11(iii) page 13:23.

(g) **Transmission Lines**

Separation from high voltage transmission lines that are part of the transmission network shall be in accordance with Rule 12.7.8 (pg 12:25).



Note: High Voltage Transmission Lines that are part of the transmission network are identified on the planning maps.

(h) Road Intersections

No structure (excluding post and wire fences), building or stockpile of materials shall be sited in that triangle of land formed by the straight line between two points measured 15 metres in each direction from the intersection point of the legal road boundaries.

Note: See also Rule 4.7.6C Tree Planting

Breach:
*discretionary
(restricted)
activity see Rule
4.7.3(i)*

(i) Airport Protection Zone

No building or structure of a height greater than 2 metres above RL 228.4 metres above mean sea level shall be located within the Airport Protection Zone shown on the planning maps as these relate to the Alexandra Airport; and no building or structure of a height greater than 2 metres above RL 151.5 metres above mean sea level shall be located within the Airport Protection Zone shown on the planning maps as these relate to the Roxburgh Aerodrome.

Breach:
*discretionary
(restricted)
activity see Rule
4.7.3(i)*

(j) Land Subject to Hazards

No building (excluding fences) shall be located within an area identified on the planning maps as land subject to a hazard.

Breach:
*non-complying
activity see Rule
4.7.5(i)*

(k) Oxidation Ponds and Sewage Treatment Facilities

No residential building shall be located closer than 150 metres to any oxidation pond or sewage treatment facilities with the capacity of serving the equivalent of 100 or more people.

Breach:
*discretionary
(restricted)
activity see Rule
4.7.3(i)*

Reason

Bulk and location standards have been established for buildings for a number of reasons. These include maintenance of amenity values of adjoining properties, mitigating adverse landscape effects and maintaining good visibility along roads and at intersections. Controls in respect of transmission lines have been imposed to ensure that the public is reasonably protected in the event of line failure. It also enables ease of access for maintenance and upgrading purposes. Building restrictions adjacent to water bodies have been imposed to ensure that the natural character of water bodies and their margins is maintained and that adverse effects on riparian margins are avoided, remedied or mitigated.

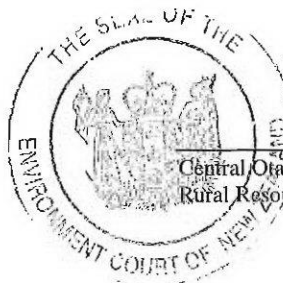
B. Traffic Generation and Characteristics of Activities

- (a) Home stay or accommodation facilities on a property shall not exceed that required to accommodate 6 persons on a commercial fee paying basis.

Breach:
*discretionary
activity see Rule
4.7.4(i)*

Notes: 1. Consents under other legislation (eg health requirements) may be needed for these activities.

2. The Environment Court has declared in Dec C177/2003 that



the provision of sites for tents, campervans and caravans for more than six people on a fee paying basis is a discretionary activity; and that for the purpose of this plan the payment of a reduced wage to employees using such sites constitutes provision of sites on a fee paying basis.

- (b) (i) No more than 3 persons shall be engaged in any activity of a commercial, industrial or manufacturing nature except in areas identified as “Rural Residential” ([RR]) on the planning maps. For the purpose of this rule, farming, horticulture, viticulture, network utilities and forestry activities are excluded from an activity of a commercial, industrial or manufacturing nature.
- (ii) Within areas identified as “Rural Residential” ([RR]) on the planning maps no person shall be engaged in any activity of a commercial, industrial or manufacturing nature. For the purpose of this rule, farming, horticulture, viticulture, network utilities and forestry activities are excluded from an activity of a commercial, industrial or manufacturing nature.
- (c) No activity shall involve the attraction of the public to a site for community related services or events other than for temporary activities.

Reason

Activities of a commercial, industrial or manufacturing nature have the potential to significantly compromise the amenity values of the rural environment, and in particular, landscape values and the lack of obtrusive noise. They can also adversely impact on the safe and efficient operation of the roading network.

The number of persons or vehicle movements stated in this rule have been selected on the basis that over and above this scale of operation, adverse effects have the potential to become significant. These controls provide flexibility by allowing small scale activities that have no more than a minor effect while requiring consent for large scale activities that generate adverse effects.

4.7.6B
(cont'd)

C. Tree Planting

- (a) No trees shall be planted on a property in such a manner that they obstruct the vision of motorists on the road or cause the root system to have an adverse effect on the road surface.
- (b) No trees shall be planted adjacent to any road in a position that will shade the carriageway between the hours of 1000 and 1400 on the shortest day of the year where the speed limit is above 50km/hour and the topography is not already preventing direct sunlight onto the carriageway.

Breach:
*discretionary
(restricted)
activity see
Rule 4.7.3(i)*

Note: If existing trees and trees planted in positions not covered by this rule are shown to be having an adverse effect in terms of a thawing of ice road surfaces, Council has the ability to remove



offending trees pursuant to section 355 of the Local Government Act 1974.

- (c) No trees shall be planted in those areas of land identified in **Rule 4.7.6A(h) Road Intersections** and **Rule 4.7.6A(i) Airport Protection Zone**, above, or that on maturity will project into the surfaces described in Schedules 19.8 and 19.8A.
- (d) No evergreen trees with dark green, blue and gold foliage (ie. conifers, in particular species from the Pinus genus) or species with wilding spread and self seeding capabilities shall be planted in the areas identified as Rural Resource Area (1) or Rural Resource Area (2) on the planning maps.
- (e) No tree shall be planted on a property in such a manner that it is likely to have an adverse effect on the existing electricity network.

Note: See also Rule 4.7.6A(e) for tree planting adjacent to water races and Method 4.5.2(iii) page 4:22 on wilding tree spread and control

Reason

There are sound reasons for controlling the location of plantings. These include reducing impediments to ice thaw on road surfaces; and ensuring good visibility at road intersections. Methods to control wilding tree spread are highlighted in Method 4.5.2(iii) at page 4:22 of this plan.

D. Visual Effect of Buildings and Structures

- (a) All buildings including new, relocated and repainted buildings and structures (excluding post and wire fences; bird netting and support structures, wind machines, pivot irrigators and sprinklers and other equipment and fixtures incidental to agriculture, horticulture and viticulture), are subject to the following:

i) Finish

All buildings shall be finished in any of the following materials:

- (i) Timber/Composite Weatherboard (vertical and horizontal).
- (ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete.
- (iii) Stone.
- (iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron.
- (v) Weathered corrugated iron
- (vi) Brick

(ii) Colour : Exterior Walls, Accents and Trim

The exterior walls, accents and trim for all buildings and structures shall be in a colour or colours selected from

*Breach:
discretionary
(restricted)
activity see Rule
4.7.3(iii)*



the following colour palette, provided that the colours of exterior walls shall be in a low sheen:

Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.

- Notes:
1. Colours of exterior walls are to be similar to and darker than the surrounding landscape colours.
 2. It is acknowledged that RV may need to increase due to the use of natural timber.
 3. Unpainted surfaces such as brick shall be finished in colours consistent with those specified in Rule 4.7.6D(a)(ii).
 4. BS 5252 colours that are acceptable in terms of Rule 4.7.6D(a)(ii) are:

00A07	22B21	08B29	04C40
02A07	04B23	10B29	06C40
06A07	08B23	12B29	08C40
10A07	10B23	18B29	12C40
16A07	12B23	22B29	14C40
00A09	18B23	04C37	16C40
10A09	22B23	06C37	18C40
00A11	04B25	08C37	08D44
02A11	08B25	10C37	04D45
06A11	10B25	02C39	06D45
10A11	12B25	04C39	08D45
16A11	18B25	06C39	12D45
00A13	22B25	08C39	14D45
08A14	04B27	10C39	16D45
18A14	08B27	12C39	02E58
04B21	10B27	14C39	04E58
08B21	12B27	16C39	14E58
10B21	18B27	18C39	24E58
12B21	22B27	20C39	
18B21	04B29	02C40	

4.7.6D(a)
(cont'd)

(iii) Colour : Roofs

The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.

Note: Colours of roofs are to be similar to and darker than the surrounding landscape colours.

- (b) All buildings and structures (excluding post and wire fences, bird netting and support structures, wind machines, pivot irrigators and sprinklers and other equipment and fixtures incidental to agriculture, horticulture and viticulture) shall not protrude onto a skyline or above a terrace edge when viewed from a



public road or other public place at a distance not exceeding 2 kilometres from the building or structure.

Reason

The District's landscape has been identified as an important resource. Buildings have the potential to compromise the value of this resource and care must be taken with their finish and location. The colour range identified has been selected to avoid colour contrast with the surrounding landscape and to provide certainty for resource users. The colours selected are background colours of the land rather than colours associated with vegetation (particularly its seasonal variation) or other isolated features of the landscape. Colours listed above may not be appropriate in all landscape settings and such appropriateness must therefore be assessed on a site specific basis. For the avoidance of any doubt as to what colours comply, the Council holds colour charts of appropriate colour ranges at Council's offices.

E. Noise

(a) All activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within the notional boundary of any dwelling, resthome or hospital, or at any point within any Residential Resource Area or any Rural Settlements Resource Area:

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(iv)

On any day 7:00am to 10:00pm	55 dBA L ₁₀
10:00pm to 7:00am the following day	40 dBA L ₁₀
	70 dBA L _{max}

4.7.6E(a)
(cont'd)

Provided that the above noise limits shall not apply to:

1. any temporary activity (as defined)
2. devices used to protect crops from birds or frost (see (b)-(c) below)
3. sirens associated with emergency service activities.

"Notional boundary" is defined as a line 20 metres from part of any living accommodation or the legal boundary where this is closer to the living accommodation.

(b) Audible Bird Deterrent Devices

Any audible bird deterrence device shall be so sited and operated that the following noise limits shall not be exceeded at any point within the notional boundary (as defined in (a)) of any dwelling, resthome or hospital other than a dwelling on the same site as the device:

Percussive devices	65 dB ASEL provided that the noise limit is 70 dB ASEL where the device is sited 500 metres or more from any Residential Resource Area or Rural
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Settlements Resource Area

Non-percussive devices 55 dBA L₁₀

Note: 1. The term “ASEL” means the A-weighted sound exposure level which is sometimes described by the abbreviations L_{AE}, or SEL.

2. Percussive devices shall include any device which emits a shock-wave arising from an explosion generating impulsive sound, and includes gas-guns.

PROVIDED THAT

No audible bird deterrence device shall be operated:

- (i) Within 100 metres of any community facility.
- (ii) Between half an hour after sunset and half an hour before sunrise

(c) Wind machines for Frost Control

Any wind machine used for frost control shall be so constructed and operated that any noise emission measured at a distance of 300 metres shall not exceed 65 dBA L₁₀ provided that:

- 1. the wind machine will be allowed to operate during the frost danger period until the leaves of the plant are dry and the air temperature has reached 1°C.
- 2. the speed of the wind machine must be governed such that the top speed of the rotor does not exceed the speed of sound.
- 3. the wind machine is located no closer than 300 metres to any Residential or Rural Settlement Resource Area, or within 100 metres of a dwelling house not located on the property

- (d) Where any new activity locates within any part of the Rural Resource Area and that activity includes any noise sensitive activity, the activity or any building associated with the noise sensitive activity shall be sited, oriented and constructed so as to ensure that habitable spaces within the building shall be adequately isolated from any noise source on another site within the class of sources described in sub-clauses (b) – (c) of this rule. Adequate sound isolation shall be achieved by siting and constructing the building to achieve an indoor design sound level of 45 dBA L_{max} within any habitable room where the exterior noise source is within the class of sources described in sub-clauses (b) – (c) of this rule. The indoor design level shall be achieved with windows and doors open unless adequate alternative ventilation means is provided, used, and maintained in operating order.

4.7.6E(c)
(cont'd)

Reason

The noise standards selected reflects the historic noise levels



permitted in the District. Temporary short duration noises (such as those created by frost fighting wind machines, bird scaring devices, harvesting at night etc) have been exempt from these restrictions so as not to unduly restrict seasonal agricultural operations. It is also considered appropriate that where a new activity that may be noise sensitive locates in the rural environment next to an activity that generates noise then the developer of the new activity should take steps to mitigate the effects of that noise. The cost should not be borne by the existing activity unless it does not meet the 70dBA standard.

F. Storage

Any area used for or proposed to be used for storage purposes (including contractors yards and the stockpiling of material for a period that exceeds 6 months but excluding stock feed, stock yards and grain silos) that is not enclosed or partly enclosed by a covered building shall be screened from the view of any public road, reserve, other public land or any other adjacent site boundary or resource area boundary.

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)

Such screening shall be erected or planted to a suitable height and density so as to mitigate adverse visual effects and dust effects that have the potential to occur and shall not impede visibility on adjacent roads provided that no material (including waste) shall be stored, stockpiled or disposed of in a manner that attracts or significantly increases habitats for flies, rodents, vermin or insects and birds to a level that causes a nuisance to or adversely affects the adjoining property, and/or the general public.

Reason

Storage of materials and machinery has the potential to adversely affect landscape values and amenity values of adjoining properties. Screening storage areas will mitigate these effects.

G. Provision of Services

(a) Effluent Disposal

Any site intended to accommodate a household unit or any activity that generates human effluent shall be either connected to an existing sewerage scheme at the owners cost (provided that the scheme has the capacity to accommodate the waste generated) or if such a scheme is not available the site shall be capable of effective disposal of effluent safely within the site.

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(v)

Note: This may involve consents from the Regional Council.

For sites less than 4000m² or where the activity on the site will generate in excess of 2000 litres per day of effluent as a weekly average (approximately 3 households) regardless of area Council shall require a certificate from a registered engineer, registered drainlayer or other person professionally qualified in effluent disposal to confirm that effluent can be safely



disposed of within the site and complies with current recognised standards.

(b) **Water Supply**

At the time of subdivision or prior to the issue of building consent to erect a residential building, the owner shall provide a safe and adequate water supply. This water supply shall be obtained from a source which is protected from contamination by animal sources and the normal activities that may cause contamination occurring or likely to occur within the catchment. The water will be of a quality which does not require any form of treatment, shall be adequate in quantity (approximately 300 litres per person per day) and where the supply is obtained outside the boundaries of the property, secured by permanent agreements and easements. The final product must meet the Ministry of Health Standards as defined in Drinking Water Standards for New Zealand 2000.

Note: Historically water for domestic use has sometimes been taken from irrigation water races. This water in some situations is known to be contaminated and presents a risk to the health of consumers. In recent years the Council has insisted on a safe water supply being provided for all new residential buildings. For all practical purposes the only water supplies which may meet the criteria outlined above are those taken from bores, wells and springs. It is only on very rare occasions that water cannot be obtained in this manner. In these instances any alternative requires scrutiny through a mechanism of a land use consent.

(c) **Access, Loading and Manoeuvring**

Access, loading and manoeuvring requirements shall be provided in accordance with Rule 12.7.1 page 12:13 and Rule 12.7.3 page 12:17.

(d) **Parking**

Parking shall be provided in accordance with Rule 12.7.2 (pg 12:16) and Table 12.3 (pg 12:25).

Reason

Developments in the rural environment have the ability to compromise amenity values, water quality and the integrity of the roading network if they are not adequately serviced. These services mitigate those effects and are to be installed at the cost of the developer rather than the general ratepayer.

H. **Signs**

Signs on any site shall comply with the following standards.
Signs:

1. Shall be situated on the property to which they relate provided that no more than two pre warning signs having a maximum area of 1m² each are permitted within 500 metres of the site entrance.

*Breach:
discretionary
(restricted)
activity see Rule
4.7.3(i)*



2. Shall comprise a single sign not exceeding a total of 3m² in area.
3. Shall not obscure driver visibility to and from access ways
4. Shall not be constructed using reflective material, or flashing or animated components.
5. Shall not be illuminated.
6. Shall comply with Rule 12.7.5(v) at page 12:21.

Note: Certain signs are permitted or require consent in terms of Rule 12.7.5 on page 12:21.

Reason

While signs are a necessary adjunct to many rural activities, they have the potential to adversely affect amenity values (particularly landscape values) and the safe and efficient operation of the roading network.

I. Riparian Margins

Within 10 metres of any water body, no:

- (a) dumping of fill, spoil or any substance to waste (except cleanfill),
- (b) earthworks exceeding 20m³, or
- (c) the removal of vegetation,

shall occur provided that this does not apply to:

- (i) The removal of undesirable weeds or the removal of plants or vegetation planted for commercial purposes prior to the date of notification of this plan, provided that any adverse effects on that water body and its margin are avoided, remedied or mitigated by ensuring that:
 1. No disturbed vegetation, soil or debris is placed in any water body or is placed in such a position where it may enter or move into any water body, and
 2. Riparian margins are restored and rehabilitated to a standard necessary to ensure that the margin remains in a stable condition.
- (ii) Grazing of stock.
- (iii) Activities/works permitted by any relevant Regional Plan.
- (iv) Minor maintenance required for the safe and efficient operation of roads and utility networks.

For the purposes of this Rule, water body is defined as being any stream or river or any wetland identified in Schedule 19.6.1 or any lake (excluding irrigation dams within a farm property) 0.5 hectares or greater in area.

Note: Riparian margins are defined in Section 18 of this plan. They do not include the beds of lakes and rivers that are subject to the Regional Plan : Water. Activities permitted in terms of the rules stated in Section 13.7 of the plan are not subject to Standard 4.7.6I.

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(vi)

4.7.6I
(cont'd)



Reason

Riparian margins are important components in the health of waterbodies and the natural character of their margins. Riparian vegetation acts as a buffer zone filtering nutrient and soil runoff, stabilises banks and provides habitat. Use of the phrase “undesirable weeds or plants” recognises that some plants that need to be removed are not necessarily “noxious” in terms of other legislation (eg. crack willow) and secondly, that “undesirability” will vary from site to site.

This rule recognises existing plantings of commercial crops and allows for their removal provided the effects are mitigated.

J. Earthworks for Access Tracks and Extraction Activities

(a) Tracks

Where any earthworks are required for or in connection with the formation or construction of any road, track, landing, firebreak, fenceline, or utility service line, the following design standards shall be met:

- (i) All formation surfaces with an inwards crossfall shall be drained by a watertable; and
- (ii) Cutoffs or culverts shall be constructed or installed so as to prevent scour, gulying or other erosion of the formed or constructed surface and to adequately provide for fish passage when such fish passage is appropriate and practicable; and
- (iii) All areas of fill including any formation surface overlying fill shall be compacted; and
- (iv) Fill batters shall be constructed and vegetated to a standard that is adequate to mitigate any adverse visual effects when viewed from any State highway and to avoid batter erosion or failure; and
- (v) Adverse effects on any stream, river or lake or permanently wet wetland are avoided, remedied or mitigated; and
- (vi) Any cut or fill batter is no more than 2 metres in height or depth (provided that this may be exceeded for 10% or less of the total track length to a maximum 3 metres).

Breach:
discretionary
(restricted)
activity see Rule
4.7.3(vi)

4.7.6J(a)
(cont'd)

Notes: Intersections with public roads are to be constructed in accordance with the standards set out in Rule 12.7.1 page 12:13.

Where bridges, culverts or bed disturbances are associated with activities subject to Rule 4.7.6J(a) compliance with regional rules in Chapter 13 of the Regional Plan : Water shall be met or appropriate consents obtained.

(b) Extraction and Displacement Activities

Except as provided for in 4.7.6J(a) above the extraction (including excavation and/or displacement) of material (excluding any cleanfill landfill, and farming activities such as irrigation dams and associated works, ploughing and land contouring for border dyke irrigation) shall not exceed an area of 2000m² or a quantity of 3000m³ from any one site provided that:

- (i) Where the material extracted is not to be reinstated, then

Breach:
discretionary
activity see Rule
4.7.4(i)



- the permanent visual impacts of the activity shall be avoided, remedied or mitigated by the replacing of topsoil and suitable subsoil, resowing, fertilising and planting or other appropriate landscaping, or
- (ii) When material is extracted or displaced for mining, investigative or exploitative work, all areas disturbed shall be progressively restored or rehabilitated to a standard not less than that which previously existed, and
 - (iii) Adverse effects on water bodies and land stability are avoided, remedied or mitigated; and
 - (iv) Extraction, other than that required for land cultivation, drilling, bore construction, the erection of fences, overhead lines or foundations for buildings is no more than 1m deep or 10m³ in volume within the groundwater protection zones for Roxburgh and Ettrick.

Notes: Chapter 14 of the Chapter 14 of the Regional Plan : Water contains rules for drilling and bore construction within the Roxburgh and Ettrick groundwater protection zones.

Policy 9.4.18(d) of the Regional Plan : Water requires the management of excavation in groundwater protection zones so that any protective soil mantle or impervious stratum is retained, replaced, or alternative groundwater protection is provided.

Reason

Earthworks for mining and the formation of tracks can have significant adverse effects on:

1. *landscape values*
2. *water quality*
3. *soil structure and quality*
4. *land stability*

However, adverse effects of small scale soil displacement activities are generally minimal and can be mitigated by appropriate landscaping and rehabilitation.

K. Areas of Significant Indigenous Vegetation, Habitats of Indigenous Fauna and Wetlands

No activity shall have the effect of:

- (a) Removing or adversely affecting indigenous vegetation, or
- (b) Adversely affecting significant habitat of indigenous fauna or statutorily managed sports fish and game, or
- (c) Draining or adversely affecting any wetland or its associated values, or
- (d) Erecting any structure (excluding fences and signs that conform with Rule 12.7.5(i)(e)), or
- (e) Carrying out any earthworks or cultivation of land, or
- (f) Establishing woodlots, production forestry or shelterbelts, or
- (g) Subdivision of land (except for the creation of reserves or conservation areas),

within those areas identified in Schedules 19.6.1 and 19.6A and on the planning maps and any wetlands over 800 metres, unless

Breach:
*discretionary
activity see Rule
4.7.4(i)*



the work or activity is consistent with the particular Act under which the land is held, or any management strategy or plan developed under that Act.

Reason

This rule ensures that activities that have the potential to compromise the values of these areas go through the resource consent procedure. The rule allows such activities on land that is held for conservation purposes under Acts such as the Conservation Act and the Reserves Act, provided it is consistent with a conservation management strategy/conservation management plan, or any other management plan established under the Conservation Act 1987 or any other Act specified in the first schedule to that Act and there is no significant adverse effect beyond the boundary of the site. These Acts also deal with the management of natural and physical resources.

Note: *Schedule 19.6A includes wetlands listed in Schedule 10 of the Regional Water Plan. Such wetlands have not been assessed for Type A or Type B values in terms of the Regional Water Plan. If such values are determined to exist the wetlands concerned will be listed instead in Schedule 19.6.1 via a plan change; and if such values do not exist the wetland will be removed from Schedule 19.6A.*

Artificial wetlands created by water storage dams, for example hydro-electric, irrigation, stock water, community water supply, or farm effluent dams, will not be included in Schedule 19.6.1 where their inclusion will interfere with the purpose and operation of the dam.

4.7.6K
(cont'd)

4.7.6KA Clearance of Indigenous Vegetation

I. Clearance of indigenous vegetation on land not listed for protection under Schedule 19.6.1 and subject to Rule 4.7.6K, where the vegetation-

- (a) comprises more than 10 hectares of snow tussock grassland (*Chionochloa rigida*), or half a hectare or more of other indigenous vegetation on one site; or
- (b) involves any species listed as threatened in Schedule 19.6B, and the clearance affects a site containing any such species as identified on the planning maps; or
- (c) is more than 1080m above sea level;

is a discretionary (restricted) activity.

Provided that this rule shall not apply to:

- (i) Clearance of indigenous trees that have been windthrown or are dead standing as a result of natural causes and have become dangerous to life or property.



- (ii) Clearance of indigenous vegetation on land that has been freeholded under Part 2 of the Crown Pastoral Land Act 1998.
- (iii) The Greenland Recommended Area for Protection on Little Valley Station apart from the land subject to Conservation Covenant No. 5013375.2 (Otago Land Registry).

And provided that I(b) of this rule as above shall not apply to:

- (iv) Grazing.
- (v) Oversowing and topdressing.

And provided that I(a) and (c) of this rule as above shall not apply to:

- (vi) Direct drilling associated with existing pasture.
- (vii) Clearance of matagouri.

II. For the purpose of this rule “clearance” is defined as the felling, clearing, or modification of any indigenous vegetation by cutting, mechanical crushing, spraying, burning and any activity causing disturbance to the soil.

III. The Council shall restrict the exercise of its discretion to the following matters, where applicable:

1. The significance of the ecological values of the site that will be affected.
2. The effect of the clearance on those values.
3. The necessity or desirability of clearance on land previously used for production.
4. The means of protecting the ecological values of the site, including consideration of positive ecological benefits that can be achieved through fencing off and protecting ecological values in conjunction with the clearance activity.

4.7.6KA
(cont'd)

In determining the significance of ecological values, regard will be had to the following:

- (i) Representativeness – The contribution of the site to the maintenance of a full range of genetic and ecological diversity as expressed along environmental gradients. Representativeness extends beyond ecological units that are rare or unusual in a local or regional context. High representative values are given to particular communities or ecosystems which:
 - Have large overall areas in the district;
 - Have been reduced from their former extent;



- Are poorly represented in reserves.

High representative values are given to particular sites according to how well they represent particular communities or ecosystems of high representative value.

- (ii) **Rarity** – Whether the area supports or is important for the recovery of an indigenous species, habitat or community of species which is rare or threatened locally, regionally, or nationally.
- (iii) **Diversity and pattern** – The diversity of biological (species, community) biophysical (ecosystem) or physical (landform) features and of biological gradients. More diverse natural areas containing a greater range of species/communities, ecosystems, landforms and/or compositional and structural gradients tend to have greater ecological and conservation values than less diverse ones.
- (iv) **Size and shape** – the degree to which the size and shape of an existing area is conducive to it being, or becoming ecologically self-sustaining. Larger areas with more compact shape tend to have higher values than smaller, irregularly shaped ones.
- (v) **Location and connectivity** – the extent to which the area has ecological value due to its location and functioning in relation to its surroundings. An area may be ecologically significant because of its connections to a neighbouring area, or as part of a network of areas of fauna habitat. For example an area may act as a corridor or stepping stone for movement or migration of species between or to areas of important habitat.

4.7.6KA
(cont'd)

- IV.** Unless an applicant otherwise requests, or the Council considers that special circumstances exist, an application under this rule will not require public notification, nor will any person require to be served, if information from a qualified and experienced ecologist is provided, demonstrating to the Council's satisfaction that any adverse effect upon significant ecological values will be no more than minor.

Reason

Given the high level of biodiversity loss in the Central Otago District and the continuing pattern of land use change, an interim rule (Rule 4.7.6KA) is considered necessary to assist in protecting biodiversity in the district until Schedule 19.6.1 (to which Rule 4.7.6K applies) is expanded into a suitably comprehensive state that reasonably identifies and reflects the district's resources that are of significance in terms of section 6(c) of the Act.

Rule 4.7.6KA includes burning in the definition of "clearance"



for the purpose of that rule. The Otago Regional Council has developed a Code of Practice with respect to burning. The Environment Court has concluded that the Code lacks a sufficiently robust framework to qualify as a suitably reliable mechanism for addressing the protection of significant areas under section 6(c) of the Act. The Court has stated that were the Code to contain adequate investigation, review and audit procedures, with a record of successful operation and widespread acceptance by the farming community with those checks and requirements incorporated, that the Court would not exclude the possibility that the Code might suffice on its own, without a need to control tussock burn-off under the district plan. The control of burning through Rule 4.7.6KA may therefore be revisited in future, depending on initiatives to strengthen the Code and demonstrate an enhanced operational standard.

L. Outstanding Natural Landscapes, Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area

Breach:
discretionary
activity see Rule
4.7.4(i)

- (1) No activity shall have the effect of:
- (a) Erecting any structure (excluding post and wire fences) or building, or
 - (b) Cutting new roads, new tracks, new landings, or new utility service lines, or
 - (c) Excavating material in excess of 20m³ (volume) and/or disturbing any land 50m² in area or greater in any one hectare in any continuous period of 5 years but excluding cultivation of areas previously cultivated (for the avoidance of doubt this does not apply to the maintenance of roads, tracks, landings, fire breaks and other works), or
 - (d) Establishing woodlots, production forestry or shelter belts, or
 - (e) Subdivision of land (except for the purpose of creating reserves or conservation areas),
- within any area identified as an outstanding natural landscape, outstanding natural feature or land in the Upper Manorburn/Lake Onslow Landscape Management Area as shown on the planning maps except as provided for by Rules 4.7.5(vi), 13.7.6 and 13.7.8.

4.7.6L
(cont'd)

- (2) Rule 4.7.6L(1) shall not apply to:
- (a) reviewable land that has been freeholded under Part 2 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and
 - (b) unrenewable occupation licence land that has been designated for disposal as fee simple under Part 3 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and
 - (c) freehold land listed in Schedule 19.6.3.
 - (d) The area identified as Rural Resource Area (3) on the planning maps to the extent that:
 - (i) Rule 4.7.6L(1)(a) shall not apply to any dwelling and any accessory building authorised in terms of



Rule 4.7.2(ia).

- (ii) Rule 4.7.6L(1)(a) shall exclude unpainted post and wire fences only and stacked schist or stone fences that shall not exceed a height of 1.2 metres.
- (iii) Rule 4.7.6L(1)(b) shall not apply to underground services or to the cutting of new roads or tracks as shown on the concept plan attached as Schedule 19.20 or to any water tank that is finished in natural tones to blend with the landscape.
- (iv) Rule 4.7.6L(1)(c) shall not apply to earthworks involving up to 450m² of cut or fill per site provided that the maximum height of cut or fill is to be 0.75m unless lined with schist or to earthworks required to construct a building platform or to form access to a building platform as shown on the concept plan attached as Schedule 19.20 or where a building platform is located in the Development Zone shown on the concept plan attached as Schedule 19.20 (in compliance with Rule 4.7.2(ia)(a); no rocks over 2m³ (as visible above natural ground level) are to be removed or otherwise modified except to construct a building platform or to form access to a building platform as shown on the concept plan attached as Schedule 19.20 or where a building platform is located in the Development Zone shown on the concept plan attached as Schedule 19.20 (in compliance with Rule 4.7.2(ia)(a)); all un-walled cut or fill slopes are to be recontoured to blend with the surrounding natural landform and to provide for successful revegetation; all retaining walls are to be lined with schist; and a geotechnical report is required with respect to any earthworks for identified (numbered) building platform 4 and its associated access as shown on the concept plan attached as Schedule 19.20.
- (v) Rule 4.7.6L(1)(e) shall not apply to any subdivision authorised in terms of Rule 4.7.2(ii)(a)(i), 4.7.2(ii)(a)(iii) and 4.7.2(b)(i), (ii), (iv), (v) and (vi).

- (e) Prospecting and exploration on land subject to Exploration Permit 40817 (or any subsequent permit) being part Crown Land, part Run 354A, part Section 7 SO 332516 and part Garston – Nevis Road situated in Block I Lorn Survey District.

- (3) For the purpose of Rule 4.7.6L(2)(a) reviewable land shall be deemed to be “freeholded” when the holder’s acceptance of a substantive proposal takes effect under section 60 of the Crown Pastoral Land Act 1998.

4.7.6L
(cont'd)



- (4) For the purpose of Rule 4.7.6L(2)(b) unrenovable occupation licence land shall be deemed to be “designated for disposal as fee simple” when the Commissioner of Crown Land’s adoption of a substantive proposal takes effect under section 89 of the Crown Pastoral Land Act 1998.
- (5) Rule 4.7.6L(1)(a), (b) and (c) shall not apply to that part of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River.
- (6) No activity shall have the effect of erecting any structure (excluding post and wire fences) or building on that part of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River.

Breach:
controlled
activity see Rule
4.7.2(ib)

Reason

The effects of these activities have the potential to compromise the values of these landscapes and features. Resource consent will enable all effects of the activity to be considered in terms of its impact on the special values of these areas and impact on the natural and historic values of these areas including the characteristics identified in the description of the outstanding natural features and outstanding natural landscapes in Schedule 19.6.2.

The properties freeholded under tenure review are excluded from the application of Rule 4.7.6L(1) because the tenure review process provides an alternative statutory means to identify and address on a site specific basis the values which are the subject of this Rule.

4.7.6L
(cont'd)

M. Management of the Rural Resource Area in the Wooing Tree Overlay Area.

Breach: non-
complying activity
see Rule 4.7.5(vii)

The Rural Resource Area in the Wooing Tree Overlay Area shall be maintained in either predominantly vineyard plantings or a treed park-like character.

Reason

The Rural Resource Area in the Wooing Tree Overlay Area has been designed to be an open space buffer from the adjoining State Highways and existing residential activities to the north. As such it is appropriate to strongly discourage buildings within this area to maintain the open space values.



4.8 ENVIRONMENTAL RESULTS ANTICIPATED

- 4.8.1 The adverse effects on the Central Otago landscape and natural character of any new structure or works are avoided, remedied or mitigated.
- 4.8.2 Retention of healthy riparian vegetation adjacent to the District's water bodies that promotes the maintenance of their natural character and associated values.
- 4.8.3 A variety of uses utilising the District's soil resource without adversely affecting its life-supporting capacity.
- 4.8.4 Safe and efficient operation of the roading network through improved safety and a reduction in conflict with adjoining land uses.
- 4.8.5 The ongoing protection of significant indigenous flora and significant habitats of indigenous fauna for the benefit of present and future generations.
- 4.8.6 Ongoing improvement in public access where appropriate to recreation and other resources of the District.
- 4.8.7 A continuing reduction in conflict between land uses occurring in the rural environment.
- 4.8.8 Ongoing provision for back country/remote recreation opportunities with minimal conflict between recreation activities.
- 4.8.9 Improved pest control programmes.
- 4.8.10 Built development being designed and located so that the open, natural character of the District's hills, ranges, terraces, prominent places and natural features is maintained without compromising the landscape and amenity values of prominent hillsides and terraces.



SECTION 7 : RESIDENTIAL RESOURCE AREA

Note: Refer to Section 6 for Issues, Methods of Implementation, and Environmental Results Anticipated.

7.1 OBJECTIVES

The objectives contained in this section are specific to the Residential Resource Area. The objectives contained in the following sections, particularly Section 6, are also relevant to the subdivision, use, development and protection of land in the Residential Resource Area:

- Section 3.3 (Manawhenua)
- Section 6.3 (Urban Areas)
- Section 11.2 (Heritage Precincts)
- Section 12.3 (District Wide Issues)
- Section 13.3 (Infrastructure, Energy and Utilities)
- Section 14.3 (Heritage)
- Section 15.3 (Financial Contributions)
- Section 16.3 (Subdivision)
- Section 17.3 (Hazards)

7.1.1 Objective - Maintenance of Residential Character

To manage urban growth and development to maintain and enhance the built character and amenity values of those parts of the district that have been identified as the Residential Resource Area as well as the social, economic and cultural wellbeing, and health and safety of the residents and communities within those areas.

Cross Reference
Issue 6.2.1, 6.2.4,
6.2.5, 6.2.6
Policies 7.2.1 to
7.2.6

7.1.2 Objective - Protection of Living Environment

To manage the use of land to promote a pleasant living environment by ensuring that adverse effects of activities are avoided, remedied or mitigated, while accommodating appropriate change at the interface with other resource areas.

Cross Reference
Issue 6.2.1, 6.2.4,
6.2.5, 6.2.6
Policies 7.2.1 to
7.2.6

7.1.3 Objective - Management of Change

To recognise that it is inevitable that the use of land shall change over the period of this plan and beyond in order to enable the community to provide for its wellbeing. The process of change can occur randomly within the various resource areas but will be most obvious at the interface between different resource areas. It is a purpose of this plan to manage that change.

Cross Reference
Issue 6.2.1, 6.2.4
Policy 7.2.8



7.2 POLICIES

The policies contained in this section are specific to the Residential Resource Area. The policies contained in the following sections are also relevant to the subdivision, use, development and protection of land in the Residential Resource Area:

- Section 3.4 (Manawhenua)
- Section 6.4 (Urban Areas)
- Section 11.3 (Heritage Precincts)
- Section 12.4 (District Wide Issues)
- Section 13.4 (Infrastructure, Energy and Utilities)
- Section 14.4 (Heritage)
- Section 15.4 (Financial Contributions)
- Section 16.4 (Subdivision)
- Section 17.4 (Hazards)

7.2.1 Policy - Residential Character

To ensure that the character and amenity values of residential areas are protected by ensuring that the adverse effects of:

- (a) Excessive noise including noise associated with traffic generation and night time operations,
- (b) The generation of traffic over and above that normally associated with residential activities and in particular heavy vehicles, and demand for parking,
- (c) Glare, particularly from building finish, and security lighting,
- (d) Structures at the street frontages that do not complement the character and/or scale of development in the neighbourhood,
- (e) A reduction in privacy, access to daylight and sunlight
- (f) A reduction in visual amenity due to excessive signage, large areas of hard standing surfaces, and the storage of goods or waste products on the site,
- (g) The generation of odour, dust, wastes and hazardous substances,
- (h) The use and/or storage of hazardous goods or substances, and
- (i) The loss of a sense of amenity, security and companionship caused by non-residential activities.

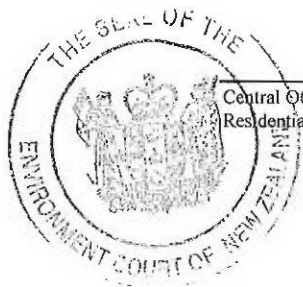
are avoided, remedied or mitigated.

Explanation

The residential areas of the District are generally characterised by landscaped front yards; plantings and landscaping within gardens and reserve areas; space between buildings; buildings being set back from streets; and reasonably wide streets with verges which enhance the open space characteristics of the neighbourhood. Buildings themselves are generally of a varied design and a compatible scale, and are usually no more than two storeys high. Groups of residential allotments are often interspersed with reserve areas. Non-residential development has the potential to compromise residential amenity values and will therefore be subject to more rigorous controls than residential activities.

The matters identified in this policy are those which have the potential to have a significant adverse effect on the character and

Cross Reference
Objectives 7.1.1,
7.1.2
Rules 7.3.1 to
7.3.6



amenity values of the District's residential areas. Resource consent procedures for activities that may have these effects will ensure a thorough environmental impact assessment is carried out before a decision is taken to permit such development.

7.2.2 Policy - Amenity Values

To ensure that the amenity values of residential sites, including privacy and ability to access adequate daylight and sunlight, are not significantly compromised by the effects of adjoining development.

Cross Reference
Objectives 7.1.1,
7.1.2
Rule 7.3.6(iii)

Explanation

The use and enjoyment of land can be restricted by the siting and size of buildings on adjoining properties. Privacy and access to sunlight are important to people living in the District's residential areas. These values will be protected through the use of yard and height controls.

7.2.3 Policy – Environmental Quality

To preserve the environmental quality found within particular areas of the District's residential environment.

Cross Reference
Objectives 7.1.1,
7.1.2
Rules 7.3.3(i),
7.3.6(iii)

Explanation

There are particular neighbourhoods and localities within the residential area that were specifically created by zones forming part of earlier planning instruments and which have the intention of achieving a certain environmental quality and density of development. Future subdivision and development in these areas must recognise this to the extent provided for in this district plan.

7.2.4 Policy - Recreation Activities

To provide for the wellbeing of the District's communities by requiring developments to recognise and provide for the recreational needs of the community.

Cross Reference
Objectives 7.1.1,
7.1.2
Rules 7.3.2(i) and
7.3.3(i)

Explanation

Recreation reserves, playgrounds and parks are an integral part of residential areas, and are important in providing for the community's social wellbeing and health. These areas also enhance the amenity values of residential areas by maintaining open space and a pleasant visual appearance. However, the use of these sites can generate adverse effects such as noise and traffic. Their specific location and design must therefore be assessed when resource consent applications for substantial developments are considered.



7.2.5 Policy - Open Space

To maintain the amenity value of open space within the District's residential environments.

Cross Reference

*Objective 7.1.1,
7.1.2,
Rule 7.3.6(iii) and
(iv)*

Explanation

The open space within the District's residential environment is an essential component in the amenity values of the Residential Resource Area. The provision of outdoor living areas and set-backs from property boundaries and road frontages maintain these values.

7.2.6 Policy - Safety and Efficiency of Residential Roads

To require appropriate access and on-site parking to ensure that the amenity of neighbouring properties and the safe and efficient operation of roads is maintained while acknowledging that these requirements may be relaxed where this will result in retention of a heritage item or site that would otherwise be lost.

Cross Reference

*Objective 7.1.1,
7.1.2
Rule 7.3.6(v) and
Rule 12.7.1*

Explanation

Requiring the establishment of appropriate access and on-site parking will ensure that the function of residential roads is protected while ensuring amenity values are not unduly compromised by parking congestion on roads.

7.2.7 Policy - Residential Resource Areas (1) – (13)

To ensure that subdivision and development in the areas shown as Residential Resource Areas (1) – (13) complement the character and amenity of these areas and provide for the protection of significant landscape features, where such features are present.

Cross Reference

*Objective: 7.1.1,
7.1.2
Rule: 7.3.2(ii),(iii)
(iv), 7.3.3*

Explanation

Within the Residential Resource Area specific areas have been identified where it is appropriate to apply different standards for subdivision allotment sizes, bulk and location or with respect to other effects of activities. In most instances the areas concerned have had specific planning provisions applied to them in the Transitional District Plan that recognise their particular characteristics. These characteristics are discussed below.

The area identified as Residential Resource Area (1) includes limited areas of land suitable for development at Northburn, Quartz Reef Point, Cornish Point and Brewery Creek. These areas include isolated pockets of land suitable for residential development in close proximity to Lake Dunstan. These areas are sensitive in regards to the visual effects of development, and, because of their close proximity to the lakeshore, stability of building platforms and satisfactory on site effluent disposal require particular attention.

The area of land identified as Residential Resource Area (2) applies to the land in the vicinity of Bannockburn-Cromwell Road and Cairnmuir Road close to the Bannockburn Inlet. Residential Resource Area (2) provides for the development of pockets of lower density residential development at suitable locations near Lake



Dunstan. Within this area minimum allotment requirements will enable generous separation of dwellings to be achieved and will facilitate rural orientated activities on site. Development within this area must also recognise the proximity to the lakeshore which requires particular attention in terms of the stability of building platforms and on site disposal of effluent.

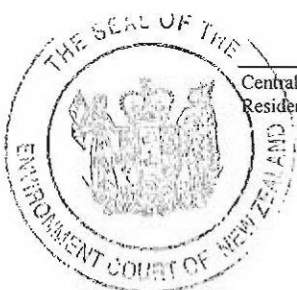
The area of land identified as Residential Resource Area (3) is located between the Clutha Arm of Lake Dunstan and State Highway 6. The area identified, that includes much of Pisa Moorings and Wakefield Bay, has the capability of providing for integrated residential and marina development. Public access to foreshore areas from the lake and adjacent areas of land is to be recognised and provided for. Development is dependent upon the availability of satisfactory reticulated effluent disposal and water supply. The Residential Resource Area (3) has also been applied to land generally to the north-east of the Alexandra Town Belt, to an elevated portion of the Alexandra Town Belt and Brandon Street and to land at Naseby which is considered suitable for low density residential subdivision and development. **The Residential Resource Area (3) has also been applied to land within the Wooing Tree Overlay Area within the Cromwell urban area to manage interface effects between existing residential activities, the State Highways and new development.**

The area of land identified as Residential Resource Area (4) applies to Bannockburn, on the eastern side of Bannockburn Road and both sides of Hall Road west until just beyond Miners Terrace. The area is capable of accommodating low density residential development in a manner that provides privacy for the occupiers of dwelling houses and maintains the rural character of Bannockburn. An open form of development is promoted.

The area of land identified as Residential Resource Area (5) is located west of Lowburn Valley Road. This area is capable of accommodating low density residential development in a manner which will promote settlement of an open character.

The area of land identified as Residential Resource Area (6) comprises land in four areas. The first is bound on the south by State Highway 8B, on the west by Shortcut Road, the east by Lake Dunstan, and the north by the lake margins. The second is located between State Highway 6, and Waenga Drive at Cromwell. The Residential Resource Area (6) also applies to land adjacent to Barry Avenue Cromwell and south of Roxburgh that is suited to development of a rural-residential character. The land south of Roxburgh includes areas adjacent to State Highway 6 and the Clutha River. The areas identified provide for rural residential activity. Development will offer the advantage of maintaining an open character in this part of the District, while containing concentrated urban development to the south of State Highway 8B at Cromwell and to the north of the Residential Resource Area (6) at Roxburgh.

The area of land identified as Residential Resource Area (7) is located adjacent to the junction of Pataeroa Hamilton Road and Ranfurly Pataeroa Road. This area is capable of accommodating



limited residential development in the vicinity of Pataeroa. Development within this area is likely to be of a rural-residential type that will retain an open environment.

The area identified as Residential Resource Area (8) is located between State Highway 8 and Lake Dunstan near the site of Crippletown. This area is capable of accommodating limited residential development in a manner that is in keeping with the amenities of the locality.

The area of land identified as Residential Resource Area (9) applies to the former golfcourse at Bridge Hill, Alexandra. This land is elevated and contains some significant rock outcrops and escarpments. The view of the rocky faces above Chapman Road and the skyline in the vicinity of this area is particularly dominant when viewed from certain parts of Earnsclough Road and is significant in a local context. Development of this area will need to respect the visual amenity of the area.

The area identified as Residential Resource Area (10) is located between Little Valley Road and the Shaky Bridge at Alexandra. This is also a visually sensitive location and has significant landscapc value. Again development in this area must recognise these values. This has been provided for through the imposition of restrictive covenants on the relevant certificates of title.

The area identified as Residential Resource Area (11) is located at Pisa Moorings. This is the residual portion of the original Residential Resource Area (11), being land subdivided under a former village – vineyard concept. **The Residential Resource Area (11) has also been applied to land within the Wooing Tree Overlay Area within the Cromwell urban area to manage interface effects between existing residential activities, the State Highways and new development.**

The area identified as Residential Resource Area (12) is located to the rear of properties in the Residential Resource Area that have frontage to Waenga Drive at Cromwell. The area is considered suitable for conventional residential subdivision at a lower density than is permissible in the Residential Resource Area. This is consistent with the character of residential subdivision and development that exists in newer residential areas of Cromwell near Waenga Drive and it is expected that the Cromwell greenway system will continue within the Residential Resource Area (12) with provision for the creation of a walkway adjacent to State highway 6, a continuation of the buffer adjacent to the Business Resource Area (1) and connections to the existing Cromwell greenway system. Such greenway system in the Residential Resource Area (12) is to be provided for via a concept plan or plans.

The area identified as Residential Resource Area (13) is located at Pisa Moorings. The area concerned is considered suitable for conventional residential subdivision at a higher density than the adjacent Residential Resource Area (3).



7.2.8 **Policy – Management of Change**

In recognition of the difficulty anticipating the timing and extent of change to the pattern of land use that is necessary to enable the community to provide for its wellbeing and to reconcile with the foregoing policies, it is appropriate that any major change at the interface between the various resource areas be considered within the wider context of the plan as a whole.

Explanation

It is a purpose of this plan to manage change at the interface between resource areas. Such change can be addressed through the resource consent process (where conditions of consent may be applied) or through the plan change process.

Cross Reference
Objective 7.1.2,
7.1.3



7.3 RULES

Note: In considering a resource consent application under rules in this Plan, in the absence of specific policy in this Plan the Council may have regard to other policies related to assessment matters, including relevant policies in the Regional Policy Statement for Otago, and regional plans.

See also Sections 3, 11 and 14 – Manawhenua, Heritage Precincts and Heritage Buildings, Places, Sites, Objects and Trees.

Note: Any reference to the “Residential Resource Area in the Wooing Tree Overlay Area” in these rules refers to the Residential Resource Area only, and not to the Residential Resource Area (3) and Residential Resource Area (11) in the Wooing Tree Overlay Area.

7.3.1 PERMITTED ACTIVITIES

Cross Reference
Policy 7.2.1

(i) Compliance with Standards

Any activity that is not listed as a controlled, discretionary (restricted), discretionary, or non-complying activity and that complies with the rules and standards set out in Sections 11 to 15 of this Plan and the standards set out in Rule 7.3.6 is a permitted activity.

Reason

Activities that comply with the standards set out in Rule 7.3.6 and that are not listed below are activities that maintain and enhance the amenity values of these areas. The standards contained in Rule 7.3.6 address the following:

1. *Traffic generation and characteristics of activities*
2. *Sense of amenity, security and companionship*
3. *Bulk and location of buildings*
4. *Coverage (open space)*
5. *Carparking*
6. *Signs*
7. *Keeping of animals*

Note: Sections 11 to 15 contain a number of rules that apply across the district. Section 11 contains rules in respect of buildings within Heritage Precincts. These rules act as an overlay to the rules contained in the Resource Areas. Section 12 addresses access, parking, noise, signs and lightspill. Section 13 deals with the development of infrastructure, energy production facilities and utilities. Section 14 addresses general heritage issues. Section 15 deals with rules relating to financial contributions. Section 16 that relates to subdivision and Section 17 that relates to hazards contain general provisions to complement Resource Area rules. Section 18 contains the definitions of terms used throughout this Plan.

(ii) Scheduled Activities and Existing Community Facilities

- (a) Any scheduled activity identified in Clauses 19.3.1 and 19.3.4 (subject to compliance with standards specified in Clause 19.3.4) of Schedule 19.3 and identified as a scheduled activity on the planning maps and any other community facility lawfully



established prior to notification of this plan is a permitted activity.

(b) Scheduled activity No. 127 in Schedule 19.3.6 is a permitted activity, subject to compliance with Rule 7.3.6(iii) Bulk and Location of Buildings and Rule 12.7 District Wide Rules and Performance Standards and provided that no vehicular access is achieved direct to Pisa Moorings Road.

Reason

See reference at Section 1.2.9 of this plan (page 1:12). A number of these activities were specifically provided for under previous planning schemes. This investment must be recognised in the management of the residential land resource.

7.3.2 CONTROLLED ACTIVITIES

(i) Subdivision

Subdivision for the following purposes shall be a controlled activity:

- (a) Network and public utilities.
- (b) The creation of reserves.
- (c) Preservation of heritage items.
- (d) Boundary adjustments.
- (e) Community facilities.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Council shall exercise its control in respect of the following matters:

1. The area of the proposed allotment taking into consideration the proposed use of the allotment, the amenities of neighbouring properties and the site's ability to dispose of waste (if required).
2. The location, design and construction of access, and its adequacy for the intended use of the subdivision.
3. Public access requirements.
4. The provision of services and their adequacy for the intended use of the subdivision.
5. Any amalgamations and easements that are appropriate.
6. Any financial contributions necessary for the purposes set out in Section 15 of the Plan.
7. Any other matters provided for in section 220 of the Act.

Any application made under this rule will generally not be notified or require the written consent of affected persons except that where a State highway is affected the written comment of Transit New Zealand will be required.

Reason

Subdivision for these activities has only a limited effect on the environment. A minimum allotment size to control density of development is not considered appropriate given the purpose of these activities.



(ii) **Residential Activities in Residential Resource Area (8)**

Residential activities that comply with the following standards are controlled activities:

Breach:
discretionary
activity see Rule
7.3.4(i)

(a) No more than one dwelling house shall be permitted on each allotment.

(b) All buildings shall meet the following requirements -

(i) **Building coverage**

The maximum building coverage for all buildings on any site shall be 25% or 290m², whichever is the smaller.

(ii) **Set-back from roads**

The minimum set-back from road boundaries of any building shall be:

(a) 10 metres from any eastern boundary.

(b) 6 metres back from any western boundary.

(iii) **Set-back from internal boundaries**

The minimum set-back from internal boundaries for any building shall be 4 metres.

(iv) **Building proportion**

No single structure shall exceed a floor area of 120m². Roof pitch shall be between 25° and 40°. The maximum vertical stud allowable shall be 3.0 metres and maximum building height 5.0 metres.

(v) **Colour and finish of building**

All buildings shall be finished in any of the following materials:

(a) Timber (vertical or horizontal)

(b) Plaster/Adobe

(c) Schist

(d) Corrugated iron; Desert Sand, Lichen, Sandstone Grey, Kauri, Grey Friars, New Denim Blue (Coloursteel Colours).

Detailing around verandah posts, windows and doors may differ. The exterior walls of all buildings shall be finished in the colour range of browns, dark greens and greys.

(vi) **Fences**

No boundary fences other than post (unpainted) and wire and rabbit fences shall be built.

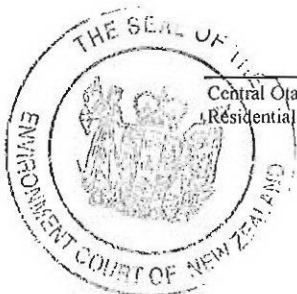
(vii) **Garages and accessory buildings**

Garages and accessory buildings shall not exceed a maximum floor area of 60m² and shall be clad and roofed in the same material as the dwelling.

(viii) **Roofing**

Roofing shall be constructed of one of the following:

7.3.2(ii)(b)



Unpainted natural products, ie, timber shingles, or corrugated iron in one of the following colours:

(cont'd)

Lignite, Ironsand, Kauri, Grey Friars, New Denim Blue (Coloursteel colours).

(ix) **Landscaping**

- (a) All applications for consent to erect a dwelling shall be accompanied by a landscape plan which identifies tree species, position and layout.
- (b) The landscape plan shall provide for the planting of tree species that will integrate with the existing tree planting framework around the lake edge.
- (c) A simple planting structure is to be encouraged and representative of endemic flora.

Recommended species are as follows:-

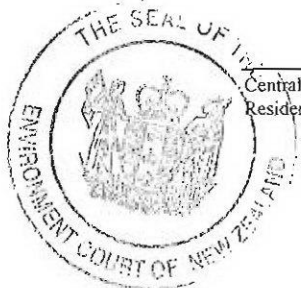
<u>Botanical Name</u>	<u>Common Name</u>
Populus alba x glandulosa 'Yeogi'	Silver poplar
Populus yunnanensis	Chinese poplar
Populus euramericana 'Tasman'	Tasman poplar
Populus nigra 'Italica'	Italian or Lombardy poplar
Populus deltoides	Cottonwood
Salix babylonica	Weeping Willow
Salix babylonica aurca	Golden Weeping Willow
Salix matsudana	Pekin Willow
Quercus robur	English Oak
Quercus palustris	Pin Oak
Eucalyptus gunnii	Cider Gum
Eucalyptus rodwayii	Swamp Gum

(d) **Planting Design**

Contour and cluster tree planting is preferred over linear and boundary planting. The main reason for boundary planting is to achieve privacy which can be accomplished by using shrubs.

- (e) Landscaping is to be provided to soften the visual impact of buildings upon Lake Dunstan, the shoreline and State Highway 8.

- (x) Power and telephone reticulation are to be underground.
- (xi) Road access and internal driveways are to be provided with a minimum of cut and fill.
- (xii) No direct physical access is to be achieved from allotments onto State Highway 8.
- (xiii) A supply of potable water is available to each dwelling house and satisfactory provision is made for the disposal of effluent and household waste.



Council shall exercise its control in respect of the following matters:

1. Design and appearance of buildings.
2. Landscaping in terms of mitigating adverse visual impacts.

(iii) Residential Activities in Residential Resource Area (9)

Residential activities in the Residential Resource Area (9) that comply with the standards set out in Rule 7.3.6 are controlled activities.

*Breach:
discretionary
activity see Rule
7.3.4(iii)*

Council shall exercise its control in respect of the following matters:

The location of all buildings within individual allotments in respect of the buildings impact on landscape values. In particular:

- (a) No building is to be visible on the skyline when viewed from any point on Earnsclough Road between the Earnsclough Road – Chapman Road intersection and a point 750 metres west of that intersection on Earnsclough Road.
- (b) No building shall be located closer to that boundary than 25 metres on all sites situated adjacent to the northeru and western boundaries of this Resource Area. On all sites adjacent to the southern boundary of Section 84 Block I Fraser Survey District (the old golf course site) no building shall be located closer to that boundary than 20 metres and no buildings are to be located on the south facing slope that is adjacent to the existing orchard on Part Section 57 and Section 72 Block I Fraser Survey District.

(iv) Residential Activities in Residential Resource Area (10)

Residential activities that comply with the following standards are controlled activities:

*Breach:
discretionary
activity see Rule
7.3.4(i)*

- (a) The dwelling and any ancillary garaging are contained wholly within the site building platform identified in the Concept Plan attached as Schedule 19.17, and
- (b) The standards set out in Rule 7.3.6 are complied with, and
- (c) The application for resource consent is to be accompanied by a detailed landscape plan showing any existing trees which are required to be removed together with the details of any proposed planting. Such a landscape plan shall be designed to mitigate the effects on the environment of the removal of any existing vegetation and trees shall be planted to compensate for any trees that are removed. It shall be a condition of consent that any landscaping works shown on a plan shall be completed not later than 2 planting seasons after the completion of any residential dwelling on the site.



Council shall exercise its control in respect of the following matters:

1. The design and colour of the dwelling and any ancillary buildings.
2. Landscaping.

(v) **Scheduled Activities and Existing Community Facilities**

Any extension, upgrade or expansion that changes the character or increases the intensity or scale of the effects of a use that has status as a scheduled activity identified in Clauses 19.3.1 or 19.3.4 of Schedule 19.3 and identified as a scheduled activity on the planning maps or of any other community facility lawfully established prior to notification of this plan or a scheduled activity which breaches the standards which apply to scheduled activities specified in Clause 19.3.4 is a controlled activity.

Council shall restrict the exercise of its control to the following matters:

1. The provision of access, parking, loading and manoeuvring areas.
2. The size, design and location of any signs.
3. Methods to avoid, remedy or mitigate effects on existing activities including the provisions of screening, landscaping and noise control.
4. The design and colour of buildings.
5. Impact on landscape values.

Any application made under this rule will generally not be notified if the written consent of affected persons is received.

(vi) **Care Centre or Community Facility (limited to a childrens educational facility) in the Residential Resource Area (11) in the Wooing Tree Overlay Area**

One care centre or community facility (limited to a childrens educational facility) in the Residential Resource Area (11) in the Wooing Tree Overlay Area located no closer than 150 metres to the northern (adjoining the Residential Resource Area (6)) or eastern boundary (adjoining Shortcut Road) of the Wooing Tree Overlay Area is a controlled activity.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Council shall restrict the exercise of its control to the following matters:

- (i) Urban Design and External Appearance; and
- (ii) The provision of access, parking, loading and manoeuvring areas associated with the building; and
- (iii) Landscaping; and
- (iv) Hours of operation; and
- (v) Servicing.

7.3.3 **DISCRETIONARY (RESTRICTED) ACTIVITIES**

(i) **Subdivision**

Cross Reference



Except as provided for in Rule 7.3.2(i) and Rule 7.3.4(ii), subdivision shall be a discretionary (restricted) activity provided that:

Policies 7.2.1 to 7.2.6

- (a) Where a reticulated sewerage system is available or is installed as part of the subdivision the minimum size of allotments in the Residential Resource Area shall be 250m².

Breach: discretionary activity see Rule 7.3.4(i)

OR

- (b) Where a reticulated sewerage system is not installed or available the minimum size of allotments in the Residential Resource Area shall be that which can effectively assimilate waste provided that in no case shall the minimum size of allotments be less than 800m².

Breach: discretionary activity see Rule 7.3.4(i)

PROVIDED THAT

- (c) Notwithstanding (a) and (b) above, the following minimum size for allotments and other standards shall apply in the areas set out below:

Breach: non-complying activity see Rule 7.3.5(iv)

Residential Resource Area – Wooping Tree Overlay Area

Any subdivision of the Residential Resource Area in the Wooping Tree Overlay Area shall not:

- (i) Exceed a maximum lot size of 350m²; and
(ii) Exceed a total of 50 residential allotments.

Cross Reference Policy 7.2.7 Maps 12, 13, 13A, 14, 16, 41A, B & C

Residential Resource Area (1)

Minimum Allotment Area – 3000m²

Residential Resource Area (2)

Minimum Allotment Area – 4000m² provided that the average allotment size is no less than 1 hectare.

Cross Reference Policy 7.2.7, Maps 8 & 44

Residential Resource Area (3)

Minimum Allotment Area – 1000m² provided that:

- (i) any subdivision of Lot 1 DP 23948 shall be in general accordance with the concept plan attached as Schedule 19.19 (subject to further consideration being given to landscaping in the consent process) and no more than 21 residential allotments shall be permitted.
(ii) any subdivision of the Residential Resource Area (3) in the Wooping Tree Overlay Area shall not exceed **69 40** residential allotments.

Cross Reference Policy 7.2.7, Maps 2, 12, 13, 13A, 14, 28 & 29

Residential Resource Area (4)

Minimum Allotment Area - 1500m² provided that the average allotment size is no less than 2000m².

Cross Reference Policy 7.2.7, Bannockburn, Maps 7, 8 & 8A

Residential Resource Area (5)

Minimum Allotment Area - 3000m²

Cross Reference Policy 7.2.7,



*Lowburn, Maps
18 & 19*

Residential Resource Area (6)

- (i) Minimum Allotment Area - 4000m².
- (ii) On land described as Sections 2, 9, 12, 28, 1279R and Part Section 1 Block XIV Benger Survey District and Section 31 Block II Teviot Survey District any allotment having an area of less than 1 hectare shall be connected to a reticulated sewerage scheme and access shall be limited to the two access points located in the positions shown as A and B on the Concept Plan attached as Schedule 19.18.

Cross Reference
*Policy 7.2.7,
Cromwell &
Roxburgh, Maps
12, 13, 13A, 14,
15, 36 & 36A*

Residential Resource Area (7)

Minimum Allotment Area - 1 hectare

Cross Reference
*Policy 7.2.7,
Patearoa, Maps
26 & 27*

Residential Resource Area (8)

- (i) The minimum allotment area to accommodate a dwelling shall be 1500m² provided that the maximum number of allotments intended to accommodate a dwelling house shall be no more than 8 within Residential Resource Area (8).
- (ii) A landscape plan shall be prepared that provides for planting to screen allotments at the southern portion of the Resource Area and adjacent to the State Highway 8 boundaries of allotments. The subdivider shall be responsible for establishing such planting.

Cross Reference
*Policy 7.2.7,
Crippletown,
Map 41E*

Residential Resource Area (9)

Minimum Allotment Area - 6000m²

Cross Reference
*Policy 7.2.7,
Alexandra, Map
5*

Residential Resource Area (10)

The subdivision shall be in general accordance with the concept plan attached as Schedule 19.17 and no more than 25 residential allotments shall be permitted. The minimum allotment area for residential purposes shall be 800m².

Cross Reference
*Policy 7.2.7,
Alexandra, Map
4*

Residential Resource Area (11)

Minimum Allotment Area - 400m², provided that:

(i) the Minimum Allotment Area for the Residential Resource Area (11) in the Wooing Tree Overlay Area to the east of the Business Resource Area (2) shall be 500m²; and

Cross Reference
*Policy 7.2.7,
Maps 12, 13,
13A, 14 and 29*



(ii) Any subdivision in the Residential Resource Area (11) in the Wooving Tree Overlay Area shall not exceed 400 120 residential allotments.

Residential Resource Area (12)

- (i) Minimum Allotment Area - 500m² provided that the minimum allotment area adjacent to State highway 6 is no less than 1000m²
- (ii) Prior to an application for subdivision consent being made in the Residential Resource Area (12) the landowner shall provide a concept plan which provides for the following, to the extent that this is relevant to the land concerned:
 - Connection with the extended designation D72 and D73, including a 10 metre wide reserve adjacent to the northern boundary of the Residential Resource Area (12) that is shared with Lot 1 DP 23737.
 - Provision for a strip of greenway adjacent to State highway 6 that is wide enough to accommodate a walkway.
 - Provision of additional land to complement the existing pedestrian link in D74.
 - Opportunity to link with existing greenways on the opposite side of Waenga Drive (D77).
- (iii) The plan of subdivision shall be in general accordance with the concept plan referred to in (ii) above, subject to any amendments that result from the consultation with the Chief Executive with respect to the contents of the concept plan

Cross Reference
Policy 7.2.7,
Cromwell Maps
13, 15 & 44

Residential Resource Area (13)

Minimum Allotment Area – 600m² provided that the average allotment size is no less than 800m², the minimum allotment size for allotments with frontage to Ferry Lane is 1000m² and the minimum allotment size for allotments that abut land in the Residential Resource Area (3) is 800m²; and provided that any subdivision shall be in general accordance with the concept plan attached as Schedule 19:22.

Cross Reference
Policy 7.2.7
Pisa Moorings
Map 29

Note: For (a) to (c) above, minimum allotment areas for rear allotments are exclusive of access strips.

Council shall restrict the exercise of its discretion to the



following:

1. The provision of adequate network utility services (given the intended use of the subdivision) and in particular the location, design and construction of these services.
2. The location, design and construction of access to public roads and its adequacy for the intended use of the subdivision.
3. The provision of landscaping, including road berms.
4. Earthworks necessary to prepare the site for development occupation, and/or use.
5. Subdivisional design including the shape and arrangement of allotments to:
 - Facilitate convenient, safe, efficient and easy access.
 - Facilitate access to passive solar energy sources.
 - Facilitate the safe and efficient operation and the economic provision of roading and network utility services to secure an appropriate and co-ordinated ultimate pattern of development.
 - Maintain and enhance amenity values.
 - Facilitate adequate access to back land.
 - Protect existing water races.
6. The provision of or contribution to the open space and recreational needs of the community.
7. The provision of buffer zones adjacent to roads, network utilities or natural features.
8. The protection of important landscape features, including significant rock outcrops and escarpments.
9. Provision for pedestrian movement, including the provision of walkways.
10. The provision of esplanade strips or reserves and/or access strips.
11. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
12. Any amalgamations and easements that are appropriate.
13. The extension of the Cromwell greenway system into the Residential Resource Area (12).
14. Any other matters provided for in section 220 of the Act.
15. The provision of screening at the southern end of any residential subdivision of part Lot 2 DP 347065 to provide partial screening of future residential development from the Ranfurly Naseby Road.
16. The provision of design controls to address the scale, external design and appearance of future buildings on the block of land in the Residential Resource Area (3) that has frontage to Broom Street, Rannoch Street, Avoca Street, Oughter Street, Carrowmore Street and Lomond Street at Naseby, such design controls to be sympathetic to the heritage values of the Heritage Precinct at Naseby.
17. In the Wooing Tree Overlay Area, the provision for pedestrian and cyclist movement and linkages within and through the Wooing Tree Overlay Area, including the provision of footpaths and cycling infrastructure.

Cross Reference

See Rule

7.3.2(iii)

7.3.3(i)

(cont'd)



Note: see Section 16.7 General Standards (page 16:14) for the standards that are likely to be imposed as conditions of consent.

Any application made under this rule will generally not be notified or require the written approval of affected parties except that where a State highway is affected the written comment of Transit New Zealand will be required. Transit New Zealand has control of access where a site is adjacent to a Limited Access Road that is a State highway.

Reason

The adverse effects of subdivision can generally be overcome by appropriate conditions and standards. The minimum allotment sizes identified reflect the existing density of development in these areas. A maximum lot size has been imposed on the Residential Resource Area in the Wooing Tree Overlay Area to encourage high density development with a large amount of open space. A maximum number of residential lots has been imposed in the Residential Resource Area, in the Residential Resource Area (3) and in the Residential Resource Area (11) in the Wooing Tree Overlay Area to contain and manage growth.

(ii) **Breach of Standards**

Any activity that fails to comply with the following rules:

Policy 7.2.1,
7.2.2, 7.2.5

- | | |
|---------------------------|--|
| Rule 7.3.6(iii) | <u>Bulk and Location of Buildings</u> |
| Rule 7.3.6(iv) | <u>Maximum Coverage</u> |
| Rule 7.3.6(v) | <u>Carparking</u> |
| Rule 7.3.6(vii) | <u>Signs</u> |
| Rule 7.3.6(x) | <u>Excavation</u> |
| Rule 7.3.6(xii)(a) | <u>Acoustics : Residential Resource Area (13)</u> |
| Rule 7.3.6(xii)(b) | <u>Acoustics : Residential Resource Area, Residential Resource Area (3) and Residential Resource Area (11) in the Wooing Tree Overlay Area.</u> |

is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. The effect on amenity values of neighbouring properties in particular access to sunlight, maintenance of privacy, and the adverse effects of noise.
2. The effect on the natural character of water bodies and their margins.
3. The effect on amenity values of the neighbourhood in particular the character of the streetscape.
4. The effect on the safe and efficient operation of the roading

7.3.3(ii)
(cont'd)



- network.
5. The effect on the heritage values of the site or area, with particular regard to any heritage buildings and/or archaeological values on or adjoining the site.
 6. The effect on infrastructure.
 7. The effect on the safety of neighbours.
 8. The effect on the amenity of persons nearby as a consequence of noise generated by activities on the State highway network in the event that Rule 7.3.6(xii) is breached.

Any application made under this rule will generally not be notified where the written approval of affected persons is received.

Reason

Failure to conform with these standards has been identified as a discretionary (restricted) activity to enable assessment in terms of section 105 of the Act. Council has flexibility in terms of whether to notify any application made under these rules. In some instances discretionary (restricted) activities will only have a minor effect and do not justify notification. Applications will be processed under delegated authority where affected neighbours have given their written approval to the proposal. Applicants have greater certainty in that attention can be focused upon those matters identified for consideration. This in turn will increase efficiency in processing such applications.

(iii) **Relocatable Buildings**

The relocation of a previously used building intended for use as a dwelling (excluding previously used accessory buildings or garages) that does not comply with the standards set out in Rule 7.3.6(xi) is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following:

- The proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.
- The design and appearance of the building following reinstatement.

Any application made under this rule will generally not be notified or served where the written approval of affected persons has been obtained.

Reason

In the past Council has experienced difficulties with the completion of reinstatement works in respect of dwellings relocated to new sites. These buildings sometimes require exterior upgrading and repair and may be left on the site in an unfinished state. Consequently they can have significant adverse effect on local amenity values. Discretionary (restricted) activity status enables the Council to consider whether a delay in completing the exterior reinstatement of a particular building is

7.3.3(iii)
(cont'd)



appropriate and to impose conditions that will ensure amenity standards are maintained. Previously used accessory buildings and garages are not subject to this rule.

(iv) **Family Flat**

Accommodation for a dependent member of the household in a family flat that is in addition to an existing dwelling on a site is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the effect that the additional building may have on the amenity values of neighbouring properties and the subject property, any servicing requirements and measures necessary to ensure that the family flat remains on the site for a temporary duration.

Any application under this rule will generally not be notified where the written approval of affected persons has been obtained.

Reason

While provision for dependent household members serves a community need, consideration must be given to the effects such development may have on neighbouring property owners and services.

(v) **Keeping of Bees**

The keeping of bees is a discretionary (restricted) activity provided that:

- a) There are no more than 3 hives per property.
- b) Bee stock is to be of a gentle strain.
- c) Bee stock is to be requeened every two years.
- d) Hive/s to be sited with hive entrance/s towards a 1.8 metre fence or hedge to force bees' flight above human head height.
- e) Hive/s to be positioned in a sunny, sheltered spot.
- f) Water is available for bees on site.

*Breach:
discretionary
activity see Rule
7.3.4(i)*

Council shall restrict the exercise of its discretion to the effect on the amenity values of neighbouring properties.

Any application under this rule will generally not be notified where the written approval of the immediate neighbours has been obtained.

Reason

The keeping of bees is appropriate where they are maintained and managed to recognised standards to mitigate potential adverse effects.

(vi) **Multi-Unit Development**

- (a) More than one residential activity on site is a discretionary (restricted) activity provided a site area of 250m² per residential activity is achieved where a reticulated sewerage system is installed or available and a site area of 800m² per residential activity is achieved where a reticulated sewerage system is not installed or available

*Breach:
discretionary
activity see Rule
7.3.4(i)*



(b) More than one residential activity on a site is a discretionary (restricted) activity in the Residential Resource Area (13) provided a site area of 450m² per residential activity is achieved and provided that the site does not have frontage to Ferry Lane.

Breach:
non-complying
activity see Rule
7.3.5(v)

(c) Notwithstanding (a) above within the Residential Resource Area in the Wooing Tree Overlay Area there shall be no more than four residential activities on a site.

Breach:
discretionary
activity see Rule
7.3.4(i)

Council shall restrict the exercise of its discretion to the following matters –

1. The effect on amenity values of neighbouring properties in particular access to sunlight, maintenance of privacy, and the adverse effects of noise.
2. The effect on amenity values of the neighbourhood in particular the character of the streetscape.
3. The effect on the safe and efficient operation of the roading network and infrastructure.
4. Financial contributions.
5. Construction of access, based on standards applied when a subdivision occurs (see Standard 16.7.4).

Reason

Multi-unit developments have potential adverse effects that can be addressed through the consent process.

(vii) Relocatable Buildings

The relocation of previously used buildings for any purpose, other than for use as a dwelling (excluding previously used accessory buildings or garages), is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion in respect to the effect the building may have on the amenity values of the neighbourhood and adjoining properties including (but not limited to) the following:

1. Ensuring the buildings finish is of a reasonable standard.
2. Ensuring the building is of a character in keeping with the remainder of the neighbourhood.
3. The provision of landscaping and fencing for the purpose of screening.

7.3.3(vii)
(cont'd)

Council may exercise the bond provisions of section 108(1)(b) of the Act in respect of such activities.

Any application made under this rule will generally not be notified where the written approval of affected persons has been obtained.

Reason

In the past Council has experienced difficulties and expressions of community concern with dwellings relocated to new sites. These buildings sometimes require exterior upgrading and repair



and may be left on the site in an unfinished state. Consequently they have a significant adverse effect on local amenity values. Discretionary (restricted) activity status enables Council to consider whether a particular development is appropriate and impose conditions that will ensure amenity standards are maintained. Previously used accessory buildings and garages are not subject to this rule.

(viii) Comprehensive Residential Development in the Residential Resource Area in the Wooing Tree Overlay Area

Comprehensive Residential Development in the Residential Resource Area in the Wooing Tree Overlay Area shall be a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. Urban Design and External Appearance; and
2. The provision of access, parking, loading and manoeuvring areas associated with the building(s); and
3. Landscaping and the provision of open space; and
4. Servicing.

7.3.4 DISCRETIONARY ACTIVITIES

*Cross Reference
Policy 7.2.1*

(i) Breach of Standards

Any activity that fails to comply with the following rules:

Rule 7.3.2(i) Subdivision

Rule 7.3.2(ii) Residential Activities in Residential Resource Area (8)

Rule 7.3.2(iii) Residential Activities in Residential Resource Area (9)

Rule 7.3.2(iv) Residential Activities in Residential Resource Area (10)

Rule 7.3.2(vi) Care Centre or Community Facility (limited to a childrens educational facility) in the Residential Resource Area (11) in the Wooing Tree Overlay Area

Rule 7.3.3(i)(a) and (b) Subdivision

Rule 7.3.3(v) Keeping of Bees

Rule 7.3.3(vi)(a) and (c) Multi-Unit Development

Rule 7.3.6(i) Traffic Generation and Characteristics of Activities



Rule 7.3.6(ii) Sense of Amenity, Security and Companionship

Rule 7.3.6(vi) Access (a) to (c)

Rule 7.3.6(viii) Keeping of Animals

Rule 7.3.6(ix) Tree Planting – Residential Resource Area (8)

is a discretionary activity.

Reason

Breach of the rules listed can have significant adverse effects on the character and amenity values of the residential environment.

(ii) Subdivision of Land Subject to Hazards

Any subdivision that involves land that is subject to or potentially subject to the effects of any hazard as identified on the planning maps or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a discretionary activity.

Any application under this rule will generally not be notified but is to be accompanied by written comment obtained from a qualified professional that addresses the risk associated with the hazard within the proposed development and any remedial measures necessary to avoid, remedy or mitigate the hazard.

Reason

Subdivision of land subject to the effects of a hazard will be subject to careful consideration. See Section 16 Subdivision and Section 17 Hazards.

(iii) Travellers Accommodation

Except as provided for in Rule 7.3.5(iii) travellers accommodation is a discretionary activity.

Reason

The effects of these activities have the potential to significantly compromise residential amenity values through large buildings, generation of traffic and noise.

7.3.5 NON-COMPLYING ACTIVITIES

Cross Reference

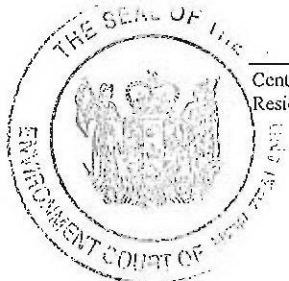
Policy 7.2.1

17.4.5

(i) Noxious Effects

Any activity that:

- (a) Disposes of waste onto land (excluding composting activities associated with normal residential gardening activities), or
- (b) Houses or involves the intensive confinement of animals (excluding the keeping of domestic animals associated with residential activities), plants or fungi (excluding domestic glasshouses), or
- (e) Stores bulk materials other than in connection with normal residential activities occurring on the site, or



- (d) Uses, stores or generates quantities of hazardous substances that exceed the limits specified in Schedule 19.14, or
- (e) Requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956, is a non-complying activity.

Reason

These activities may generate significant adverse effects that can have a major impact on residential neighbourhoods. Codes of practice and guidelines recognised by industry may be relevant to the consideration of applications. Examples include the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems 1992; Supplement No 1 Management of Existing Underground Petroleum Storage Systems, June 1995; Environmental Guideline for Above ground Bulk Tank Containment Systems; and the Australian/New Zealand Standard 1596:1997 LP Gas Storage and Handling and Supplement 1, 1994 Siting of LP Gas Automotive Outlets.

7.3.5(i)
(cont'd)

(ii) **Buildings on Land Subject to Hazards**

The erection of any building (excluding buildings and/or structures associated with network utilities) on any part of a site identified on the planning maps as being subject to a hazard or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a non-complying activity.

Reason

Locating buildings on areas of known hazard can compromise the health and safety of people and communities. Establishment of buildings in these areas would need to avoid, remedy or mitigate risk before being permitted.

(iii) **Travellers Accommodation - Residential Resource Areas (1) to (13)**

Travellers accommodation in Residential Resource Areas (1) to (13) is a non-complying activity.

Reason

These particular localities were specifically created by zones forming part of earlier planning instruments and which have the intention of achieving a certain environmental quality and density of development. The effects of travellers accommodation are not compatible with these environments.

(iv) **Subdivision – Residential Resource Areas (1) – (13)**

Subdivision of land in Residential Resource Areas (1) to (13) that is in breach of Rule 7.3.3(i)(c) is a non-complying activity.

Reason

These particular localities are subject to specific subdivision standards which establish a pattern for future subdivision and development consistent with the amenities of these areas.



Subdivision that is in breach of these stated standards has the potential to compromise the amenities of these areas.

- (v) **Multi-Unit Development – Residential Resource Area (13)**
More than one residential activity on a site in the Residential Resource Area (13) where the site area per residential activity is less than 450m² or where the site has frontage to Ferry Lane is a non-complying activity.

Reason

The Residential Resource Area (13) is subject to specific subdivision standards which establishes a particular level of amenity based on a density of development consistent with the amenity of the area. Multi-unit development inconsistent with this established subdivision density has the potential to compromise residential amenity.

- (vi) **Access – Wooing Tree Overlay Area**
Any activity that fails to comply with Rule 7.3.6(vi)(d) to (g) which relate to the Wooing Tree Overlay Area is a non-complying activity.

Cross Reference
Rule 7.3.6(vi)(d) to (g)

7.3.6 **STANDARDS**

The following standards relate specifically to activities which occur within the Residential Resource Area. There are other rules and standards contained in Sections 11, 12, 13, 14, 15 and 16 of this Plan which may also apply to activities which occur in the Residential Resource Area.

Cross Reference
Policy 7.2.1 to 7.2.6

- (i) **Traffic Generation and Characteristics of Activities**
- (a) No activity shall attract vehicles to the site for the purpose of refuelling, servicing, maintaining and/or storing those vehicles.
 - (b) No activity shall involve the retailing of goods and services except as provided for by the definition of home occupation and in association with temporary activities as defined.
 - (c) No activity shall involve the attraction of the public to the site for any public or private assembly provided this does not apply to the use of reserves or open public space; gatherings associated with normal residential activities; and temporary activities as defined.

Breach:
discretionary activity see Rule 7.3.4(i)

Reason

The generation of high levels of traffic including heavy trade vehicles has significant adverse effects on amenity values of residential areas particularly in terms of noise levels, visual impacts and the safe and efficient operation of residential streets. The traffic generating effects of these activities are greater than existing community facilities because they generate a consistent flow of traffic at far greater volumes.



(ii) **Sense of Amenity, Security and Companionship**

All land use activities shall be associated with the use of the site for residential purposes unless that activity is provided for in terms of Rules 7.3.1(ii) or 7.3.2(v).

Breach:
discretionary
activity see Rule
7.3.4(i)

Reason

A sense of amenity, security and companionship can be lost when premises are dormant at those times when neighbours are present. The requirement to have associated residential activity is to avoid such loss and to contribute to the cohesion of residential areas.

(iii) **Bulk and Location of Buildings**

The minimum separation distances from boundaries required and the maximum height permitted shall be as follows:

Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)

(a) **Yards adjacent to the margin of a lake**

Where any site has a boundary adjacent to the margin of a lake, a 15 metre yard shall be applied to that boundary.

(b) **Front Yards**

A minimum front yard of 4.5 metres provided that:

- (i) A garage or carport either freestanding or structurally forming part of or attached to the principal building on the site may be erected in the front yard where:-
1. The garage or carport does not occupy more than 50% of the street frontage or 7.5 metres which ever is the lesser.
 2. The garage or carport is setback a minimum of 1.5 metres from the street boundary and a minimum of 4.5 metres from an intersection. Where a site has a curved boundary at the intersection, the intersection shall be deemed to be a point defined by planes that continue the line of the front boundaries of the site that exist beyond the curve.
 3. Written consent of the immediate adjoining owner is received and submitted to Council with the building consent application if the garage or carport is located within any space that forms a continuation of the side yard.
 4. The location of the garage or carport does not adversely effect the safe and efficient operation of the adjoining road.

Provided that this rule does not apply in Residential Resource Areas (1), (2), (6) and (7).

- (ii) A minimum front yard of 7 metres is required in Residential Resource Areas (1), (2), (6), (7) and (9).

(iii) A minimum front yard of 3 metres is required in the Residential Resource Area in the Wooing Tree



Overlay Area.

Note: See also Rule 7.3.6(iii)(d) for yards adjacent to road boundaries in Residential Resource Areas (6) and (9).

- (iv) Where the intersection of roads change the angle of such roads by more than 45 degrees no fence, boundary wall or retaining wall in excess of 1 metre in height above road level shall be erected in the triangle of land within 4.5 metres of the intersection. Where a site has a curved boundary at the intersection, the intersection shall be deemed to be a point defined by the planes that continue the line of the front boundaries of the site that exist beyond the curve.

Note: See also Rule 7.3.6(iii)(d) and Rule 12.7.7

(c) **Side and Rear yards**

Minimum rear yard of 3.0 metres and minimum side yards of one of 3.0 metres and one of 1.8 metres provided that:

- (i) An accessory building or a garage or carport either freestanding or structurally forming part of or attached to the principal building on the site may be erected in the side or rear yards where:-
1. 3.0 metres unobstructed access to the rear of the site is provided on at least one side yard.
 2. The length of the building or buildings within the yard does not exceed 10 metres in total length adjacent to any one boundary.
 3. The height of the building within the yard does not exceed a maximum of 2.7 metres at the boundary or encroach into the plane referred to in (f)(1)(ii) below if the plane is extended from the minimum side or rear yard to the boundary.
 4. Written consent of adjoining owners is received and submitted to Council with the building consent application.
- (ii) Minimum side yards of 3 metres are required on all side yards in Residential Resource Areas (1) to (7) and (9).
- (iii) Minimum side yards of 1.8 metres are required on all side and rear yards in the Residential Resource Area in the Wooring Tree Overlay Area, unless the development is a comprehensive residential development under Rule 7.3.3(viii) and buildings are adjoined by a common wall in which case no side yard is required.



~~(iv) A minimum yard of 15 metres is required in the Residential Resource Area (3) in the Wooing Tree Overlay Area where a site adjoins the north-eastern boundary (being with the Residential Resource Area (6)) of the Wooing Tree Overlay Area.~~

(iv) A minimum yard of ~~5~~ 10 metres is required in the Residential Resource Area (3) in the Wooing Tree Overlay Area where a site adjoins Shortcut Road, provided that:

(i) No building shall be located within this minimum yard, with the exception of one garden shed per site measuring no more than 6m² floor area and 2 metres in height with exterior walls finished in the colour range of browns, dark greens and greys.

(ii) No fence exceeding a height of 1.2 metres shall be erected within this minimum yard.

(d) Yards adjacent to Road Boundaries

(i) A minimum yard of 6 metres shall be required to road boundaries in Residential Resource Area (9).

(ii) A minimum yard of 30 metres shall be required to State highways in Residential Resource Area (6).

(e) Determination of Yards

For the purposes of determining yards on a site, the following shall be complied with –

(i) Front site of generally rectangular shape

The front, side and rear yards shall be as defined.

(ii) Rear site of generally rectangular shape

Two rear yards and two side yards shall apply to boundaries nominated by the owner other than the access strip.

(iii) Corner and through sites

Where a front site has more than one road frontage the following shall apply –

A front yard to each road frontage, a rear yard to one boundary to be nominated by the owner; and a side yard to the remaining boundary. In each case the rear and side yard shall not include that part of the site that is included in the front yard.

(iv) Triangular Shapes

Where a triangular shaped site exists with converging side boundaries the following shall apply–

A front yard to the road frontage, a rear yard encompassed by an arc of a 9 metre radius drawn

7.3.6(iii)(e)
(iii)



with its centre at the intersection of the side boundaries, and side yards to each side boundary.

(v) Sites of Irregular Shape

For any site of irregular shape not described in this rule the Council shall determine the required front, side and rear yards having regard to the particular characteristics of the site.

(f) Height

(1) Normal Standard

Except on land identified in (2), (3) and (5) below and as set out in (c) above for accessory buildings, the maximum height of all buildings shall be as follows:

- (i) Along the line of the 1.8 metre side yard, no part of any building shall exceed 3.6 metres and along the line of the 3.0 metre side or rear yard, no part of any building shall exceed 4.2 metres, as measured from the natural ground level prior to any excavation or filling of the site, averaged between the extremities of the building foundations adjacent to the yard under consideration, provided that the apex of a single gable end of a building may have a maximum height of 6 metres.
- (ii) Beyond the line of the minimum side and rear yard, no part of any building shall exceed the height determined by an inclined plane and originating from the height determined in (i) above and inclined upwards at an angle of 25° to the horizontal provided that the apex of a single gable end may protrude through any plane to a height not greater than that permitted in (i) above and provided further that the maximum height of any building that is contained within the recession plane shall not exceed 7.5 metres.

Note: Application of this rule is illustrated in Figures 7.1 – 7.3 presented on pages 7:32 and 7:33

- (iii) The maximum height in the Residential Resource Area (8) shall be 5 metres.

(2) Sloping Sites

On sloping sites that exceed 6 degrees (ie greater than 1 in 9.5) and those areas identified as R* on the planning maps the maximum height of all buildings shall be as follows -

- (i) 5 metres - within 4.5 metres of a front, side or rear boundary.
- (ii) 7 metres - beyond 4.5 metres of a front, side or rear boundary.

where the maximum height shall be the actual height of a building vertically above any given point and measured from the natural ground level.

(3) Residential Resource Area (10)



Within Residential Resource Area (10) maximum height is 7 metres. The maximum height shall be the actual height of the building vertically above any given point and measured from the natural ground level.

(4) Residential Resource Area (13)

Any building located within the Residential Resource Area (13) on the terrace riser depicted as Lots 13-30 on the concept plan in Schedule 19:22 shall not exceed a height of 3 metres above the terrace edge above the terrace riser, as measured from the northwest (resource area) boundary of the land concerned.

(5) Residential Resource Area in the Wooing Tree Overlay Area
For comprehensive residential development under Rule 7.3.3(viii) in the Residential Resource Area in the Wooing Tree Overlay Area no recession plane applies for buildings which are adjoined by a common wall.

Reason

Separation and height controls maintain and enhance amenity values of the residential area. They also assist in reducing the impact on neighbouring properties access to sunlight and privacy.

The variance in yard standards reflects the differing amenity standards found within the Districts residential areas.

(iv) Maximum Coverage

The maximum site coverage by the principal building and accessory buildings (including garages and carports) shall be 40%; **except within the Residential Resource Area in the Wooing Tree Overlay Area where the maximum site coverage shall be 80%.**

Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)

Reason

Open space is essential to the maintenance of amenity values in residential areas and providing for the outdoor living requirements of residents. A maximum site coverage is considered to be the most practicable way of providing for this. **An exception has been provided for in the Residential Resource Area in the Wooing Tree Overlay Area due to special density controls including a maximum residential lot size and maximum number of residential lots. This ensures that a significant proportion of the Residential Resource Area in the Wooing Tree Overlay Area will be retained in open space.**

(v) Carparking

A minimum of one carpark space per household unit shall be provided on site provided that an additional carpark shall be required in association with home occupations.

Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)

Reason

The provision of on-site carparking maintains amenity values and the safe and efficient operation of residential streets.



(vi) Access

- (a) No vehicle access is permitted directly on to State Highways 6 and 8B from land within Residential Resource Area (6) and Residential Resource Area (3).
- (b) Any vehicle access from Shortcut Road to land within Residential Resource Area (6) shall be located at least 30 metres from State Highways 6 and 8B.
- (c) Any vehicle access to land within the Residential Resource Area (6) south of Roxburgh shall be located in the positions shown as A and B on the concept plan attached as Schedule 19.18.
- (d) No vehicle access is permitted from the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area to a State Highway except:
- (i) Within 10 years of Plan Change 12 becoming operative via a single lane roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue.
- (ii) After 10 years of Plan Change 12 becoming operative via a roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue (which may or may not require the roundabout to be double-lane).
- (e) No new development (other than a new temporary access from the existing Wooing Tree Tasting Room to Shortcut Road or internally within the property to a new road to access Shortcut Road) west of and including the Business Resource Area (2) in the Wooing Tree Overlay Area shall be permitted until the roundabout referred to in Rule 7.3.6 (vi)(d) and a pedestrian/cyclist underpass incorporated into the western side of the roundabout across State Highway 8B (unless such location on the west side is found to be impracticable in which case the underpass is to be provided on the eastern side of the roundabout) are completed and operational. Development that is permitted to occur shall be designed to connect to the roundabout referred to in Rule 7.3.6(vi)(d) as the primary access to State Highway 8B once the roundabout is completed and operational.
- (f) Legal road access shall be included in the design of subdivision in the Wooing Tree Overlay Area so that Shortcut Road connects via the internal roading network to the roundabout referred to in Rule 7.3.6 (vi)(d). This access shall have its access point on Shortcut Road positioned at least 60 metres but no more than 140 metres from the Shortcut Road intersection with State Highway 8B.
- (g) No residential lots in the Wooing Tree Overlay Area shall have direct access onto Shortcut Road.

*Breach (a) to (c):
discretionary
activity see Rule
7.3.4(i)*

*Breach (d) to (g):
non-complying
activity see Rule
7.3.5(vi)*

Reason



Development in these areas must not effect the safe and efficient operation of the State highway network.

(vii) **Signs**

Except as provided for in Rule 12.7.5(i) of this plan, signs shall be limited to the following:

- (a) Only one sign may be erected on a property and that sign must relate to the property upon which it is erected.
- (b) The sign shall not exceed 0.5m² in area.
- (c) The sign shall not be illuminated or utilise reflective materials.
- (d) The sign shall be fixed and shall not move.
- (e) The sign shall not obscure driver visibility to and from access ways.

Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)

Reason

Signs can have a significant adverse effect on the amenity values of residential areas. These standards will mitigate those effects.

(viii) **Keeping of Animals**

The keeping of animals on a property is limited to small domestic animals provided that:

- (a) No pigs are permitted to be kept.
- (b) The numbers of domestic fowls do not exceed 12 and no roosters are permitted to be kept.
- (c) Horse, sheep or goats may graze vacant residential sites.
- (d) The activity is conducted so that it does not create a nuisance to the occupants of adjoining or nearby properties.

Breach:
discretionary
activity
see Rule 7.3.4(i)

Reason

The keeping of animals can have significant adverse effects such as noise, smell and the creation of other nuisances.

(ix) **Tree Planting – Residential Resource Area (8)**

There shall be no planting of evergreen trees with dark green, blue or gold foliage (ie conifers) in particular species from the pinus genus, or any species with wilding spread and self seeding capabilities in the Residential Resource Area (8).

Breach:
discretionary
activity see Rule
7.3.4(i)

Reason

The Residential Resource Area (8) is a visually sensitive location. Evergreen trees (specified above) along with the wilding spread of self seeding trees are not in keeping with the amenities of this locality. Wilding spread of self seeding trees may also add to a fire risk.

(x) **Excavation**

Any extraction of material shall not exceed 1 metre in depth within 2 metres of any site boundary.

Breach:
discretionary
(restricted)
activity see Rule
7.3.3(ii)

Reason



Significant excavation in the context of the Residential Resource Area can adversely effect amenities and the safety of the neighbours.

(xi) **Relocatable Dwellings**

- (a) Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.
- (b) A building inspection report shall accompany the application for a building consent. That report is to identify all reinstatement works that are to be completed to the exterior of the building.
- (c) All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.
- (d) The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six month period.

*Breach:
discretionary
(restricted)
activity see Rule
7.3.3(vii)*

Reason

*Non-residential buildings in a residential area can have an adverse effect on amenity values.
Incompletely reinstated relocated buildings can have an adverse effect on the amenity values of residential areas.*

(xii) **(a) Acoustics : Residential Resource Area (13)**

New residential buildings located in the Residential Resource Area (13) within 80m of the seal edge of State Highway 6 shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 6 that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

*Breach:
Discretionary
(restricted)
activity see Rule
7.3.3(ii)*

This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

(b) Acoustics: Residential Resource Area, Residential Resource Area (3) and Residential Resource Area (11) in the Wooing Tree Overlay Area

New residential buildings located in the Residential Resource Area, the Residential Resource Area (3) and the Residential Resource Area (11) in the Wooing Tree Overlay Area within 80m of the seal edge of State Highway 6 or 8B shall be designed and constructed to meet noise performance standards for noise from



traffic on State Highway 6 or 8B that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

Reason

Reverse sensitivity effects arise where noise sensitive activities such as residential dwellings are located either adjacent to, or in close proximity to State Highways.



Figure 7.1 – Height Control (see Rule 7.3.6(iii)(f))

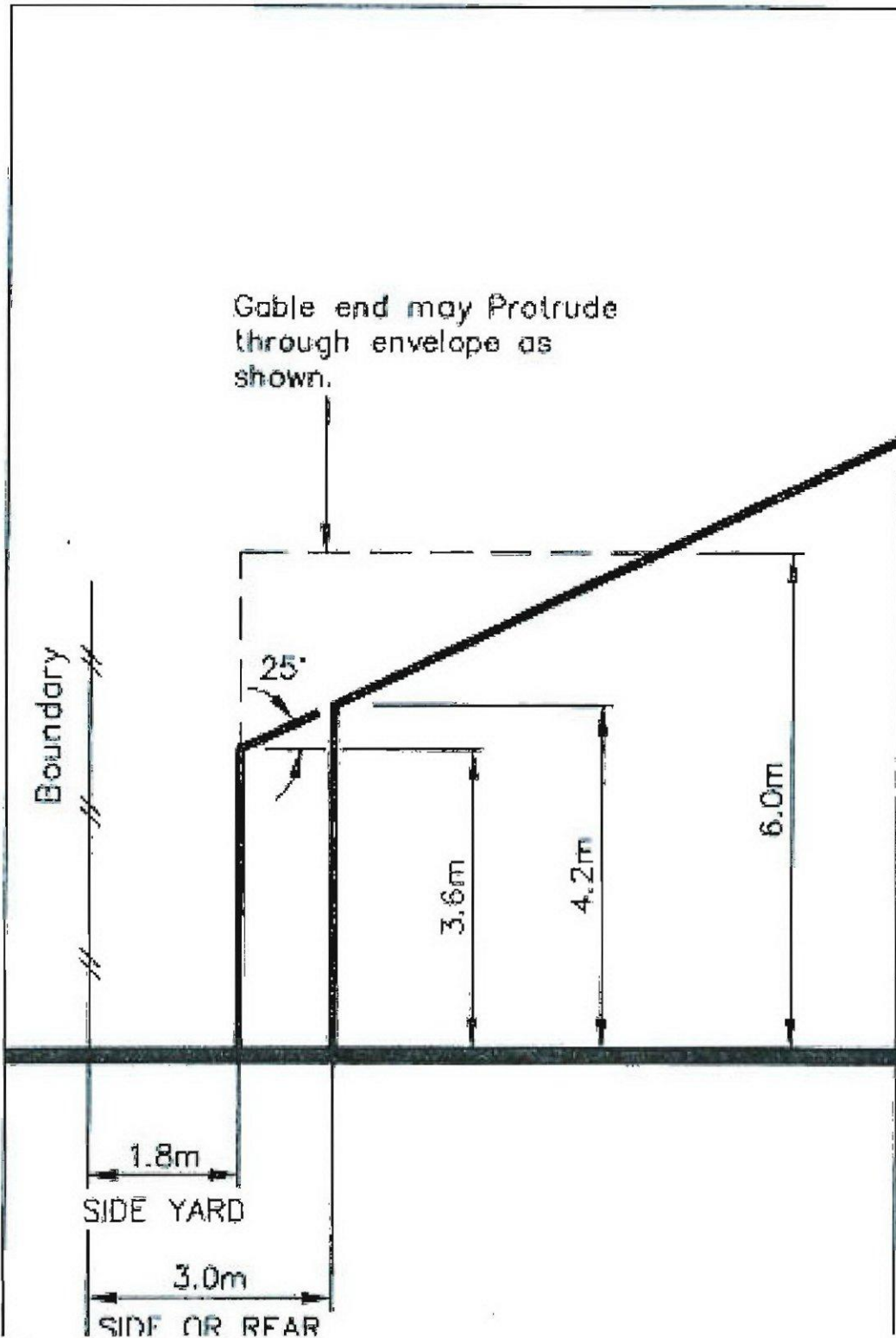


Figure 7.2 – Height Control in Operation

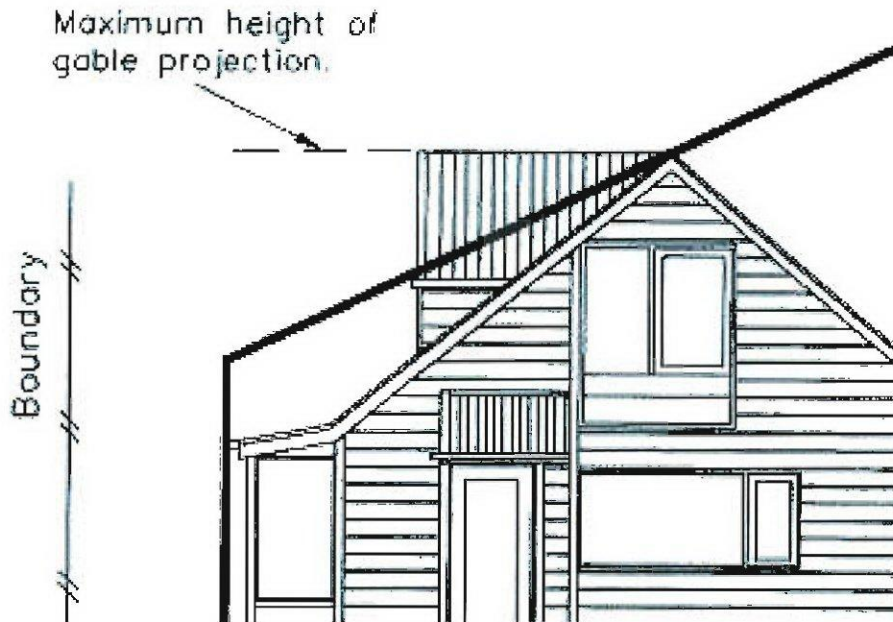
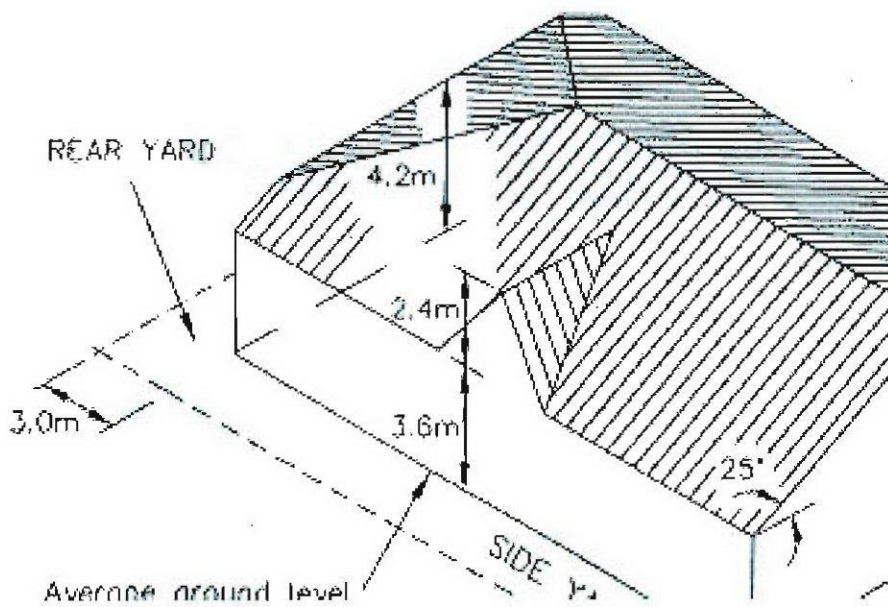


Figure 7.3 – Sketch of Height Control Construction



SECTION 8: BUSINESS RESOURCE AREA

Note: Refer to Section 6 for Issues, Methods of Implementation, and Environmental Results Anticipated.

8.1 OBJECTIVES

The objectives contained in this section are specific to the Business Resource Area. The objectives contained in the following sections, particularly Section 6, are also relevant to the subdivision, use, development and protection of land in the Business Resource Area:

- Section 3.3 (Manawhenua)
- Section 6.3 (Urban Areas)
- Section 11.2 (Heritage Precincts)
- Section 12.3 (District Wide Issues)
- Section 13.3 (Infrastructure, Energy and Utilities)
- Section 14.3 (Heritage)
- Section 15.3 (Financial Contributions)
- Section 16.3 (Subdivision)
- Section 17.3 (Hazards)

8.1.1 Objective - Community Focal Points

To maintain the business areas of the District's urban areas as focal points for the community

Cross Reference
Issues 6.2.1, 6.2.5, 6.2.7
Policies 6.4.1, 8.2.1,
Methods 6.5.3, 6.5.4

8.1.2 Objective - Safe and Convenient Business Areas

To ensure that the business areas are safe and convenient areas to visit and conduct business within.

Cross Reference
Issues 6.2.1, 6.2.5, 6.2.7
Policies 6.5.5, 8.2.3, 8.2.5, 8.2.6

8.1.3 Objective - Environmental Quality

To maintain and enhance the environmental quality of the business areas to ensure they remain pleasant places to visit and work.

Cross Reference
Issues 6.2.1, 6.2.5, 6.2.7
Policies 8.2.2 to 8.2.6



8.2 POLICIES

The policies contained in this section are specific to the Business Resource Area. The policies contained in the following sections are also relevant to the subdivision, use, development and protection of land in the Business Resource Area:

- Section 3.4 (Manawhenua)
- Section 6.4 (Urban Areas)
- Section 11.3 (Heritage Precincts)
- Section 12.4 (District Wide Issues)
- Section 13.4 (Infrastructure, Energy and Utilities)
- Section 14.4 (Heritage)
- Section 15.4 (Financial Contributions)
- Section 16.4 (Subdivision)
- Section 17.4 (Hazards)

8.2.1 Policy - Provision for a Variety of Activities

To enable the development of a wide range of activities within the Business Resource Area provided significant adverse effects are avoided, remedied or mitigated.

Cross Reference
Objectives 8.1.1,
8.1.2
Rules 8.3.1,
8.3.2(ii)

Explanation

Historically, activities in town centres have been restricted to commercial activities. The Resource Management Act, however, is an enabling statute which requires the consideration of the effects of activities, rather than the activities themselves. Provided the special characteristics of these areas are protected and adverse effects are avoided, remedied or mitigated, diversity is an essential element in creating attractive and convenient business areas.

8.2.2 Policy - Visual Amenities

To ensure the visual amenity values of the Business Resource Areas are maintained and enhanced and to avoid, remedy or mitigate any adverse visual effects on the environment through :

Cross Reference
Objective 8.1.3
Rules 8.3.2(i)
8.3.6

- (a) Retaining a continuity in building heights.
- (b) Ensuring the design, dimension and location of signs is not visually obtrusive.
- (c) Retaining a common design theme of building facades in selected areas.
- (d) Mitigating the harsh, stark appearance of large areas of hard standing surface by requiring landscaping.
- (e) Requiring that cables be installed underground where practicable.
- (f) Maintaining a continuity of frontage in selected areas.

Explanation

Visual amenity values are important to the cohesion and attractiveness of the District's business areas. The performance standards that have been adopted to implement this policy will ensure visual amenity values are protected. Some Business Resource Areas may also be subject to heritage precincts and controls on the erection of new buildings to ensure heritage



values are protected. (see Section 11).

8.2.3 Policy - Safe and Convenient Environment

To maintain a safe and convenient environment for pedestrians and motorists alike by:

- (a) Providing for off-street parking in association with developments that generate significant volumes of traffic or where this is not practical, requiring a financial contribution towards the provision of public parking facilities.
- (b) Providing safe and efficient access.
- (c) Providing for off-road loading and manoeuvring facilities on selected road frontages.
- (d) Ensuring that the planting and siting of vegetation and other structures maintains motorist and pedestrian safety.
- (e) Providing for verandahs on identified road frontages.

Cross Reference
Objective 8.1.2
Rules 8.3.4
8.3.6

Explanation

Business areas are the most intensively used areas of the District and therefore safety and convenience is important. This is particularly so in business areas that straddle busy transportation routes. A compact, convenient business area also promotes energy efficiency by reducing the number of vehicle trips between residential areas and commercial activities.

8.2.4 Policy - Mitigation of Effects on Residential Resource Areas

To ensure that the adverse effects that activities carried out within the Business Resource Area can potentially have on activities in neighbouring Residential Resource Areas are avoided, remedied or mitigated by:

- (a) Ensuring appropriate separation distances are provided.
- (b) Providing appropriate landscaping.
- (c) Ensuring noise levels are acceptable.
- (d) Avoiding the visual intrusion of signs.

Cross Reference
Objective 6.3.1
Rule 8.3.6

Explanation

Amenity values differ greatly between Residential and Business Resource Areas. Residential character can be compromised by activities occurring within adjoining business areas. Implementation of this policy will ensure adverse effects are kept to a minimum.

8.2.5 Policy - Noxious Effects

To avoid noxious, dangerous, offensive or objectionable effects of activities by restricting activities that have the potential to generate such effects in circumstances where they cannot be adequately avoided, remedied or mitigated.

Cross Reference
Objective 8.1.3
Rule 8.3.5



Explanation

Some activities have effects that are potentially noxious and/or dangerous. If such effects cannot be adequately avoided, remedied or mitigated, they will not be permitted in the Business Resource Area.

8.2.6 Policy - Generation of High Vehicle Movements

To ensure that activities which generate high numbers of vehicle movements are designed and located to :

- (a) Maintain the safe and efficient operation of the roading network, and
- (b) Avoid, remedy or mitigate significant adverse effects on the amenity values of the adjoining area that may provide part of the environmental context.

Cross Reference
Objectives 8.1.2,
8.1.3
Method 6.5.5
Rules 8.3.2(v),
8.3.6

Explanation

While all activities within the Business Areas are designed to attract people, most do not attract vehicles directly to the site but rely on pedestrian traffic originating from designated parking areas. Some activities such as large scale retail outlets and service stations attract a steady and continuous flow of vehicles turning out of and into the main traffic stream. The location of these types of activities can have a detrimental impact on the operation of the roading network, and can also adversely affect the amenity values of adjoining properties and neighbouring residential areas.

8.2.7 Policy - Cromwell Business Area

To provide for the development of large scale commercial activities in Cromwell while preserving the unique amenity values of the Cromwell Mall.

Cross Reference
Objectives 6.3.2,
8.1.1, 8.1.3
Rules 8.3.2,
8.3.6(i)

8.2.8 Policy – Wooing Tree Overlay Area - Business Resource Area
(2)

To provide for the development of high quality travellers accommodation with associated tourist oriented “vineyard village” themed retail and commercial activities in a manner that complements other business activities in Cromwell.

Explanation

Cromwell is unique in the context of Central Otago in that there are **three** distinctly different business environments within the town. The Cromwell Mall provides small scale shopping and office accommodation in a pedestrian environment, while the adjoining business area provides for large retail activities and service type commercial uses and the Wooing Tree Overlay Area provides for high quality travellers accommodation with associated tourist oriented “vineyard village” themed retail and commercial activities. This longstanding distinction has created **three** business areas with different amenity values which must be recognised in the future management of the town. Elsewhere in the district’s business areas a wide range of activities are provided for, including large scale and other forms of commercial activities.



8.3 RULES

Note: In considering a resource consent application under rules in this Plan, in the absence of specific policy in this Plan the Council may have regard to other policies related to assessment matters, including relevant policies in the Regional Policy Statement for Otago, and regional plans.

See also Sections 3, 11 and 14 – Manawhenua, Heritage Precincts and Heritage Buildings, Places, Sites, Objects and Trees.

8.3.1 PERMITTED ACTIVITIES

(i) Compliance with Standards

Any activity that is not listed as either a controlled, discretionary (restricted), discretionary, or non-complying activity and that complies with the rules and standards set out in Sections 11 to 15 of this Plan and the standards set out in Rule 8.3.6 is a permitted activity.

Cross Reference
Objectives 8.1.1,
8.1.2
Policy 8.2.1

Reason

Activities that comply with the standards set out in Rule 8.3.6 and that are not listed below are activities that maintain and enhance the amenity values of these areas. The standards contained in Section 8.3.6 address the following:

1. *Minimum or maximum shop area (BA(1) and (2) land only)*
2. *Bulk and location of buildings*
3. *Verandahs*
4. *Signs*
5. *Parking*
6. *Outdoor storage*
7. *Landscaping*
8. *Fencing*
9. *Lightspill*
10. *Access to the Business Resource Area (2) in the Wooing Tree Overlay Area*
11. *Maximum Total Floor Space in the Business Resource Area (2) in the Wooing Tree Overlay Area*

Note: Sections 11 to 15 contain a number of general rules that apply across the District. Section 11 contains rules relating to the heritage precincts identified on the planning maps. These rules are an overlay to the rules contained in this section. Section 12 addresses access, parking, noise, signs and lightspill. Section 13 deals with the development of infrastructure, energy production facilities and utilities. Section 14 addresses general heritage issues. Section 15 deals with matters relating to financial contributions. Section 16 that relates to subdivision and Section 17 that relates to hazards contain general provisions to complement Resource Area rules. Section 18 contains the definitions of terms used throughout this Plan.

(ii) Scheduled Activities and Existing Community Facilities

Any scheduled activity identified in Clause 19.3.1 of Schedule 19.3 and identified as a scheduled activity on the planning maps and any other community facility lawfully established prior to notification of this plan is a permitted activity.



Reason

See reference at Section 1.2.9 of this Plan (page 1:12).

(iii) Business Resource Area (2) in the Wooing Tree Overlay Area

- (a) In the Business Resource Area (2) in the Wooing Tree Overlay Area all travellers accommodation shall be a permitted activity.
- (b) In the Business Resource Area (2) in the Wooing Tree Overlay Area the following shops for the purpose of tourist oriented "vineyard village" themed retail and commercial activities (with provision for a convenience grocery store to serve the local community) shall be a permitted activity:
 - (i) Shop (as defined) floor space limited to the following activities:
 - (a) Convenience grocery store (which may incorporate takeaway food services), specialised food retailing (including retail associated with on-site production), cafes, and restaurants;
 - (b) Camera (parts and accessory), souvenir, art gallery and craft good retailing, including retailing associated with on-site production;
 - (c) Sale of liquor – including cellar doors - with primarily a local product or tourist focus, bars and retail associated with on-site liquor production;
 - (d) Hairdressing and beauty services, florist and suit hire associated with function/wedding centre and travellers accommodation;
 - (e) Fruit and vegetable including:
 - 1. fresh fruit and vegetables whether grown on the property or not.
 - 2. processed fruit and vegetable products, including dried fruit and vegetables, jam, sauces, preserves, juices and other cold drinks (excluding alcoholic beverages).
 - 3. nuts, honey and eggs.
 - (f) Clothing, pottery, glass, metal or textile product, jewellery and personal accessories retailing – primarily with a local/regional product or tourist focus, including retail associated with on-site production;
 - (g) Goods and equipment rental and hiring (with associated accessory retailing) – limited to bike rental, water sports equipment hire, snow sports equipment hire only;
 - (h) Tourism activity booking and information services– with primarily a local/regional product focus.



- (c) In the Business Resource Area (2) in the Wooing Tree Overlay Area the following other activities for the purpose of a function/wedding centre and tourism related activities shall be a permitted activity:
- (i) Other floor space limited to the following activities:
- (a) Function and/or wedding centre and associated activities such as catering services, celebrant services, wedding organisers and wedding chapel operation;
 - (b) Scenic and sightseeing transport;
 - (c) Professional photographic services;
 - (d) Cultural or heritage displays and exhibits;
 - (e) Tourist related recreation activities;
 - (f) Administrative services associated with any permitted activity.

Reason

The Business Resource Area (2) in the Wooing Tree Overlay Area has the express purpose of enabling tourist oriented "vineyard village" themed retail commercial activities (with provision for a convenience grocery store to serve the local community) and a function/wedding centre and tourism related (including service) activities. These permitted activity rules (in combination with other rules) ensure those activities are enabled without having an adverse effect on other business activities in the Cromwell area. It is noted that the maximum floor space in the Business Resource Area (2) is managed by Rule 8.3.6(xiii).

8.3.2 CONTROLLED ACTIVITIES

(i) **Building Facades**

The erection of new buildings and alterations to the exterior of existing buildings requiring a building consent on those road frontages identified on the planning maps with the notation "Building Facades" that complies with the standards set out in 8.3.6 shall be a controlled activity.

Council shall exercise its control in respect of the buildings design, appearance, colour and materials of construction and how they complement the existing built environment of the Business Resource Area. Visually obtrusive buildings that do not complement the existing built environment may be subject to conditions relating to these matters.

Any application under this rule will generally not be notified or require the written consent of affected persons.

Reason

To maintain and enhance the amenity values and to retain the dominant theme of these areas, facades of buildings erected in these areas must complement the existing streetscape.

Cross Reference
Objective 8.1.3
Policy 8.2.2

Breach:
*discretionary
(restricted)
activity see Rule
8.3.3*



(ii) **Subdivision**

Subdivision shall be a controlled activity.

Cross Reference
Objectives 8.1.2,
8.1.3
Policy 8.2.1

Council shall exercise its control in respect of the following matters:

1. Subdivisional design including the shape and arrangement of allotments to:
 - Facilitate convenient, safe and efficient access.
 - Maintain and enhance amenity values of the Business Resource Area.
 - Maintain and enhance the safety and convenience of pedestrians and motorists.
 - Comply with any concept plan.
 - **In the Wooing Tree Overlay Area, the provision for pedestrian and cyclist movement and linkages within and through the Wooing Tree Overlay Area, including the provision of footpaths and cycling infrastructure.**

2. With respect to unreticulated areas, the size of the allotment and its ability to effectively dispose of effluent within the site.

Note: This may involve consents from the Otago Regional Council.

3. The location, design and construction of access and its adequacy for the intended use of the subdivision.
4. The provision of or contribution to public open space values of the Business Resource Area.
5. The provision of adequate network utility services (given the intended use of the subdivision) and in particular the location, design and construction of these services.
6. The provision of service lanes.
7. The provision of buffer zones adjacent to roads, network utilities (including the National Grid) or natural features.
8. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.

8.3.2(ii)
(cont'd)

9. Any amalgamations and easements that are appropriate.
10. Any other matters provided for in section 220 of the Act.

Prior to an application for subdivision consent being made that will create allotments within the Business Resource Area (1) at Alexandra the landowner shall prepare a concept plan which provides for the following, to the extent that this is relevant to the land concerned:

- Provision for a properly formed intersection to State highway 8 and linkages to existing and future roads.
- Connection with designation D6.
- Provision for planting in berms.
- Separation distances from existing Transpower high voltage lines and pylons.

The concept plan shall be prepared in consultation with the NZ Transport Agency and Transpower New Zealand Limited.

The plan of subdivision shall be in general accordance with the concept plan, subject to any amendments that result from



consultation with the Chief Executive with respect to the contents of the concept plan.

Note: see Section 16.7 General Standards (pg 16:14) for the standards that are likely to be imposed as conditions of consent.

Any application under this rule will generally not be notified or require the written approval of affected persons except where a State highway is affected the written approval of NZ Transport Agency will be required and/or where a transmission line forming part of the National Grid is affected the written approval of Transpower New Zealand Limited will be required..

Reason

The adverse effects of subdivision can generally be overcome by appropriate conditions and standards. Provided these are met, consent cannot be refused under controlled activity status.

(iii) Scheduled Activities and Existing Community Facilities

Any extension, upgrade or expansion that changes the character or increases the intensity or scale of the effects of a use that has status as a scheduled activity identified in Clause 19.3.1 of Schedule 19.3 and identified as a scheduled activity on the planning maps or any other community facility lawfully established prior to the notification of this plan is a controlled activity.

Council shall restrict the exercise of its control to the following matters:

1. The provision of access, parking, loading and manoeuvring areas.
2. The size, design and location of any signs.
3. Methods to avoid, remedy or mitigate effects on existing activities including the provision of screening, landscaping and noise control.
4. The design and colour of buildings.
5. Impact on landscape values.

Any application made under this rule will generally not be notified where the written consent of affected parties is received.

(iv) Vehicle Oriented Activity in the Business Resource Area and the Business Resource Area (1) (excluding the Business Resource Area (2) in the Wooing Tree Overlay Area).

Any activity within the Business Resource Area and the Business Resource Area (1) (and not in the Business Resource Area (2) in the Wooing Tree Overlay Area) that has the effect of:

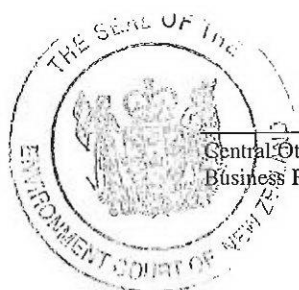
- (i) Attracting vehicles to the site for the purpose of refuelling, servicing, maintaining and/or storing those vehicles, or
- (ii) Providing 10 or more parking spaces on site, is a controlled activity.

Council shall restrict the exercise of its control to the following matters:

8.3.2(iii)
(cont'd)

Cross Reference
Objective 8.1.2
Policies 8.2.3,
8.2.6

Breach:
Non-complying
activity see Rule
8.3.5(iii)



1. The provision of access, parking, loading and manoeuvring areas.
2. Methods to avoid, remedy or mitigate effects on existing activities including the provision of screening, landscaping and noise control.

Reason

These activities generate a high level of traffic turning out of and into the main traffic stream. Inappropriate site location and design can have a significant effect on the safety and efficiency of the roading network and general amenity values of the Business Resource Area.

8.3.3 DISCRETIONARY (RESTRICTED) ACTIVITIES

*Cross Reference
Objective 8.1.3
Policies 8.2.2,
8.2.3, 8.2.4*

(i) Breach of Standards

Any activity that fails to comply with the standards set out in Rule 8.3.6(ii) – (xi) shall be a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. The effect on the visual character of the Business Resource Area.
2. The effect on the safe and efficient operation of roads.
3. The effect on the safety and convenience of the public utilising the Business Resource Area.
4. The effect on the amenity values of neighbouring Residential Resource Areas.

Any application made under this rule will generally not be notified if the written approval of affected persons is received.

Reason

Failure to conform with these standards has been identified as a discretionary (restricted) activity to enable assessment of these activities in terms of section 105 of the Act. Council has a discretion whether to notify any application made under these rules. In some instances discretionary (restricted) activities will only have a minor effect and do not justify notification.

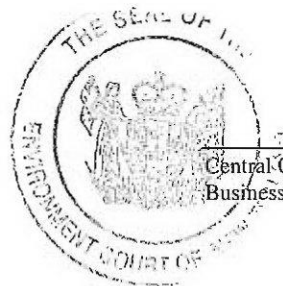
Applications will be processed under delegated authority where affected neighbours have given their written consent to the proposal. Applicants have greater certainty in that attention can be focused upon those matters identified for consideration. This in turn will increase efficiency in processing such applications.

(ii) Buildings in the Business Resource Area (2) in the Wooing Tree Overlay Area

All buildings in the in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

- (i) Urban Design and External Appearance; and
- (ii) The provision of access, parking, loading and manoeuvring areas associated with the building; and



- (iii) Landscaping; and
- (iv) Servicing

Reason

The Business Resource Area (2) in the Wooing Tree Overlay Area is a new greenfield commercial area aimed at enabling high quality travellers accommodation with associated tourist oriented "vineyard village" themed retail and commercial activities. Being a greenfield area it is appropriate to control the nature, scale and look of buildings to ensure the sustainability of high quality development which will appeal to visitors and the wider community.

(iii) Expansion of Wooing Tree Tasting Room and Wedding Venue activities in the Business Resource Area (2) in the Wooing Tree Overlay Area

Notwithstanding Rule 8.3.1(iii) above, any expansion of the Wooing Tree Tasting Room and Wedding Venue activities authorised by resource consent RC 050408 shall be a discretionary (restricted) activity.

The Council shall restrict the exercise of its discretion to the following matters:

- (i) Hours of operation;
- (ii) Scale of activity;
- (iii) ~~Car~~ Access and car parking;
- (iv) Monitoring;
- (v) Noise management;
- (vi) Signage.

8.3.4 DISCRETIONARY ACTIVITIES

Any activity that uses, stores or generates hazardous substances that exceed the limits specified in Schedule 19.14 (provided that this does not apply to emergency service activities) is a discretionary activity.

Note: Consent from the Regional Council may be required to authorise any discharge of contaminants.

8.3.5 NON-COMPLYING ACTIVITIES

*Cross Reference
Policy 17.4.5*

- (i) Any activity that:
 - (a) Disposes of waste onto land (excluding the storage of domestic waste for collection); or
 - (b) Houses or involves the intensive confinement of animals or plants; or
 - (c) Requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956,

is a non-complying activity.

Note: Consent from the Regional Council may be required to authorise any discharge of contaminants.

Reason

These activities may generate significant adverse effects that can have a major impact on the amenity values of Business Resource Areas.

- (ii) Any activity that fails to comply with the standards set out in Rule 8.3.6(i), (xii) **and to (xiii) (xiv)** is a non-complying activity.

(iii) **Business Resource Area (2) zone in the Wooing Tree Overlay Area**

Any activity in the Business Resource Area (2) in the Wooing Tree Overlay Area that is not listed as a permitted activity under Rule 8.3.1, a controlled activity under Rule 8.3.2, a discretionary (restricted) activity under Rule 8.3.3 or a discretionary activity under Rule 8.3.4 shall be a non-complying activity.

For the purpose of this Rule, any permitted activity listed under Rule 8.3.1(iii) shall not be considered to form part of the permitted baseline when considering an application for resource consent for development within the Business Resource Area (2).

Reason

The Business Resource Area (2) in the Wooing Tree Overlay Area has the express purpose of enabling tourist oriented "vineyard village" themed retail and commercial activities (with provision for a convenience grocery store to serve the local community) and a function/wedding centre and tourism related (including service) activities. The permitted activity rules (in combination with other rules) ensure those activities are enabled without having an adverse effect on other business activities in the Cromwell area.

8.3.6 **STANDARDS**

The following standards relate specifically to activities which occur within the Business Resource Area. There are other rules and standards contained in Sections 11, 12, 13, 14, 15 and 16 of this Plan which may also apply to activities which occur in the Business Resource Area.

(i) **Shops - Business Resource Areas (1) and (2)**

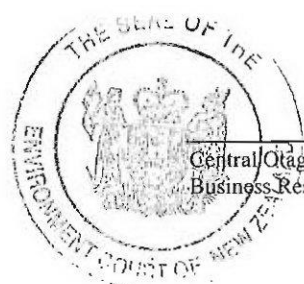
- (a) A shop (as defined at page 18:10 but excluding a convenience shop associated with the sale of fuel and oil for motor vehicles and the sale of food prepared on the premises) in the Business Resource Area (1) shall have a minimum floor area of 600m²
- (b) A shop (as defined at page 18:10) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall have the following maximum floor areas:
- (i) Any convenience grocery store shall have a maximum floor area of no greater than 100m² in area;

Cross Reference

Policy 8.2.7

Breach:

non-complying activity see Rule 8.3.5(ii)



- (ii) Five shops shall be permitted to have a maximum floor area no greater than 200m² in area;
- (iii) All other shops shall have a maximum floor area no greater than 120m² in area.

(c) No shop (as defined at page 18:10) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be located closer than 60 metres to the northern boundary of the Business Resource Area (2), the northern boundary of the Wooing Tree Overlay Area (being the boundary with the adjoining Residential Resource Area (6)).

(ii) Bulk and Location of Buildings

Cross Reference
Policy 8.2.2

Front yards

No front yards are required.

Note: See also Rule 12.7.7

Side and Rear Yards

No side or rear yards are required except where the site adjoins a Residential Resource Area without the intervention of a road or service lane in which case a yard of 5 metres shall be required to each boundary adjoining the Residential Resource Area provided that adequate provision is made for the requirements of 8.3.6(v) and (viii); and except in the Business Resource Area (2) in the Wooing Tree Overlay Area where a minimum yard of 15 metres is required where a site adjoins the north east boundary (being with the Residential Resource Area (6)) of the Wooing Tree Overlay Area.

Breach:
discretionary
(restricted)
activity see Rule
8.3.3

8.3.6(ii)
(cont'd)

Height

The maximum height of all buildings shall be 10 metres, provided that:

i) No buildings in the Business Resource Area (2) in the Wooing Tree Overlay Area shall exceed two storeys in height.

Reason

To maintain the existing amenity values of these areas, front yards are not required. Side and rear yards are only required where the site adjoins a Residential Resource Area in order to mitigate adverse effects on residential activities. Within the Wooing Tree Overlay Area, the maximum height and two storey limitation will enable development of architecturally interesting buildings and assist in managing the bulk of these buildings.

(iii) Verandahs

A verandah extending across the entire road frontage designed in accordance with the limitations set out in Figure 8.1 (page 8:14) shall be provided on the erection, reconstruction or alteration of any building on those frontages identified as requiring verandahs

Cross Reference
Policies 8.2.2,
8.2.3

Breach:
discretionary



on the planning maps except where the reconstruction or alteration is to an heritage building listed in Schedule 19:4 upon which a verandah is not appropriate.

(restricted)
activity see Rule 8.3.3

Reason

To maintain the character and amenity values of the District's urban areas and to provide for the convenience of users of these areas, maintenance of existing verandah frontages is considered essential. There are areas, however, where verandahs are not appropriate or necessary (eg where carparking extends across the frontage or the entry is within the site).

(iv) Signs

Signs shall comply with the following standards and conditions:

Cross Reference
Policies 8.2.2, 8.2.4

- (a) No sign shall be erected, affixed or painted on a building in a position that is higher than the highest point of the roof.
- (b) The total area of signs per site shall not exceed 10m².
- (c) Any sign suspended under a verandah shall have minimum clearance of 2.5 metres above the footpath, except where this cannot be achieved in the context of the Cromwell Mall in which case a clearance of 2.3 metres shall be provided.
- (d) Signs shall have a minimum clearance of 450mm from the kerb line.
- (e) Free standing signs shall comply with the following:
 - i) Not more than three freestanding signs shall be erected per site except as provided for in (v) and (vi) below.
 - ii) Notwithstanding (b) above one double sided sign with a maximum height of 9.0 metres and a maximum area of 14m² per side and two smaller doubled sided signs with a maximum height of 2.5 metres are permitted.
 - iii) Signs shall be located completely within the site to which the sign relates.
 - iv) Notwithstanding (a) above a freestanding sign may be higher than the highest point of the roof.
 - v) Freestanding signs are permitted for the purpose of directing traffic within the site provided that they:
 - Do not exceed 1 metre in height.
 - Do not exceed 0.5m² in area.
 - Are limited to directional arrows and "entry" or "exit" or similar technology.
 - Are located completely within the site.
 - vi) One information sign not exceeding 2.8m² in area associated with any on-site carwash facility is permitted.
- (f) Signs may be illuminated but shall not be moving or flashing.
- (g) Signs shall also comply with Rule 12.7.5 (pg 12:21).
- (h) Signs shall not obscure driver visibility to and from access ways.

Breach:
discretionary (restricted)
activity see Rule 8.3.3

8.3.6(iv)
(cont'd)

Note: Council encourages developers to consider the guidelines



set out in Clause 12.5.1 on page 12:8 when erecting signs.

Reason

While Council recognises signs are a necessary adjunct to commercial activities, they have the potential to adversely affect amenity values and the safe and efficient operation of the roading network.

(v) **Parking**

Parking shall be provided for in accordance with Rule 12.7.2 page 12:16 where a commercial activity occupies a building space that has a gross floor area in excess of 300m² (see also Method 6.5.5 page 6:10)

(vi) **Noise**

All activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within any other site within the Business Resource Area.

On any day	7:00am - 10:00pm	65dBA L ₁₀
	10:00pm - 7:00am the following day	45dBA L ₁₀ 85dBA L _{max}

Provided that the following noise limits shall not be exceeded at any point within the Residential Resource Area:

On any day	7:00am - 10:00pm	55dBA L ₁₀
	10:00pm - 7:00am the following day	45dBA L ₁₀ 70dBA L _{max}

Provided that the above noise limits shall not apply to any temporary activity (as defined) or to emergency service activities.

Reason

The noise standards reflect the traditional and accepted noise levels permitted in these areas and are designed to protect amenity values.

(vii) **Outdoor Storage Areas**

Any area used or proposed to be used for the storage of building materials, and other loose material that is not enclosed or partly enclosed by covered buildings,:

- (a) Shall be screened from adjoining properties (including roads and public open space) by a solid fence of not less than 2 metres in height or other suitable screen provided any such fence or screen does not impede visibility at access points.
- (b) Shall not impede visibility on adjacent roads
- (c) Shall not exceed 2 metres in height
- (d) Shall ensure that sand, aggregate or other materials that can be windblown are stored or secured in a manner that prevents them being windblown.

Reason

Outdoor storage facilities can have significant visual effects and have the potential to attract vermin and create windblown debris.

Cross Reference
Policy 8.2.3

Breach:
discretionary
(restricted)
activity see Rule 8.3.3

Cross Reference
Policy 8.2.4

Breach:
discretionary
(restricted)
activity see Rule 8.3.3

Cross Reference
Policy 8.2.1,
8.2.2

Breach:
discretionary
(restricted)
activity see Rule 8.3.3



(viii) **Landscaping**

All areas of carparking and/or other areas of non-permeable surface in excess of 100m² shall provide a 1.5 metre strip of landscaping adjacent to any boundary of the site that is not occupied by a building.

Such landscaping shall provide adequate screening of the site without impeding traffic visibility and shall be maintained in a healthy and stable condition at all times.

Reason

Large areas of gravel, sealed or paved carparking or service areas can have an adverse effect on the visual amenity values of the Business Resource Area and adjoining Residential Resource Areas. The provision of a landscaped strip can soften the visual impact of such development.

*Cross Reference
Policy 8.2.2*

*Breach:
discretionary
(restricted)
activity see Rule
8.3.3*

(ix) **Fencing**

A solid wall constructed of concrete block or similar materials having a minimum height of 1.8 metres shall be maintained at any Moa Street boundary (excluding any vehicle access or egress), and at any contiguous Kenmare Street boundary. The wall shall be designed by a landscape architect and incorporate a landscape strip between the wall and the footpath in Moa Street and between the wall and the verge in Kenmare Street.

A wall of similar construction is to be maintained at any adjacent boundary where such wall will be contiguous with the wall required at any Moa Street and Kenmare Street boundary and where the neighbouring site is located in the Residential Resource Area having frontage to Kenmare Street, Alexandra.

*Cross Reference
Policies: 8.2.2,
8.2.4*

*Breach:
discretionary
(restricted)
activity see Rule
8.3.3*

(x) **Access**

No traffic is permitted to enter or exit a site from Matau Street or from Kenmare Street (between Moa and Brandon Streets), Alexandra.

*Cross Reference
Policy 8.2.3
Breach of x & xi:
discretionary
(restricted)
activity see Rule
8.3.3*

*Cross Reference
Policy 8.2.1*

(xi) **Lightspill**

Refer to Rule 12.7.6 page 12:23.

(xii) **Access – Within the Business Resource Area (2) in the Wooing Tree Overlay Area**

(a) No vehicle access is permitted from the Business Resource Area (2) in the Wooing Tree Overlay Area to a State Highway except:

(i) Within 10 years of Plan Change 12 becoming operative via a single lane roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry

*Breach:
non-complying
activity see Rule
8.3.5(ii)*



Avenue.

- (ii) After 10 years of Plan Change 12 becoming operative via a roundabout constructed to the NZ Transport Agency's standards at the intersection of State Highway 8B and Barry Avenue (which may or may not require the roundabout to be double-lane).

- (b) No new development (other than a new temporary access from the existing Wooing Tree Tasting Room to Shortcut Road or internally within the property to a new road to access Shortcut Road) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be permitted until the roundabout referred to in Rule 8.3.6(xii)(a) and a pedestrian/cyclist underpass incorporated into the western side of the roundabout across State Highway 8B (unless such location on the west side is found to be impracticable in which case the underpass is to be provided on the eastern side of the roundabout) are completed and operational.

Reason

Development in these areas must not affect the safe and efficient operation of the State highway network.

(xiii) Maximum Total Floor Space in the Business Resource Area (2) in the Wooing Tree Overlay Area

The maximum total floor space (as defined) in the Business Resource Area (2) in the Wooing Tree Overlay Area shall be 10,000m² divided as follows:

- (a) No more than 6,000m² of the floor space shall be used for Travellers Accommodation;
- (b) No more than 3,000m² of the floor space shall be used for Shops;
- (c) No more than 1,000m² of the floor space shall be used for any activities other than Travellers Accommodation or Shops

provided that the maximum total building coverage shall not exceed 7,500 m² in the Business Resource Area (2) in the Wooing Tree Overlay Area.

(xiv) Building Setback in the Business Resource Area (2) in the Wooing Tree Overlay Area

In the Business Resource Area (2) in the Wooing Tree Overlay Area no building shall be located within 30 metres to the northern boundary of the Wooing Tree Overlay Area (being the boundary with the adjoining Residential Resource Area (6)).

Breach:
non-complying activity see Rule 8.3.5(ii)

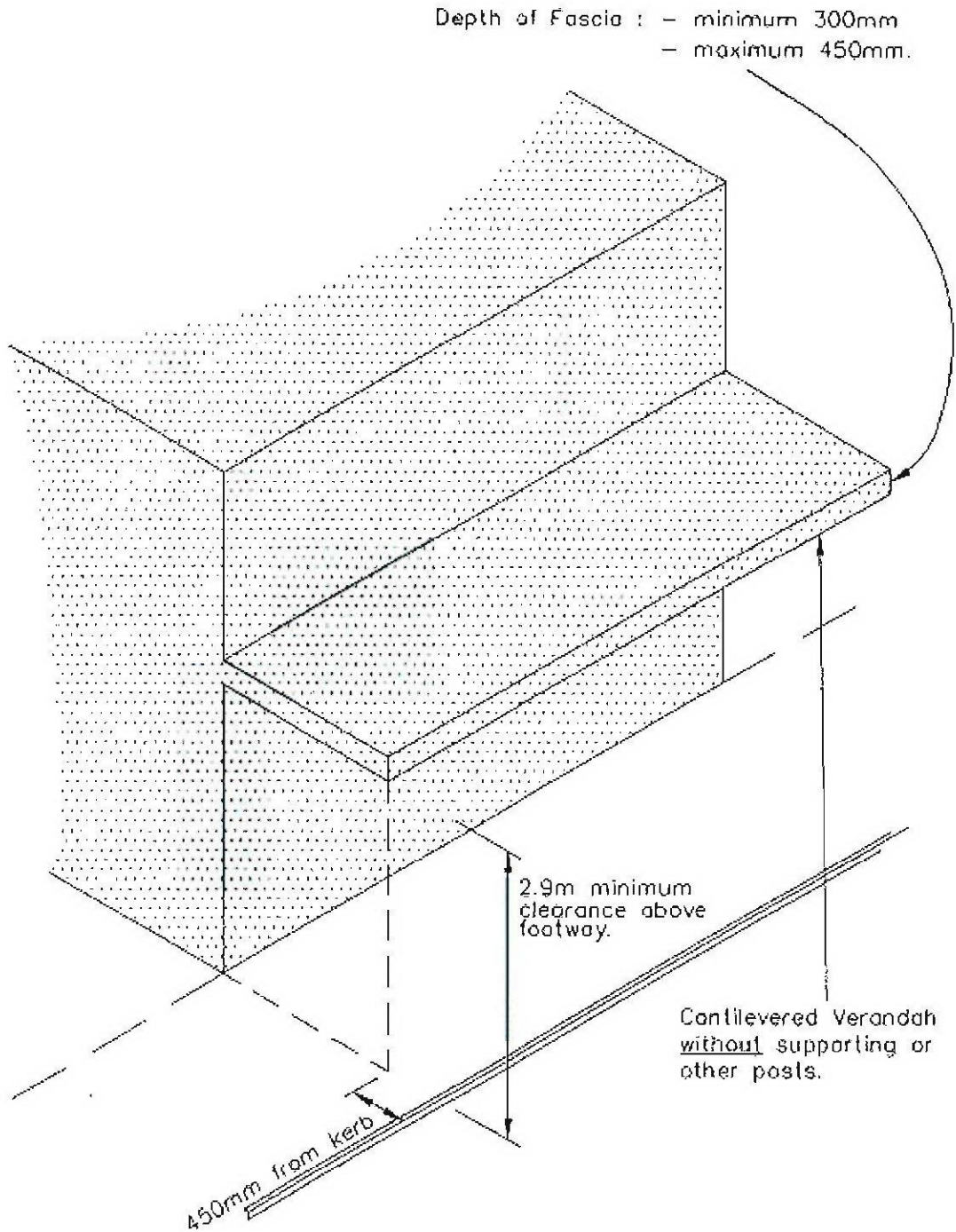


Reason

This will ensure adequate separation between business activities and existing residential activities to the north.



Figure 8.1 – Verandahs in Business Resource Area (see Rule 8.3.6(iii))



FOR ILLUSTRATIVE PURPOSES ONLY.

Not to Scale

SECTION 18 - DEFINITIONS

Interpretation of Definitions

- (1) Any term or expression not defined in this Plan but which is defined by the Act shall have the meaning given to it by the Act.
- (2) Any definitions used in this plan that are taken from statutes other than the Resource Management Act 1991 shall retain the meaning as expressed in this plan regardless of any change to the source statute.
- (3) Any word or words expressed in the singular in any definition shall be deemed to include the plural where such a word or words is used in this plan and vice versa.
- (4) All provisions contained in Section 18 have status as rules.

In this District Plan, unless the context otherwise requires:

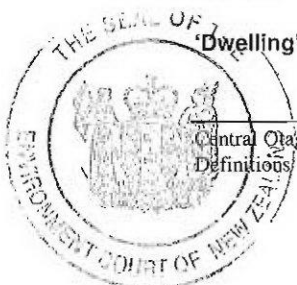
- 'the Act'** means the Resource Management Act 1991.
- 'Accessory building'** in relation to any site within an urban area means an ancillary detached building or structure (and includes a carport or garage and excludes a wall [other than a retaining wall] or fence of a height not exceeding 2 metres above the supporting ground) if:
- (a) The use of the accessory building is clearly incidental to the existing or future use of the land, and
 - (b) The accessory building is located on the same site as the principal building.
- An accessory building includes a freestanding garage or carport, but not a garage or carport which is structurally part of or attached to the principal building on a site.
- 'Access lot or Access strip'** in relation to a rear site or allotment means an area of land whether part of the site or not extending from the street frontage to the buildable portion of that site, of a minimum specified width for the permanent and legal use of that site for ingress and egress.
- 'Advance warning sign'** means a sign, whose sole purpose is to alert the road user of a place ahead, to allow sufficient time for an appropriate driver response.
- 'Aerial' or 'Antenna'** means the part of a radiocommunication, broadcasting or telecommunication facility used or intended for transmission or reception, including an amateur radio aerial and the aerial mounting or mountings but not any mast or supporting structure or dish antenna as defined.
- 'Ahi kaa'** means continued occupation according to traditional law of Maori tenure (literally, keeping the fires burning).
- 'Airport'** means an airport or any airfield.
- 'Allotment'** shall have the same meaning as that contained in section 218(2) of the Resource Management Act 1991.
- 'Amenity planting'** shall include trees or shrubs designed to achieve substantial screening of a site, equipment, or activity.



‘Archaeological site’	shall have the same meaning as that contained in section 2 of the Historic Places Act 1993. Note: For information, this is currently as follows - Any place in the District that: (a) Either: i. Was associated with human activity that occurred before 1900; or ii. Is a site of the wreck of any vessel where that wreck occurred before 1900; and (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand:
‘Awa’	means river.
‘Best practicable method’ or ‘Best practicable option’	means the best method or option for avoiding, remedying or mitigating adverse effects on the environment having regard to, among other things - (a) the nature of the activity, and the sensitivity of the receiving environment to adverse effects; and (b) the financial implications, and the effects on the environment, of that option when compared with other options; and (c) the current state of technical knowledge and the likelihood that the option can be successfully applied; and (d) the long term effect of continuing the chosen option when compared with other options.
‘Boat’	means any vessel, appliance or equipment used or designed to be used for flotation and navigation on or through the surface of water, other than a wetsuit or life-jacket, and includes any aircraft whilst such aircraft is on the surface of the water. Craft or boating craft shall have the same meaning. Boating activities shall mean activities involving the use of boats on the surface of water.
‘Building’	shall have the same meaning as that contained in section 3 of the Building Act 1991 and excludes a wall [other than a retaining wall] or fence of a height not exceeding 2 metres above the supporting ground.
‘Building line restriction’	means a restriction imposed on a site to ensure that when new buildings are erected, or existing buildings relocated, extended or substantially rebuilt no part of any such building shall stand within the area subject to the restriction or encroach further than the existing building.
‘Camping ground’	means a camping ground as defined in the Camping Ground Regulations 1985.
‘Care Centre’	means any land and buildings used for supervised care during the day for all ages.
‘Carparking’	means Parking .
‘Chief Executive’	means the chief executive officer of the Central Otago District Council.
‘Cleanfill’	means generally a natural material such as clay, soil, and rock, and such other materials as concrete, brick or demolition products that are free of contaminants and of combustible or organic materials and are therefore not subject to biological or chemical breakdown.
‘Cleanfill landfill’	means a landfill used solely for the disposal of cleanfill.
‘Community facilities’	includes educational facilities, (land and/or buildings used for the provision of regular instruction or training, teaching and learning, recreation for students and includes their ancillary administrative, cultural, commercial facilities and carparking and vehicle access), recreation facilities, emergency service activities as defined (see page 18:4), churches and places of worship, community centres and halls, care centres (as defined), and other similar community resources involving the use of buildings and land.



'Comprehensive Residential Development'	in the Wooing Tree Overlay Area, a Comprehensive Residential Development means a comprehensively planned and designed collection of five or more residential buildings where the land use and subdivision consents are submitted and assessed together.
'Conservation'	means the preservation and protection of natural and historical resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations.
'Contaminant'	shall have the same meaning as that contained in section 2 of the Resource Management Act 1991.
'Council'	means the Central Otago District Council or any committee, subcommittee, or person to whom the Council's powers, duties, and discretions under the Act have lawfully been delegated.
'Cut- Off'	means a constructed collection or diversion channel for the purposes of carrying surface run-off water away from bare ground and towards stable areas or into rivers.
'dBA'	means the A-frequency-weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals (see NZS 6801 : 1991 clause 2.1 definitions of frequency, sound pressure level, reference sound pressure, decibel, weighting and sound level).
'dBC'	means the sound pressure level obtained when using a sound level meter having its frequency response C – weighted.
'Development'	<p>means development or redevelopment of a site and includes:</p> <ul style="list-style-type: none"> (i) Constructing, erecting, or altering any building, fixed plant, or machinery, or other works. (ii) Fencing, draining, excavation, filling, or reclamation of land, or the making of retaining walls or other works relating to that fencing, draining, excavation, filling, or reclamation. (iii) The grading or levelling of land or the removal of rocks, stone, sand, or soil from land. (iv) The removal or destruction of vegetation. (v) The inundation of land and associated natural and physical resources. (vi) The arresting and elimination of erosion or flooding. (vii) The construction of any road or airport or other transport facility. (viii) The construction of any transmission line, pipeline, telecommunication and broadcasting site, or other utility. <p>Where it is proposed to carry out the development in stages, the total construction, erection, alteration or work involved shall generally constitute one development for the purposes of this plan.</p>
'Discretionary (restricted) activity'	means a discretionary activity as defined in section 2 of the Resource Management Act 1991 in respect of which Council has restricted the exercise of its discretion to certain matters specified in this plan.
'Dish antenna'	means any dish or panel, excluding an aerial or aerials, that receives or transmits radiocommunication or telecommunication signals. This includes the dish antenna mounting but not any mast or supporting structure.
'District'	means the Central Otago District.
'Dwelling'	means one detached self-contained building used or capable of being used solely or principally for residential purposes and occupied or intended to be occupied exclusively as the home or residence of not more than one household unit.



'Earthworks'	means any modification to the shape of the ground surface by movement or removal or deposit of ground material (including gravel, rock and soil) and includes excavation, infilling and construction of any road, track, or drainage channel but does not include cultivation, the planting of crops or manual digging activity associated with any temporary military training activity.
'Ecosystem'	means a community of organisms interacting with each other and the environment in which they live.
'Emergency service activities'	means those facilities and activities of authorities which are responsible for the safety and welfare of people and property in the community and includes fire stations, ambulance stations, police stations, community policing centres and community police offices.
'Esplanade provision'	means either an esplanade reserve or esplanade strip as defined in section 2 of the Act.
'Excavation'	means the removal of any ground material including soil, gravel or rock from any point of any site.
'External Appearance'	in relation to buildings in the Wooing Tree Overlay Area, means the bulk and shape of the building including roof pitches, the materials of construction and the colour of exterior walls.
'Facade'	means that part of a building facing onto any road or public place.
'Family flat'	means an independent and self-contained residential building located on the same site as a dwelling and occupied by a person dependant on the household that lives in the dwelling.
'Floor space'	means the sum of the total floor area of a building (including any void area in those floors such as service shafts or lift or stair wells) measured from the exterior faces of exterior walls or from the centre lines of walls separating two buildings. For assessing parking requirements it excludes the floor space within a building allocated to car parking or vehicular access to car parking.
'Ground disturbance'	means the disturbance of soil and includes cultivation, deep ripping, rootraking, blading, and compaction.
'Growing degree days (GDD)''	is calculated by adding all the degrees above 10 degrees centigrade for all the days that the mean daily temperature exceeds 10 degrees centigrade in the growing season. GDD is suitable for delineating areas for appropriate crops; eg, commercial production of grapes requires at least 900 GDD whereas commercial apricot production requires 800 GDD.
'Hardstanding'	<p>in relation to any site means any part of that site which is covered by hard material and includes:</p> <ul style="list-style-type: none"> • Concrete, bitumen, metalled or similar driveways that effectively put a physical barrier on the surface of any part of a site. • Any area used for parking, manoeuvring, access or loading of motor vehicles and aircraft. • Any area paved either with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks. <p><u>provided</u> that this does not include footpaths or roads.</p>
'Hazardous facility'	means any site where a hazardous substance is stored or handled or which is contaminated by a hazardous substance and any installations containing a hazardous substance, but excludes the incidental use and storage of hazardous substances in minimal or domestic-scale quantities.

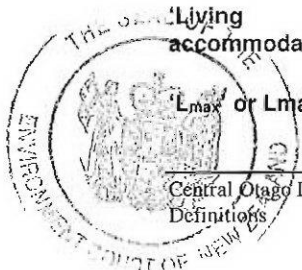


'Hazardous substance'	means any solid, liquid, semi-solid, contained gas or any combination thereof, waste material which, or which because of its quantity, concentration, or chemical characteristics, poses a substantial present or potential danger to human or animal health, or the environment and includes any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.
'Heavy vehicle'	means a motor vehicle (other than a motor car that is not used, kept or available for the carriage of passengers for hire or reward) the gross laden weight of which exceeds 3500kg; but does not include a vehicle designed solely or principally for the use of fire brigades in attendance at fires. (The Heavy Motor Vehicle Regulations 1974).
'Height'	means the vertical distance measured from any point on the ground to the point directly above it, provided that the following structures are excluded for the purposes of calculating height in all resource areas: aerials and/or antennas, mounting fixtures, mast caps, lightening rods or similar appendages for the purpose of telecommunication and/or radiocommunication, but not including dish antennas and chimneys no greater than 750mm in width or depth.
'Heke ki uta'	means migration to the interior.
'High class soils'	means soils that are capable of being used intensively to produce a wide variety of plants including horticultural crops. This definition requires good soil and other resource features that combine to be capable of producing a wide range of crops. It does not include areas that may be suited to one or two specialist crops, largely due to the climate rather than soil quality.
'Hoarding'	means an advertising sign moveable or immovable on any building, wall, fence or other structure, or part thereof which is erected or used for the purposes of exhibiting, displaying, depicting or advertising anything not sold or provided on the premises where the hoarding is situated provided this does not apply to any signs associated with the sponsorship of sporting or recreational activities located within the ground used for that activity and displayed to be visible to participants and spectators at that ground (although excluding such signs on roof tops).
'Home occupation'	means an occupation, craft or profession which: <ul style="list-style-type: none"> (a) Is carried on by a member of the family residing in the dwelling on the site; and (b) Is clearly accessory and secondary to the use of the dwelling for residential purposes; and (c) Conforms to the following: <ul style="list-style-type: none"> (i) The occupation, craft or profession shall be carried out either wholly within a principal building or within an accessory building modified for the purposes; and (ii) There shall be no exterior display, no exterior sign (except as permitted under the rules for the relevant Resource Area and the general rules for signs), no exterior storage of materials, no other exterior indication of the home occupation or variation from the residential character of the principal building or the neighbourhood. (iii) The occupation, craft or profession does not have characteristics that are likely to cause adverse effects in terms of noise, odour, vibration, dust or attracting significant volumes of traffic. (iv) Goods produced or services offered as a part of a home occupation may be sold from the site. No other retail activity is authorised in the context of a home occupation.
'Home stay'	means the use of a residential building for short term living accommodation for up to six persons on a commercial fee paying basis and who share use of the residential building with person(s) who permanently occupy the residential building as their permanent residential address.

'Household unit' means one or more persons whether related or not, who live together in a residential



	building which is self contained, in respect of sleeping, cooking, dining, bathing and toilet facilities.
'Indigenous'	in relation to a species of flora or fauna means a species that occurs naturally in New Zealand or arrived in New Zealand without human assistance.
'Infrastructure'	means those built structures necessary for operating and supplying utilities and services to the community including, but not limited to, telecommunication, radiocommunication, broadcasting, natural or manufactured fuel, electricity, water, drainage, sewerage, roading and airports.
'Intensive farming'	means: <ul style="list-style-type: none"> • The use of land and/or buildings for the production of commercial livestock where the regular feed source for such livestock is substantially provided other than from grazing the site concerned. • Intensive pig farming: • Boarding of animals: • Mushroom farming: • The disposal of effluent as part of any intensive farming.
'Intensive pig farming'	means the keeping of pigs mainly within buildings, or outdoors at a stocking density which precludes the maintenance of ground cover.
'Irrigation Works'	means structures for the taking, carrying, and discharging of water, including weirs, intake structures, races, pipelines and associated structures and equipment.
'Kai hau kai'	means the trading of goods between hapu at specific times of the year. Kai hau kai took place at strategic inland meeting places.
'Kai Tahu whanui'	means the collective of the individual who descend from one or more of the five primary hapu of Kai Tahu, Kati Mamoe and Waitaha.
'Kaika/Kainga'	means settlement, place of residence.
'Kaikia nohoaka/ Kainga nohoanga'	means historic tribal freshwater fishing grounds or a semi-permanent camp.
'Kaitiakitaka/ Kaitiakitanga'	means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.
'Kolwi tangata'	means unidentified human skeletal remains.
'Landing'	means an area constructed for the purpose of log assembly or log making.
'Landscaped/ Landscaping'	means laid out with features such as trees, shrubs, lawns, paving, walls and screens in keeping with the surrounding area so as to enhance the amenities of the site and surrounding area.
'Legal road boundary'	means the boundary of a site abutting the legal road reserve as opposed to the formed carriageway of the road.
'Leq' or 'Leq'	means the sound level averaged over a stated time period which has the same A-weighted sound energy as the time varying sound.
'Living accommodation'	means any building used for human habitation and includes any dwelling, residential building, hospital or rest home.
'L_{max}' or L_{max}'	means the maximum A-frequency-weighted sound level (dBA L _{max}) during a stated time period.



'L ₁₀ ' or 'L10'	means the L10 exceedance level, in A-frequency-weighted decibels, which is equalled or exceeded ten percent of the total measurement time. See NZS 6801:1991 clause 2.2 definition of exceedance level.
'Lux'	means a measure of light falling onto a surface, expressed as 1 lumen per square metre.
'Loading space'	means a portion of a site, whether covered or not, clear of any road or service lane upon which a vehicle can stand while being loaded or unloaded.
'Local Product'	in the Business Resource Area (2) in the Wooing Tree Overlay Area means grown or produced in the Cromwell Ward. Includes local designers, artists, and producers; and manufacturing of local product is not limited to the local area.
'Mahika kai/mahinga kai'	means places where food is produced or procured.
'Mana'	means authority, prestige, influence.
'Mana whenua'	means customary authority or rangatiratanga exercised by an iwi or hapu in an identified area.
'Manoeuvring area'	means that part of a site used by vehicles to move from the vehicle crossing to any parking space or loading space and includes all driveways and aisles and may be part of an access strip.
'Meteorological activities'	means the operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links associated with such activities.
'Method of Implementation'	means a specific means of action that can be taken to achieve the objectives and policies of the District Plan.
'Mokihi'	means a raft made of a bundle of rushes or stalks of flax.
'Multi-unit residential development'	means a residential activity comprising of two or more household units on one site (whether contained in one building or not) but does not include camping grounds, licensed premises or travellers accommodation.
'Natural ground level'	means the ground level on a site immediately before the commencement of any work or activity which involves any earthworks.
'Net site area'	means the total area of the site, excluding any part of the site subject to any proposed road widening, or any designation for a public work, and also excluding the area of any access strip or right of way.
'Network utility'	shall have the same meaning as that of "network utility operation" as set out in section 166 of the Resource Management Act 1991 and for the purposes of this Plan also includes navigation and survey aids and beacons, irrigation works and meteorological activities and 'utility' shall have the same meaning.
'Nohoanga'	see Kaikia nohoaka/Kainga nohoanga
'Non-notified application'	means any application which may be made without public notice pursuant to the Act, and any Rule of this plan.
'Non-residential activity'	means all activities, other than Residential Activities, excluding the keeping of animals and Temporary Activity as defined.
'Notional boundary'	means a line 20 metres from part of any living accommodation or the legal boundary



where this is closer to the living accommodation.

'Objective'	means a statement identifying an end position the Council seeks to achieve.
'On-site production'	in the Business Resource Area (2) in the Wooing Tree Overlay Area means goods produced or manufactured in the same premises as the retail shop. This may or may not include areas visible/accessible to the public as part of the retail experience. Examples may include (but are not limited to) beer brewing, wine making, wood/stone carving, jewellery making, weaving, cheese making, cake making, ice cream making, chocolate or confectionary making, coffee roasting, pottery making, candle making, leather work, or glass making.
'Open space'	means any land or space which is not occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.
'Pa whawhai'	means a fortified site.
'Parking'	in relation to any vehicle includes the stopping or standing of the vehicle in approximately the same place, whether the driver is with the vehicle or not, whether the engine is running or not, and whether the vehicle is capable of moving under its own power or not.
'Parking area'	means that part of a site within which vehicle parking spaces are accommodated, and includes all parking spaces and manoeuvre areas.
'Parking space'	means an area of land formed and set aside exclusively for the parking of a motor vehicle.
'Place of public or private assembly'	means any building used primarily for worship, recreation, education or deliberation and includes any church, church hall, funeral director's chapel, clubrooms, gymnasium, pavilion, indoor sports facility, public halls, theatres, community centre, or marae buildings but excludes temporary activities.
'Planning maps'	means the District Planning Maps contained in Volume 2 of this Plan.
'Policy'	means a statement outlining the Council's position in relation to a matter.
'Power generation facility'	means a facility, operation or activity whose principal purpose is to generate energy, and includes hydro electric, thermal and geothermal power stations, wind turbines and other power generation technology but excluding devices such as solar panels for the sole use of a domestic activity.
'Principal building'	means the major or dominant building on the site and in the case of a residential activity is a residential building such as a dwelling.
'Property'	means an area of land contained in a single Certificate of Title or one or more adjoining Certificates of Title, which is or are held by the same person, or by associated persons and used for a common purpose. Areas that are traversed by a road, whether unformed or formed are deemed to be adjoining.
'Raahui'	means the temporary closure of an area to achieve protection and restoration of a resource.
'Radio-communication'	shall have the same meaning as in section 2(1) of the Telecommunication Act 1987 as follows: <ul style="list-style-type: none"> • any transmission, emission, or reception of signs, signals, writing, images, sounds, or intelligence of any nature by electromagnetic waves of frequencies between 9 kilohertz and 3,000 gigahertz, propagated in space without artificial guide. <p>[Note: this definition is consistent with the definitions contained in the</p>



Telecommunications Act 1987 at the date of public notification of the Plan]

‘Rakaitirataka/ rangaitiratanga’	means chieftainship, decision making rights, authority.
‘Rear allotment’	means an allotment to the rear of another allotment and that relies on an access strip, access allotment or right of way to achieve access to a road.
‘Recontouring’	means any earthworks that result in the reshaping of the surface of a more or less continuous area of ground and for the purposes of this Plan excludes road construction, drainage works, and the infilling and levelling of paddocks.
‘Recreational activity’	shall mean any indoor or outdoor passive or active sports or games or recreational pursuits for participants and/or spectators whether or not they are undertaken for profit or reward or for which no charge is made and shall include such activities on or in water, land or in the air.
‘Refuse management’	means the transportation, transfer, resource recovery, recycling, storage, treatment and disposal of wastes, including management systems to ensure that environmental effects are avoided, remedied or mitigated.
‘Registered building platform’	means a building platform identified on a plan of subdivision, and registered on Council’s files as the “registered building platform” for that property.
‘Region’	means the Otago Region unless otherwise stated.
‘Regional council’	means the Otago Regional Council unless otherwise stated.
‘Regional Product’	in the Business Resource Area (2) in the Wooing Tree Overlay Area means grown or produced in the Otago Region, and particularly in the Central Otago and Queenstown Lakes Districts. Includes regional designers, artists, and producers; and manufacturing of regional product is not limited to the region.
‘Removal of topsoil’	means removal of topsoil from the site.
‘Requirement’	means a proposed designation.
‘Residential activity’	means a use of land and buildings by people for the purpose of living accommodation in a household unit and includes a dwelling. It includes accessory buildings, sleepouts, leisure activities associated with needs generated principally from living on the site; home occupation as defined; and homestay as defined.
‘Residential building’	means any building or part of a building used or intended to be used for human habitation as a residential activity.
‘Retail activity’	means the sale, offering for sale, or exposure for sale of goods to the public.
‘Reviewable land’	shall have the same meaning as that contained in section 2 of the Crown Pastoral Land Act 1998.
‘Right of way’	means a legal right to cross over or “pass and repass” over land owned by another.
‘Riparian margins’	means the strips of land adjacent to water bodies (ie streams, rivers, lakes and wetlands) which includes berms (or stream banks) and floodways. Riparian margins constitute the link or buffer between the dry land and aquatic ecosystems. The width of the riparian margin can vary from a few metres to tens of metres depending on topography, bedrock and soil characteristics, water level fluctuations, surface flows, and adjoining land use.
‘Riparian vegetation’	means the vegetation within the riparian margin.

‘Road’	includes ‘Street’ and means an area of land dedicated as road in accordance with the provisions of the Local Government Act 1974.
‘Road boundary’	means legal road boundary .
‘Road control authority’	in respect of State highways means Transit New Zealand, and in respect of other roads means the Central Otago District Council or any other body who from time to time is deemed to have legal authority over those roads.
‘Rohe’	means area, boundary.
‘Rural area’	means all that area of the District that is not an urban area.
‘Rural selling place’	<p>means a rural retail facility that is <u>EITHER</u>:</p> <p>(a) Ancillary to the growing of produce on the site and may in addition offer for sale any of the following goods:</p> <ul style="list-style-type: none"> • Fresh fruit and vegetables and nursery plants, whether grown on the property or not. • Processed fruit and vegetable products, including dried fruit and vegetables, jams, sauces, preserves, juices and other cold drinks (excluding alcoholic beverages). • Nuts, honey and eggs. • Fertilisers, manure and garden mixes. <p><u>OR</u></p> <p>(b) Ancillary to the making of art and craft products on the site and offers for sale any art and craft products produced in the Central Otago District whether made on the property or not.</p>
‘Scheduled activity’	means an activity that is listed as having status as a scheduled activity at Schedule 19.3.
‘Seasonal workers accommodation’	means accommodation units that are used for part of the year to meet labour requirements in the horticulture sector and which generally have sleeping and ablution facilities and a communal kitchen and eating area.
‘Service lane’	means land dedicated as service lane used from time to time for the vehicular servicing of adjacent properties.
‘Shop’	means any land, building or part of a building on or in which goods and services are sold or offered or exposed for sale by retail but does not include premises for the sale of new or used motor vehicles, boats, or caravans, or the sale of fuel and oil for motor vehicles.
‘Sign’	means any advertising device or advertising matter of whatever kind whether consisting of a specially constructed device, structure, erection, or apparatus, or painted, printed, written, carved, inscribed, endorsed, projected onto, placed, or otherwise fixed to or upon any premises, wall, fence, rock, stone, structure, or erection of any kind whatsoever if such advertising device or matter is visible from any public place and shall include all parts, portions, units, and materials composing the same, together with the frame, background, structure and support or anchorage thereof, as the case may be.
‘Site’	means an area of land held in one Certificate of Title, which may be sold or otherwise disposed of separately without reference to the Council, provided that a site may contain one or more certificates of title where a restriction has been registered on the title preventing sale or lease of individual titles except in conjunction with each other.

Any land required to be dedicated for road or road widening shall be excluded as a



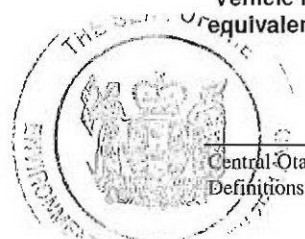
part of any site for the purposes of this plan.

Where any land held in one Certificate of Title is crossed by any Resource Area boundary that Resource Area boundary shall be deemed to be a site boundary and there shall be deemed to be more than one site.

- (a) 'Front site' means a site which has frontage to only one road.
- (b) 'Rear site' means a site which is situated to the rear of another site, having access to a road by means of an access strip or access lot.
- (c) 'Corner site' means a site which has frontage to two or more roads that are contiguous and that have an included angle measured within the site between the frontages of not greater than 135 degrees.
- (d) 'Through site' means a site that has frontage to two roads that are not contiguous.

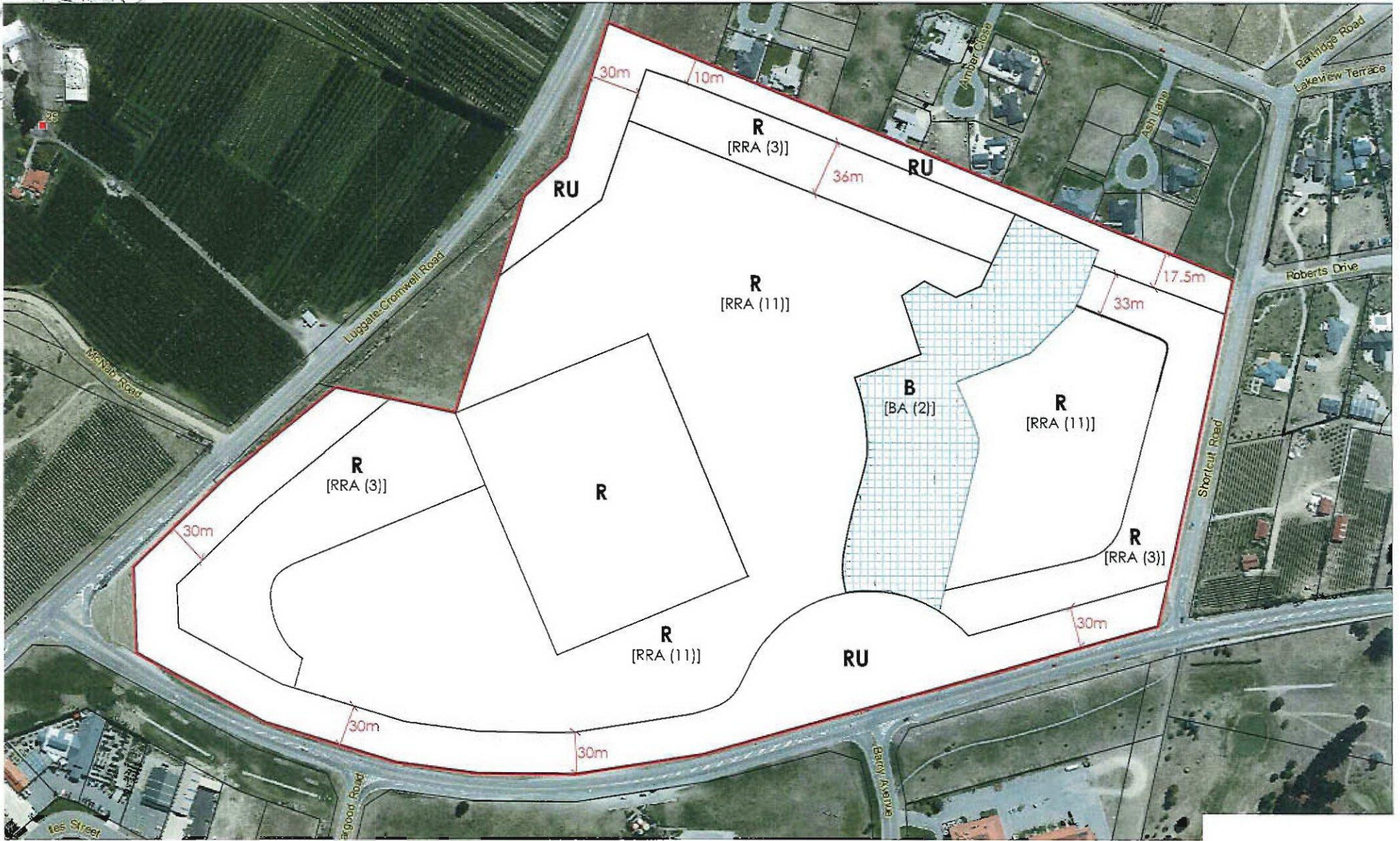
'Site boundary'	means any legal boundary of a site, including road boundary, and any Resource Area boundary which crosses within the site.
'Snack foods'	means food items commonly purchased by travellers which are obtained by the seller in pre-packaged individual customer size sealed packages that remain in that form until consumed following sale.
'Solid fence'	means a fence that cannot be seen through.
'Statutorily managed sports fish and game'	means "sports fish" as defined in the First Schedule to the Freshwater Fisheries Regulations 1983 and wildlife declared to be game in the First Schedule to the Wildlife Act 1953.
'Street'	means 'Road'.
'Substation'	means those parts of works or electrical installations, being a building, structure or enclosure, incorporating fittings that are used for the purposes of the control of the transformation, transmission or distribution of electricity and for the purpose of this Plan; 'Zone Substation' means any substation exceeding 36kV that generally transforms 33kV electricity to 11kV electricity, while 'Distribution Substation' means any substation less than 26kV that generally transforms 11kV electricity to 400V/230V electricity.
'Takata/Tangata whenua'	means the iwi or hapu that holds mana whenua in a particular area.
'Taaka/taonga'	means treasures, goods.
'Taua'	means war party, expedition.
'Telecommunication'	shall have the same meaning as in section 2(1) of the Telecommunications Act 1987 as follows: <ul style="list-style-type: none"> • the conveyance from one device to another of any sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not; and includes broadcasting and radiocommunication. [Note: This definition is consistent with the definitions contained in the Telecommunications Act 1987 at the date of public notification of the Plan]
'Temporary activity'	means any land use or structure of a temporary nature and includes: <ul style="list-style-type: none"> • building, scaffolding and false work, storage yards, workshops and buildings or uses of similar character where such activities are incidental to a building or construction project or filming on the site • sporting events, galas, market days, carnivals, shows and similar events • temporary military training activities • activities undertaken pursuant to a prospecting or exploration permit in terms of the Crown Minerals Act 1991.

‘Temporary military training activities’	means an activity undertaken for defence purposes as provided for by the Defence Act 1990 and shall; <ul style="list-style-type: none"> (a) Require that the written consent of the owner of the property is obtained; (b) Be limited to a period not exceeding 31 days; (c) Not include the construction of permanent structures; (d) Not include earthworks or excavation by mechanical means or of a permanent nature, unless provided for elsewhere in this or any other plan; (e) Not include live firing or artillery, dropping of high explosive bombs, firing of air to ground high explosive rockets or machine cannon gunnery from strike aircraft; and (f) Comply with civil aviation regulations. 						
‘Timataka/timatanga	is the Maori creation tradition.						
‘Tipuna/tupuna	means ancestor.						
‘Topsoil’	means the topmost layer of the undisturbed soil profile.						
‘Tourist Focus’	in the Business Resource Area (2) in the Wooing Tree Overlay Area means a business selling goods or services targeted primarily at tourists/visitors. These may include products that reflect local, regional or New Zealand character or culture.						
‘Track’	means any constructed pathway or trail where the formation construction is at least to a standard that is capable of carrying a crawler or other vehicle.						
‘Transmission network’	means the national grid in its entirety. The national grid consists of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and substations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.						
‘Travellers accommodation’	means land and buildings used for the accommodation of travellers on a daily tariff and includes ancillary facilities and includes camping grounds (excluding at ‘Travellers accommodation’ listed in Schedule 19.3.4) but does not include homestays.						
‘Tuna’	means eel.						
‘Underlying resource area’	means the Resource Area which would apply to land if the existing designation was removed.						
‘Unrenewable occupation licence’	shall have the same meaning as that contained in section 2 of the Crown Pastoral Land Act 1998.						
‘Urban area’	means the Residential, Business, Industrial and Rural Settlement Resource Areas.						
‘Urban Design’	in relation to the layout of buildings in the Wooing Tree Overlay Area, means the matters contained in the New Zealand Design Protocol (2005) – or any amendments thereto.						
‘Utility’	see definition of ‘Network utility’ on page 18:7.						
‘Vegetation’	includes trees, shrubs, plants, or grasses.						
‘Vehicle movement equivalents’	means the car movement equivalent defined as follows - <table border="0" style="margin-left: 20px;"> <tr> <td>1 car to and from the site</td> <td>= 2 vehicle movement equivalents</td> </tr> <tr> <td>1 truck/bus to and from the site</td> <td>= 6 vehicle movement equivalents</td> </tr> <tr> <td>1 truck and trailer to and from the site</td> <td>= 10 vehicle movement equivalents</td> </tr> </table>	1 car to and from the site	= 2 vehicle movement equivalents	1 truck/bus to and from the site	= 6 vehicle movement equivalents	1 truck and trailer to and from the site	= 10 vehicle movement equivalents
1 car to and from the site	= 2 vehicle movement equivalents						
1 truck/bus to and from the site	= 6 vehicle movement equivalents						
1 truck and trailer to and from the site	= 10 vehicle movement equivalents						



Provided that, in the absence of site specific information, a dwelling is deemed to generate 8 vehicle equivalent movements per day.

- 'Waahi taoka/taonga'** means treasured place, or place where treasured resources can be found.
- 'Water race'** means the main supply races of an irrigation scheme but excluding water races that form part of the internal irrigation network on a property.
- 'Whakapapa'** means descent, genealogy.
- 'Yard'** means a part of a site which is required by this plan to be unoccupied and unobstructed by buildings from the ground upwards provided that the eave of any building may project over any minimum yard by not more than 0.6 metres or 25% of the minimum yard, whichever is greater, and provided that an uncovered deck less than 1 metre in height may project over any minimum yard, and except as otherwise provided by this plan includes the following:
- 'Front yard'** means a yard between the legal road boundary and a line parallel thereto and extending across the full width of the site. Provided that in the case of a site fronting a road that is proposed to be deviated or widened, the proposed legal boundary shall be substituted for the existing roadline for the purpose of determining the depth of the front yard.
- 'Rear yard'** means a yard between the rear boundary of the site and a line parallel thereto extending across the full width of the site. Provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as a centre and a radius of 9 metres.
- 'Side yard'** means a yard parallel to each side boundary of the site extending from the front to the rear yard.
- Provided that the identification of such yards on sites of irregular shape shall be determined by the Council.
- 'Wooping Tree Overlay Area / Wooping Tree Overlay'** means the land bounded by Shortcut Road and State Highways 6 and 8B at Cromwell that is legally described as Section 3 SO 461514.



REF: 1102 - ZP1 rev1
 DATE: 19.06.2018
 SCALE: 1:2500 @ A3

Zone Plan
 Woong Tree, Cromwell

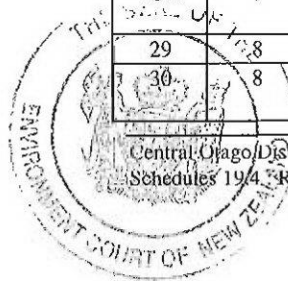
vivian+espie

landscape management and landscape planning
 Vivian+Espie Limited Resource Management and Landscape Planning
 PO Box 1214, Queenstown
 Physical Address: 19/15, 70 Canada Drive, Queenstown, Queenstown
 Tel: 03 5443 6199 Fax: 03 5443 6192 Web: www.vivianandespie.co.nz

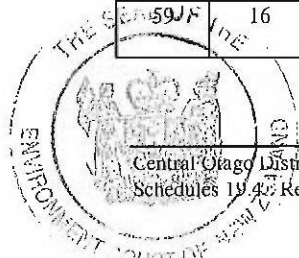
SCHEDULE 19.4 : REGISTER OF HERITAGE BUILDINGS, PLACES, SITES & OBJECTS AND NOTABLE TREES

PART A : HERITAGE BUILDINGS, PLACES, SITES AND OBJECTS

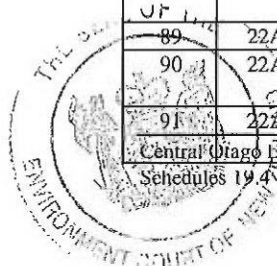
NO.	MAP NO	ITEM & LOCATION	LEGAL DESCRIPTION	NZHPT DETAILS	
				Reg No.	Category
1	2	Cob House, Manuhcrikia Road	Lot 1 DP 21983		
2	2	Alexandra Rabbit Canning Co, Alexandra Holiday Camp	Part Section 85, Block VII Leaning Rock SD		
3	4	Vallance Cottage, Samson Street, Alexandra	Lot 6 Alexandra Town Belt Domain		
4	4	Cottage, Graveyard Gully Road, Alexandra	Lot 2 DP 6793		
5	4	Shaky Bridge (over Manuhcrikia River), Kerry Street, Alexandra	Legal Road	2082	II
6	4	Spencer's Stone House 'The Pines' Killarney Street, Alexandra	Part Lot 7 DP 12765 and Lot 3 DP 12908		
7	4	St Aidan's Church (Anglican), Shannon Street, Alexandra	Sections 12 & 13 Block IX Town of Alexandra		
8	4A	Gun, Centennial Avenue, Alexandra	Lot 1 DP 15697 and Lot 1 DP 18092		
9	4A	Stone House, Centennial Avenue, Alexandra	Section 5 and DP 4228 Block III Town of Alexandra		
10	4A	St Enoch's Church and Stone Walls, Centennial Avenue, Alexandra	Lots 10 & 11 Block III Town of Alexandra		
11	4B	Courthouse (former), Centennial Avenue, Alexandra	Section 47 Block II Town of Alexandra	2081	II
12	4B	War Memorial, Centennial Avenue/Tarbert Street, Alexandra	Legal Road		
13	4B	Waterwheel, Alexandra Museum	Lot 1 DP 312358		
14	4B	Building Facade (Dental Surgery), Tarbert Street, Alexandra	Lot 3 & Part Lot 2 DP 5955		
15	4B	Powder Magazine and Stone Store, Alexandra	Lot 2 DP 23454		
16	4B	Post Office (former), Tarbert Street, Alexandra	Sections 8-9 Block XIV Town of Alexandra		
17	4B	Original Alexandra School, McDonald Street, Alexandra	Part Section 6 Block XXVIII Town of Alexandra		
18	4B	Bank of New Zealand (former), Tarbert Street, Alexandra	Lot 1 DP 11529 and Sec 5 Block I Town of Alexandra		
20	4B	Central Lodge Hotel (former), Limerick Street, Alexandra	Lot 1 DP 7266	2080	II
21	4B & 6	Stone Bridge Piers, Rivers Street & Old Bridge Road, Alexandra		349	I
22	5	Dam Walls/Buttress, Aronui Road, Alexandra	Section 121 Block I Fraser SD		
23	6	Stone Walls, Old Bridge Road	Road Reserve		
25	6	Cemetery, Graveyard Gully	Section 6 Block VI Cairnhill SD		
26	7 & 44	Bannockburn Sluice Workings	Part Section 166 Block I Cromwell SD	5612	II
27	7	War Memorial	Section 9 Block VI Town of Bannockburn		
28	7	Bannockburn Presbyterian Church, Hall Road, Bannockburn	Sections 8-10 Block V Town of Bannockburn	2385	II
28A	7	Ray Cottage, Domain Road, Bannockburn	Section 46, Block I, Bannockburn Survey District	7594	II
29	8	Post Office, Bannockburn	Section 79 Block I Cromwell SD		
30	8	Store, Bannockburn	Part Sections 1 & 2 Block III Town of Bannockburn		



31	8A	Bridge Tower and Abutments, Bannockburn	Legal Road		
32	9	Clyde Railway Station Building	Lot 31 DP 19044	7391	II
33	9	Briar Herb Factory, Fache Street, Clyde	Section 14 Part Sections 11-13 Block XII Town of Clyde & Lot 30 DP 18733		
34	9	Clyde Courthouse (former), Blyth Street, Clyde	Lot 2 of the subdivision of Lot 1 DP 25048	2379	II
35	9	Police Sergeant's House (former), Blyth Street, Clyde	Lot 1 DP 21712		
36	9	Earnsclough Bridge, Clyde	Legal Road	2370	II
37	9	Benjamin Naylor The Younger's House, Fraser Street, Clyde	Lot 1 DP 24775		
38	9	War Memorial & Gun	Part Section 1 Block XLIX Town of Clyde		
39	9A	Tinker's Cottage (former), Sunderland Street, Clyde	Sections 25/31 and 83/89 Block XXVI Town of Clyde		
40	9A	Dr Morice's House (former) & Outbuilding, Sunderland Street, Clyde	Sections 25/31 and 83/89 Block XXVI Town of Clyde		
41	9A	Hazlett's Home (former), Sunderland Street, Clyde	Sections 18/20 and 76/78 Block XXVI Town of Clyde		
42	9A	Hartley Arms Hotel (former), Sunderland Street, Clyde	Sections 15/17 and 73/75 Block XXVI Town of Clyde		
43	9A	Dunstan House (Guest House) (former Dunstan Hotel) Sunderland Street, Clyde	Sections 10, 11, 68 and 69 Block XXVI Town of Clyde	2368	II
44	9A	Dunstan Hotel and outbuildings (former Commercial Hotel), Sunderland Street, Clyde	Sections 1-7, 61-65, Block XXVI Town of Clyde	2369	II
45	9A	Dunstan Lodge and Athenaeum, Sunderland Street, Clyde	Sections 30, 31 and Part Section 29 Block XXIII Town of Clyde	2367	II
46	9A	Stables, Walls and Other Outbuildings, Fache & Naylor Streets, Clyde	Sections 15-27 and Part Section 28 Block XXIII Town of Clyde	5187	I
47	9A	Oliver's Restaurant and Lodge, Sunderland Street, Clyde	Section 15-27 and Part Section 28 Block XXIII Town of Clyde	5187	I
48	9A	Charles Henry Gye's Home (Chinese interpreter), Sunderland Street, Clyde	Sections 27/28 Block XI Town of Clyde		
49	9A	Stone Building (former Bank), Matau Street, Clyde	Section 1C Block I Town of Clyde		
50	9A	Gilkinson's House, Sunderland Street, Clyde	Sections 2A, 2B, 16A and 16B Block I Town of Clyde		
51	9A	Tyrell's Home, Sunderland Street, Clyde	Sections 15B and 15C Block I Town of Clyde		
52	9A	St Dunstan's Church (Catholic), Sunderland Street, Clyde	Lot 2 DP 20231, Town of Clyde	2387	II
53	9A	St Michael's Church (Anglican), Matau Street, Clyde	Sections 5-7 Block I Town of Clyde	2386	II
54	9A	Clyde Post Office (former), Blyth Street, Sunderland Street, Clyde	Lot 1 DP 21806	2384	II
55	9A	Postmaster's House (former), Blyth Street, Clyde	Lot 2 DP 21806		
55A	10	Lime Kiln, Earnsclough Road	Section 2 Block XI Leaning Rock SD		
56	11	Clyde Cemetery and Walls, Springvale Road	Cemetery Reserve Town of Clyde		
57	11	Feraud's Winery, Youngs Lane	Lot 2 DP 11768		
58	14	Old Cemetery, Litany & Ortive Streets, Cromwell	Part Section 1 Block XCII Town of Cromwell		
59	16	Old Cromwell Reservoir, Above State Highway 8	Section 15 Block VI Wakefield SD		



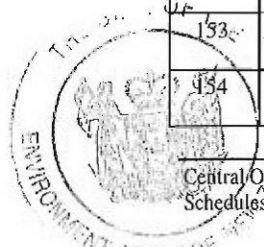
60	16	St Andrews Anglican Church, Blyth Street, Cromwell	Sections 1-2 Block LX Town of Cromwell	2132	II
61	16	Methodist Church, Erris & Donegal Street, Cromwell	Section 12 Block V Town of Cromwell		
62	16	Roman Catholic Church, Sligo Street, Cromwell	Sections 19-21, Part Section 18 Block VI, Town of Cromwell		
63	16	St Johns Church (Presbyterian), Inniscort Street, Cromwell	Sections 34-36 Block III, Town of Cromwell	2131	II
64	16	Cromwell Courthouse (former), Inniscort Street, Cromwell	Section 3 Block VII, Town of Cromwell	2129	II
65	16	War Memorial and Gun, Cromwell	Lot 1 DP 19148		
66	16	Victoria Arms Hotel, Melmore Terrace, Cromwell	Sections 16-23 Block IV Town of Cromwell		
67	16	Cromwell Kilwinning Lodge No 98, Melmore Terrace, Cromwell	DP 1890 Lots 1-3 DP 1891	2130	II
68	16	Cobb & Co Store, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
69	16	London House Stables, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
70	16	London House (Belfast Store, Sherwood & Co), Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
71	16	Jolly's Grain Store, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
72	16	The Argus, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
73	16	Captain Barry's Cottage, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
74	16	Berhen's Barn, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
75	16	G Stumbles - General Merchant, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell		
76	16	Murrell's Cottage, Melmore Terrace, Cromwell	Section 1 SO 23762 Block IV Town of Cromwell	2133	II
76A	16	Cromwell Bridge, beneath Lake Dunstan	Sections 1 & 3 SO 23940		
76B	16	The Manse, Sligo Street, Cromwell	Sections 21 & 22 Block V Town of Cromwell		
76C	16	Athenaeum Ruins	Section 2 SO 23940		
76D	16	Wishart's Blacksmith	Section 2 SO 23940		
77	18	Partridge Farm Chaff House, Cnr Heaney & Swan Roads, Lowburn Valley	Sections 2, 14 & 1305R, Part Sections 1, 5, 7 & 1413R Block V Cromwell SD	7624	II
78	18	Partridge Farm Implement Shed, Cnr Heaney & Swan Roads, Lowburn Valley	Sections 2, 14 & 1305R, Part Sections 1, 5, 7 & 1413R Block V Cromwell SD	7624	II
79	18	Partridge Farm Stables, Cnr Heaney & Swan Roads, Lowburn Valley	Sections 2, 14 & 1305R, Part Sections 1, 5, 7 & 1413R Block V Cromwell SD	7624	II
80	18	Partridge Farm Dairy, Cnr Heaney & Swan Roads, Lowburn Valley	DP 6389 Block V Cromwell SD	2381	II
81	18	Werner Dairy, Lowburn	Lot 1 DP 27246	2392	II
82	20	St Johns Anglican Church, Millers Flat	Lot 1 DP 2627 Block III Benger SD		
83	21	War Memorial, Domain, Millers Flat	Section 133 Block III Benger SD		
84	21	Bakers Oven, Millers Flat	Lot 4 DP 16297		
85	21	Millers Flat 4 Span Steel Truss Bridge, Millers Flat (spanning Clutha River)		5217	II
86	22	Cemetery, Naseby	Sections 93 & 99 Block I Naseby SD		
87	22	St Georges Church (Anglican), Derwent Street, Naseby	Lot 2 DP 17211	2271	II
88	22	Church of the Sacred Heart (Catholic), Foyle Street, Naseby	Lot 1 DP 22905	2265	II
89	22A	Town Hall, Leven Street, Naseby	Sections 95-97 Block I Town of Naseby		
90	22A	Ancient Briton Tavern, Leven Street, Naseby	Lots 2-4 DP 9467 and Sections 26 & 30 Block I Town of Naseby	3214	II
91	22A	Watchmaker's Shop, Leven Street, Naseby	Part Section 108 & Section 27 Block I Town of Naseby	2270	II



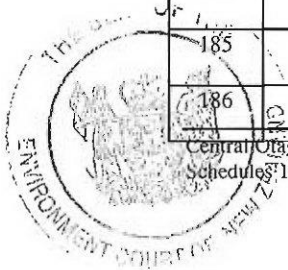
92	22A	Museum, Earne Street, Naseby	Part Section 59 Block I Town of Naseby	2268	II
93	22A	Royal Hotel, Earne Street, Naseby	Sections 60 & 78, 114 Block I Town of Naseby	2269	II
94	22A	War Memorial and Gun, Naseby	Sections 14-17 Block I Town of Naseby		
95	22A	Cottage (originally The Stables), Derwent Street, Naseby	Section 208 and Part Section 57, 107 & 179 Block I Town of Naseby		
96	22A	All Nation's Store (original portion), Earne Street, Naseby	Section 208 and Part Sections 57, 107 & 179 Block I Town of Naseby	2262	II
97	22A	Naseby Athenaeum, Derwent Street, Naseby	Section 18 Block II Town of Naseby	4369	I
98	22A	Post Office (former), Derwent Street, Naseby	Sections 1 & 2 Part Sections 3 & 28 Block II Town of Naseby	2267	II
99	22A	Courthouse (former), Derwent Street, Naseby	Section 74 Block II Town of Naseby	2266	II
99A	22A	Masonic Lodge	Lot 1 DP 10039		
100	22A	Presbyterian Church, Oughter Street, Naseby	Lot 2 DP 6605	2264	II
101	22A	Twin Cottage (1), Derwent Street, Naseby	Part Section 6 Block II Town of Naseby	3215	II
102	22A	Twin Cottage (2), Derwent Street, Naseby	Part Section 6 Block II Town of Naseby	3216	II
103	22A	Wooden Cottage, Derwent Street, Naseby	Part Section 11 Block II Town of Naseby		
104	22A	Cottage, Derwent Street, Naseby	Lots 2-3 DP 9380 and Part Section 43-44 Block II Town of Naseby		
105	25	St Marys Anglican Church, Leask Street, Omakau	Sections 4 & 5 Block I Manuhērikiā Town		
106	25	Blacks Hotel, Ophir	Sections 1 and 2 Block IV Town of Ophir		
107	25	St Andrews Church (Presbyterian), Swindon Street, Ophir	Sections 7-8 Block III Town of Ophir	3246	II
108	25	Kintail House, Swindon Street, Ophir	Lot 2 and Part Lot 1 DP 9219		
109	25	The Bungalow, Swindon Street, Ophir	Section 2 Block III Town of Ophir		
110	25	Dressmaking Shop (former), Swindon Street, Ophir	Section 1 Block III Town of Ophir		
111	25	Flannery's Store (The Bakery), Swindon Street, Ophir	Sections 8 and 9 Block II Town of Ophir		
112	25	Bank of New South Wales (former), Swindon Street, Ophir	Section 6 Block II Town of Ophir		
113	25	Pitches Store, Swindon Street, Ophir	Sections 4-5 Block II Town of Ophir	7282	II
114	25	Policeman's House (former), Swindon Street, Ophir	Section 12 Block II Town of Ophir		
115	25	Old Courthouse (former), Swindon Street, Ophir	Section 11, Block II Town of Ophir	2372	II
116	25	Postmaster's House (former), Swindon Street, Ophir	Section 2 and Part Section 13 Block II Town of Ophir		
117	25	Post Office, Swindon Street, Ophir	Part Section 13 Block II Town of Ophir	341	I
118	25	Cottage Hospital (former), Swindon Street, Ophir	Sections 4 & 15 and DP 1384 Block I Town of Ophir		
119	25	Two-Cell Cottage (former Library Athenaeum), Swindon Street, Ophir	Sections 8 and 9, Block I Town of Ophir		
120	25	Cottage, Stable and Out Buildings, West Side, Main Street, Ophir	Section 11 Block I Town of Ophir	3230	II
121	25	Daniel O'Connell Bridge, Ida Valley-Omakau Road, Ophir		338	I



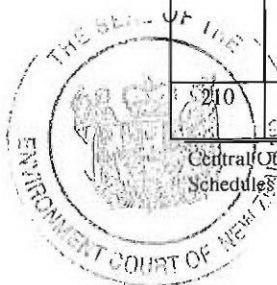
122	25	Rock Cutting at entrance to Daniel O'Connell Bridge, Ophir	Section 26 Block II Tiger Hill SD		
123	26	War Memorial, Patearoa	Section 57 Block I Upper Taieri SD		
124	31	Gun, Ranfurly	Section 18 Block X Town of Ranfurly		
125	31	Ranfurly Hotel, Charlemont Street East, Ranfurly	Lot I DP I5637 Block II Town of Ranfurly		
126	31	Railway Station (former), Charlemont Street East Ranfurly	See NZ Gazettes 1994 p2931, 1996 p4440, 1997 p554, 555, 1069 & 1518 & 1998 p1431		
127	31	Maniototo Service Centre facade, Pery Street, Ranfurly	Lot 3 DP 8520 Section 9 & Part Section II Block XII Town of Ranfurly		
128	31	War Memorial, Pery Street, Ranfurly	Section 13 Block XII Town of Ranfurly		
129	31	Maniototo Hospital, Tyrone Street, Ranfurly	Sections 33, 51 & Part Section 32 Block I Town of Ranfurly	7306	II
130	32	Catholic Church, Alexander Street & Stuart Street, Ranfurly	Section 18 Block XVI Town of Ranfurly		
131	33 & 35	Dredge Remnants, Clutha River, Roxburgh			
132	33	Cotta2e, Scotland Street, Roxburgh	Lot2DP 19650		
133	35	Teviot Union Parish Chnrch, Scotland Street, Roxburgh	Sections 2-7 Block I Town of Roxburgh		
134	35	Teviot Museum, Abbotsford Street, Roxburgh	Section II Block I Town of Roxburgh		
135	35	House, Branxholm Street, Roxburgh	Section 15 & Lot I DP 4138, Block XXIV Town of Roxburgh		
136	35	Avoca House, Scotland Street, Roxburgh	Lot I DP I2419		
137	35	Old Mortar, Scotland Street, Roxburgh	Lot2 DP 4309		
138	35	House, Ferry Road, Roxbnrgh	Part Section 2 Block IX Town of Roxburgh		
139	35	St James Church (Anglican), Ferry Road & Jedburgh Street, Roxburgh	Section 9 Block IX Town of Roxburgh	2345	II
140	35	Catholic Church, Scotland Street, Roxburgh	Sections 7 & 9 Block XII Town of Roxburgh		
141	35	Stone Cotta2e, Teviot Street, Roxburgh	Lot 2 DP 15790		
142	35	Old Bridge Piers, Jedburgh Street, Roxburgh		2344	II
143	35	Stone & Concrete Cable Housing at Bridge, Jedburgh Street, Roxburgh			
144	35	War Mcmorial, Scotland Street, Roxburgh	Part Section I81 Block II Teviot SD		
145	36	Johnson's Cottage, Scotland Street, Roxburgh	Section 33F Lots 23-27 DP I116 and Part 22 Block II Teviot SD		
146	37B	Teviot Railway Water Tower	Section 57 Block VII Teviot SD		
147	38& 50	Blue Lake, St Bathans	Section 82 Block II St Bathans SD		
148	38	Mine Manager's House (former), St Bathans Loop Road	Section 35 Bloek I Town of St Bathans		
149	38	Police House and Gaol (former), St Bathans Loop Road	Section 29 Block I Town of St Bathans		
150	38	St Patricks Church (Catholic), Loop Road, St Bathans	Section 5 Block II St Bathans SD	32IO	II
151	38	School Ruins, Loop Road, St Bathans	Sections 46-47 Block I Town of St Bathans & Legal Road	3208	II
152	38	School Master's Residence (former), St Batbans Loop Road	Section 24 Block I Town of St Bathans		
153	38	Vulcan Hotel Billiards Room/Stables (former), Loop Road, St Bathans	Section 16 Block II Town of St Bathans	2255	II
154	38	Vulcan Hotel, Loop Road, St Batbans	Sections 16 & 49 Bloek I Town of St Bathans	2259	II



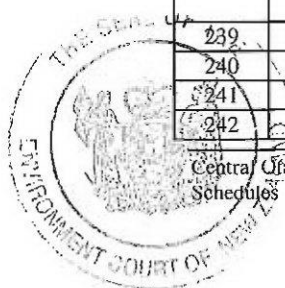
155	38	Hall, Loop Road, St Bathans	Section 48 Block I Town of St Bathans	2256	II
156	38	Stone Cottage (former Blacksmith's Shed), St Bathans Loop Road	Section 13 Block I Town of St Bathans		
157	38	Bank of New South Wales Gold Office, Loop Road, St Bathans	Section 13 Block I Town of St Bathans	331	I
158	38	Post Office, Loop Road, St Bathans	Section 11 Block I Town of St Bathans	2254	II
159	38	Church of St Alban the Martyr (Anglican), St Bathans Downs Road	Section 7 Block I Town of St Bathans	2252	I
160	38	'Suthy's' Cottage (former Donald Sutherland's), St Bathans Downs Road	Part Section 6 Block I Town of St Bathans		
161	38	Cottage Hospital (former), St Bathans Downs Road	Sections 4-5 Block I Town of St Bathans		
162	38	St Bathans Cemetery, Cemetery Road	Section 9 Block II St Bathans SD		
163	39	War Memorial, Waipiata	Legal Road		
164	40A	General Store, Main Road, Oturehua	Lot 1 DP 20367	7304	II
165	40A	Ida Valley Flourmill (former), Ida Valley Road, Oturehua	Lot 1 DP 20092	2257	II
166	40A	Hayes Engineering Works, Ida Valley-Omakau Road, Oturehua	Section 38 Block XIII Blackstone SD	330	I
167	40C	Facade of Stone Building, Hills Creek	Sections 13, 20-21 Block II Town of Hills Creek		
168	40C	Memorial Gates Blackstone Hill Cemetery, Hills Creek	Section 22 Block III Blackstone SD		
168A	40C	Former Blackstone Hill School, Ida Street, Hills Creek	Lot 2 DP 365086		
169	41B & 52	Quartz Reef Point Gold Workings	Lot 1 DP 16004	5618	II
170	41C	Hartley & Rcilly Memorial, Cromwell Gorge	Legal Road		
171	41D	Cob Stables, Rocky Point, Tarras	Lot 2 DP 17335 and Section 1 SO 22190		
172	42	Earnsclough Station Homestead and Stables	Lot 5 DP 26125	7405	I
173	42 & 43	Earnsclough Tailings	Section 1 SO 22853 & Section 206 Block I Leaning Rock SD		
174	43	Iverson Cottage, Conroys Road	Sections 55 & 172 Block I Fraser SD		
175	43	Chinese Cave, Conroys Road	Section 55 & 172 Block I Fraser SD		
176	43	Stone Wall Remains, Conroys Road	Legal Road		
177	43	Lye Bows Hut, Outbuildings and Stone Walls, Butchers Dam	Part Section 1 Block II Fraser SD	7547	Historic Area
177A	43	Former Earnsclough School, Earnsclough Road	Part Section 5 Block X Leaning Rock SD		
178	44	Stewart Town Ruins	Section 48 Block II Cromwell SD	5610	II
179	44	Dam	Section 48 Block II Cromwell SD	5611	II
180	45	Coal Creek Methodist Church (former), Coal Creek	Lot 2 DP 7213		
181	46	Queensberry Inn Stable Block (former) Wagoner's Accommodation, SH 6 Queensberry	Lot 7 DP 22096	2390	II
182	47	Murrell's Hut, Mt Pisa Station, Pisa Range	Run 730		
182A	48	Mt Pisa Station, State Highway 6, Mt Pisa	Run 731	3243	II
183	48	Road Bridge, Albert Burn, Queensberry	Legal Road		
184	48	Goldfields Remains, Bendigo Historic Reserve	SO 20026 & Section 32 Block III Wakefield SD		
185	49	Shepherds Hut, early 1900s, Thomson Gorge Road, Matakau	Run 238N Section 1 Block IX Lauder SD		
186	50	Bakehouse, Lauder Station	Section 4 Block IV Blackstone SD & Part Run 226B		



187	50	Woolshed and Stables, Lauder Station, off St Bathans Loop Road	Section 4 Block IV Blackstone SD & Part Run 226B		
188	50	Cottage, Shepherds Flat Road	Lot 1 DP 25455		
189	50	Ruin, Coal Pit Road, Cambrians	Lot 3 DP 25142	3207	II
190	50	Cottage, Cambrians	Section 132 Block I St Bathans SD	3207	II
191	50	Cottage (remains), Cambrians	Section 126 & Section 4 SO 23818 Block I St Bathans SD	3207	II
192	50	Cottage, Cambrians	Section 126 & Section 4 SO 23818 Block I St Bathans SD	3207	II
193	50	Cottage, Cambrians	Section 135 Block I St Bathans SD	3207	II
194	50	Cottage, Cambrians	Section 115 Block I St Bathans SD	3207	II
195	50	Cottage, Cambrians	Lots 1-3 DP 23469	3207	II
196	50	Ruins of Welsh Harp Hotel, Cambrians Road	Section 3 Block I St Bathans SD	3207	II
197	50	Cottage, Cambrians	Sections 1, 121 & 142 Block I St Bathans SD	3207	II
198	51	Burn Cottage, Burn Cottage Road.	Section 119 Block III Cromwell SD		
199	52	Haehaeata (Leaning Rock), Dunstan Range	Section 5 Block V Leaning Rock SD		
200	52	Miner's Stone Hut, Cromwell Gorge	Section 1-11 SO 23490		
201	53	Matakanui Hotel, Matakanui	Section 9 Block VII Lauder SD		
202	53	Dnggan's store, stables and yard wall, Naylor Road, Matakanui	Part Section 34A and DP 1427 Block VII Lauder SD	339	I
203	53	Woolshed (former Matakanui School with School Bell), Naylor Road, Matakanui	Part Section 36 Block VII Lauder SD		
204	53	Moutere Station former Stables, Moutere Road, Chatto Creek	Lot 1 DP 15789, Section 3 Part Sections 4, 11 and Closed Roads Block III Tiger Hill SD, Sections 1-4, 6-9, 11, 15, 19 Lot 1 DP 15788 Block IV Leaning Rock SD and Section 13 Block VII Tiger Hill SD	3245	II
205	53	Moutere Station Mens Quarters, Moutere Road, Chatto Creek	Lot 1 DP 15789, Section 3 Part Sections 4, 11 and Closed Roads Block III Tiger Hill SD, Sections 1-4, 6-9, 11, 15, 19 Lot 1 DP 15788 Block IV Leaning Rock SD and Section 13 Block VII Tiger Hill SD	2377	II
206	53	Moutere Station Outbuilding behind Homestead, Moutere Road, Chatto Creek	Lot 1 DP 15789, Section 3 Part Sections 4, 11 and Closed Roads Block III Tiger Hill SD, Sections 1-4, 6-9, 11, 15, 19 Lot 1 DP 15788 Block IV Leaning Rock SD and Section 13 Block VII Tiger Hill SD	3244	II
207	53	Moutere Station Redfern Barn, Moutere Road, Chatto Creek	Lot 1 DP 15789, Section 3 Part Sections 4, 11 and Closed Roads Block III Tiger Hill SD, Sections 1-4, 6-9, 11, 15, 19 Lot 1 DP 15788 Block IV Leaning Rock SD and Section 13 Block VII Tiger Hill SD	2378	II
208	53	Moutere Station Shearers Quarters, Moutere Road, Chatto Creek	Lot 1 DP 15789, Section 3 Part Sections 4, 11 and Closed Roads Block III Tiger Hill SD, Sections 1-4, 6-9, 11, 15, 19 Lot 1 DP 15788 Block IV Leaning Rock SD and Section 13 Block VII Tiger Hill SD	2377	II
209	53	Moutere Station Woolshed, Moutere Road, Chatto Creek	Lot 1 DP 15789, Section 3 Part Sections 4, 11 and Closed Roads Block III Tiger Hill SD, Sections 1-4, 6-9, 11, 15, 19 Lot 1 DP 15788 Block IV Leaning Rock SD and Section 13 Block VII Tiger Hill SD	340	I
210	53	Downshire Homestead, State Highway 85, Omakau	Lot 1 DP 21985	5220	II



211	53	McTavish's Stone Hut, Poolburn Road, Ophir	Section 130 Block II Tiger Hill SD		
212	54	White Horse Hotel (former), State Highway 85, Becks	Lot 1 DP 21992	5221	II
213	54	Poolburn Gorge Railway Viaduct and nearby Tunnels	See NZ Gazettes 1994 p2931, 1996 p4440, 1997 p554, 555, 1069 & 1518 & 1998 p1431		
214	54	Golden Progress Mine, Oturehua	Part Section 16 Block I Blackstone SD		
215	54	Quarry	Section 1 Block XVIII Blackstone SD	5633	II
216	55	Wedderburn Railway Station Building (former)	Section 10 Block VII Naseby SD		
217	57	Steel Road Bridge, Chatto Creek	Legal Road		
218	57	Chatto Creek Hotel	Section 3 Block VII Tiger Hill SD		
219	57	Rutherford's Blacksmith, Granary & Implement Barn, Poolburn	Section 26-28 Block V Tiger Hill SD	5219	II
220	57	Ida Valley Station Office & Woolshed, Moa Creek Road, Ida Valley	Sections 10, 11 & 25 Block IV Tiger Hill SD		
221	57	Quarry/Work Floor	Section 10 Block XIII Section 7 Block XIV Section 9 Block XVIII and Section 13 Block XIX Tiger Hill SD	5621	II
222	57	Silcrete Quarry	Sections 2 & 3 Block XIX Tiger Hill SD	5619	II
223	57	Stone Retaining Walls, below Crawford Hills Saddle	Legal Road		
224	57	Galloway Station Homestead and Outbuildings, Crawford Hills Road, Galloway	Section 9 Block VI Tiger Hill SD	2373	I
225	57, 43 & 61	Teviot Road, Tucker Hill Road	Legal Road in Block VI Cairnhill SD		
226	58	Maori Silcrete Quarry, Rough Ridge	Sections 5 & 6, Block V, Gimmerburn SD	5634	II
227	58	Remnants of Puketoi Homestead, Puketoi Runs Road	Sections 1 & 4 and Part Section 2 Block III Upper Taieri SD and Section 1 Block I Upper Taieriside SD		
228	59	Green Bridge, Patcaroa-Waipia Road, Waipia	Legal Road		
229	59	Waipia Sanatorium (former), Orangapai Sanatorium Road	Sections 64/65 and Part Sections 61 & 81 Block I Rock and Pillar SD		
230	59	Cemetery, Hamiltons	Section 1 Block I Rock & Pillar SD		
231	60	Cresset Stone Cairns, Swinburn Peak ridge	Sections 36-38 Block IV Part Section 13 Block V Section 6 Block VIII & Section 5 Block IX Swinburn SD		
232	60	Presbyterian Church, Kokonga	DP 5602		
233	61	Kopuwai Obelisk Rock, Old Man Range	Section 68 Block II Cairnhill SD & Part Run 249A		
234	61	Mitchell's Cottage and Associated Structures, Symes Road, Fruitlands	Section 101 Block I Cairnhill SD	337	I
235	61	Mudbrick Cottage and Associated Structures, Symes Road, Fruitlands	Section 82 Block I Cairnhill SD		
236	61	'The Stables' Cottage, Fruitlands	Lot 1 DP 19968		
237	61	Fruitlands Gallery façade (original walls)	Lot 1 DP 20249		
238	61	Cape Broome Hotel & Hexagonal Dairy (former), Fruitlands	Part Lot 27 DP 2859 and Lot 4 DP 3639	3241	II
239	61	Stone Cottage, Fruitlands	Lot 1 DP 12993 Cairnhill SD		
240	61	Pioneer Memorial, Gorge Creek	SO 21526		
241	61	John Stewart's Grave, Gorge Creek	SO 21526		
242	61	Miners Rock Shelter, SH8 Gorge Creek	SO 21526	2371	II



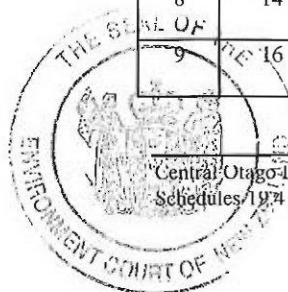
243	61	Stone Snow Pole Cairns and Shelter Hut Ruins, above Gorge Creek - Old Man Range (summit ridge)	Run 429B Obelisk SD		
244	62	Hyde Rock, Old Man Range	Part Run 499 Cairnhill SD		
245	62	Herron's Cottage, Roxburgh Gorge	Sections 6 & 65-67 & Part Section 8 Block VIII Teviot SD		
246	63	Teviot Station Woolshed ruins, Loop Road, Teviot	Lot 1 DP 339179	336	I
247	63	Teviot Railway Goods Shed and Siding, Teviot Road	Sections 23S, 43S, 54S & Part Section 10S Teviot Settlement Blocks V & VII Bengier SD	5218	II
248	63	Moa Seed Barn, State Highway 8, Dumbarton	Lot 1 DP 16903	7626	II
249	63	Moa Seed Farmhouse, State Highway 8, Dumbarton	Lot 1 DP 16903	7626	II
250	64	Moa Flat Downs Station Cottage, Moa Flat - Ettrick Road	Section 5 Block I & Section 2 Block IV Wart Hill SD	7625	II
251	64	Moa Flat Downs Station Cookshop/Meus Quarters, Moa Flat - Ettrick Road	Section 5 Block I Section 2 Block IV Wart Hill SD	7625	II
252	64	Moa Flat Downs Station Stables, Moa Flat - Ettrick Road, Moa Flat	Section 5 Block I Section 2 Block IV Wart Hill SD	7625	II
253	64	Moa Flat Downs Station Blacksmiths Shop, Moa Flat - Ettrick Road	Section 5 Block I and Section 2 Block IV Wart Hill SD	7625	II
254	64	Moa Flat Downs Station Woolshed, Moa Flat - Ettrick Road	Section 5 Block I & Section 2 Block IV Wart Hill SD	7625	II
255	64	Ovens	Section 3 Block XV Bengier SD	5625	II
256	64	Ovens/Flakes	River Reserve Block III Bengier SD	5624	II
258	64	Swing Bridge, Rigney			
259	64	Lonely Graves, Horseshoe Bend	Section 33 Block XII Bengier SD	5626	II
260	65	Morven Hills School Room, Chaff house, Stables, Cookshop, Homestead, Lindis Valley	Part Run 679 Block IX Lindis SD		
261	65	Morven Hills Station Woolshed, Lindis Valley	Part Run 679	53	I
262	65	Lindis Pass Hotel Ruins, Geordie Hill Flats	Section 2 Block XIII Lindis SD		
263	66	Quarry/Work Floor	Run 582 Block XIII St Bathans SD	5632	II
264	67	Gold Diggings, Kyeburn Diggings	Part Section 22 and Sections 26, 27 & 29 Block VI Kyeburn SD		
265	67	Danseys Pass Hotel, Danseys Pass Road	Section 4 Block VI Kyeburn SD		
266	67	Cemetery, Kyeburn Diggings	Sections 3 & 12 Block V Kyeburn SD		
267	68	Dam	Section 2 SO 20098, Young Australian Historic Reserve, Block III Bannockburn SD	5616	II
268	68	Water Wheel, Young Australian Mining Company	Section 2 SO 20098 Young Australian Historic Reserve, Block III, Bannockburn SD	342	I
269	68	Young Australian Mine Co. Battery, Gully opposite waterwheel Carrick Range	Section 2 SO 20098, Young Australian Historic Reserve, Block III, Bannockburn SD	2393 & 5616	II & II
270	68	Stone Hut below Young Australian Battery	Section 2 SO 20098, Young Australian Historic Reserve, Block III, Bannockburn SD	2389 & 5616	II & II
271	68	Kawarau Station Homestead, Bannockburn Road, Bannockburn	Section 1 Block IV Bannockburn SD	7619	I
272	68	Kawarau Station Woolshed, Bannockburn Road, Bannockburn	Section 1 Block IV Bannockburn SD	7619	I



273	68	Happy Valley Homestead, Hawksburn Road, Bannockburn	Run 339C Bannockburn and Nevis SD		
274	68	Ovens/Midden	Run 339G Block VIII Bannockburn	5620	II
275	68	Midden/Ovens	Run 345A Block I Nevis SD	5615	II
276	68	Stone Hotel Ruins, Nevis Valley	Section 36 Block III Nevis SD		
277	70	Stone Hut, Hopes Creek	Section 4 Block IV Part Rnn 566 Cairnhill SD		
278	70	Raceman's Hut, Upper Manorburn Dam	Crown Land in Manor and Long Valley SD		
279	70	Waterwheel & Battery, Long Valley	Part Section I Block VII, Manor SD		
280	70	Serpentine Church, Serpentine	Section 2 and Part Section I Block VII Manor SD and Long Valley SD		
281	70	Linnburn Woolshed & Old Stone yards, Linnburn Runs Road	Sec 1/2 SO 21791, Sec 1 SO 22582 Blk VII, Upper Taieriside SD and Pt Sec 1 SO 21790 Manorside, Serpentine and Upper Taieriside SD		
282	70	Ovens/Artefacts	Section 1 Block I Serpentine SD	5635	II
283	70	Deep Creek Hut, Paerau	Section 3 Block VIII Long Valley SD		
284	71	Styx Gaol, Paerau	Crown Land in Block I Loganburn SD		
285	71	Styx Hotel and Stables, Paerau	Lot 6 DP 24049 and Section 3 Block I Loganburn SD		
286	72	Ovens, Lake Onslow	Section Block XV Long Valley SD	5623	II
287	54	St Paul's Union Church, State Highway 85, Lauderdale near Becks	Lots 1, 4 & 5 DP 351454	5222	II
288	50	Berry's Cottage, Cambrians	Lot 2 DP 25142	3207	II
289	62	Quarry/work floor, in the vicinity of Ehot Road and State Highway 8	Part Section 33 Block V Teviot SD	5622	II

PART B : NOTABLE TREES

NO.	MAP	ITEM & LOCATION	LEGAL DESCRIPTION
1	4	Kashmir Cypress (<i>Cupressus cashmeriana</i>), Alexandra Primary School, Dunorling Street, Alexandra	Sections 5-22 Block IV Sections 16-17 Block III Town of Alexandra
1A	4	Red Oak, (<i>Quercus rubra</i>), Red Ash (<i>Fraxinus pensylvanica</i>), Silver Birch (<i>Betula pendula</i>), Walnut (<i>Juglans regia</i>), Mulberry (<i>Morus nigra</i>) – 2 specimens, Fig (<i>Ficus carica</i>) – 2 specimens, Chapple Street, Alexandra	Lots 2 & 3 DP 8332
2	4A & 4B	Ponderosa Pines and Deodar Cedar (<i>Pinus ponderosa</i> and <i>Cedrus deodara</i>), Pioneer Park, Alexandra	Sections 1-23 Block XI Sections 1-22 Block XII Legal Road & War Memorial, Town of Alexandra
3	4A	Common Oak (<i>Quercus robur</i>), Centennial Avenue, Alexandra	Lot 2 DP 12911
4	4A	Horse Chestnuts (<i>Aesculus hippocastanum</i>), Sycamores (<i>Acer pseudoplatanus</i>), St Enoch's Church, Centennial Avenue, Alexandra	Sections 7-11 Block III Town of Alexandra
5	9A	Wellingtonia (<i>Sequoiadendron giganteum</i>), Sunderland Street, Clyde	Sections 20/23 and Lot 4 DP 1803 Block XI Town of Clyde
6	11	Umbrella or Stone Pine (<i>Pinus pinea</i>), Maritime Pine (<i>Pinus pinaster</i>), Scots Pine (<i>Pinus sylvestris</i>), Clyde Cemetery, Springvale Road, Clyde	Cemetery Reserve in Town of Clyde
7	12	Cottonwood Poplars (<i>Populus deltoides</i>), State Highway 6, Cromwell	Lots 1 & 3 DP 17297
8	14	Scarlet Oak (<i>Quercus coccinea</i>), Horace Street, Cromwell	Part Section I Block XXXVIII Town of Cromwell
9	16	Tulip Tree (<i>Liriodendron tulipifera</i>), Molyneux Avenue, Cromwell	Sections 11-13 Block LXVIII Town of Cromwell



10	16	Wellingtonias (<i>Sequoiadendron giganteum</i>), Inniscort Street, Cromwell	Sections 4-6 Block V Town of Cromwell
11	22	"Elizabeth" Tree - Wellingtonia (<i>Sequoiadendron giganteum</i>), Naseby Kyeburn Diggings Road, Naseby	Section 7 Block IV Town of Naseby
12	22	European/ Common Beech (<i>Fagus sylvatica</i>), Lime/Linden (<i>Tilia europaea</i>), Derwent Street, Naseby	Lot 2 DP 17211
13	22A	Wellingtonia (<i>Sequoiadendron giganteum</i>), Sitka Spruce (<i>Picea sitchensis</i>), Deodar Cedar (<i>Cedrus deodara</i>), Lawson's Cypress (<i>Chamaecyparis lawsoniana</i>), Weeping Cypress (<i>Cupressus funebris</i>), Ponderosa Pine (<i>Pinus ponderosa</i>), Caucasian Fir (<i>Abies nordmanniana</i>), Western White Pine (<i>Pinus monticola</i>), Naseby Recreation Ground, Naseby	Section 85 Block II Town of Naseby
14	22A	Monkey Puzzle (<i>Araucaria araucana</i>), Derwent Street, Naseby	Lots 2 & 3 DP 9380 and Part Sections 43 & 44 Block II Town of Naseby
15	35	Oak (<i>Quercus robur</i>), Roxburgh Area School, Scotland Street, Roxburgh	Sections 1-11 and Closed Road Block II Sections 1-2 & 4-5 and Part Sections 3-24 Lots 3-5 DP 7069 Block XVII Lot 4 and Part Lots 1-3 DP 10668 Town of Roxburgh
16	36A	Red Beech (<i>Nothofagus fusca</i>), State Highway 8, Roxburgh	Section 2, Block XIV Bengers SD
17	43	Black Walnut (<i>Juglans nigra</i>), Conroys Road, Earnsclough	Lot 1 DP 6141
18	43	Common Walnut (<i>Juglans regia</i>), Conroys Road, Earnsclough	Sections 55 and 172 Block I Fraser SD
19	48	Wellingtonia (<i>Sequoiadendron giganteum</i>), Mt Pisa Station, Cromwell	Run 731
20	61	Wellingtonia (<i>Sequoiadendron giganteum</i>), Sitka Spruce (<i>Picea sitchensis</i>), Rowan/Swedish Whitebeam (<i>Sorbus intermedia</i>), Mitchell's Cottage, Symes Road, Fruitlands	Section 101 Block I Carinhill SD
21	63	Totara (<i>Podocarpus totara</i>), Kowhai (<i>Sophora microphylla</i>), Magnolia (<i>Magnolia grandiflora</i>), State Highway 8, Dumbarton	Lot 1 DP 24661
22	63	Purple Beech (<i>Fagus purpurea</i>), Dawn Redwood (<i>Metasequoia glyptostroboides</i>), State Highway 8, Dumbarton	DP 4388
23	22	Ponderosa Pine (<i>Pinus ponderosa</i>), Lawsons Cypress (<i>Chamaecyparis lawsonia</i>), Yellow Cypress (<i>Chamaecyparis nootkatensis</i>) Norway Spruce (<i>Picea abies</i>), Lizard Tree (<i>Thujaopsis delobrata</i>), Derwent Street, Naseby	Lot 1 DP 18772
24	5	Jolendale Park, Aronui Road, Alexandra	Lots 1 & 3 DP 7610 and Lots 1 & 2 DP 16156
25	42	Wellingtonia (<i>Sequoiadendron giganteum</i>), State Highway 8, Clyde	Lot 1 DP 23618
<u>26</u>	<u>13</u>	<u>Monterey Pine (<i>Pinus radiata</i>), known as the "Wooping Tree", Wooping Tree Overlay Area, State Highways 6 and 8B, Cromwell.</u>	<u>Section 3 SO 461514 held in Identifier 684261.</u>