



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Growing strong communities.

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Illegal Vegetation Clearance

The number of cases of illegal vegetation clearance dealt with by council between January 1, 2016 and July 27, 2021.

I would like information broken down by date, area of land cleared, rule broken, and action taken by council (warning, court action etc). Illegal vegetation clearance means any clearance that breaches District Plan and/or RMA rules.

| Year | Area cleared | Rule broken | Action taken |
|------|--------------------------|-------------------|---|
| 2021 | 1.67 Hectares | 4.4.8.2 & 4.4.7.3 | Ongoing investigation |
| 2020 | 40 Hectares | 4.4.8.2 | Written warning |
| 2020 | Undetermined | 4.4.8.2 | Written warning |
| 2020 | 68 Hectares | 4.4.8.2 | Abatement notice and environment compensation agreement |
| 2020 | 17.46 Hectares | 4.4.8.1 & 4.4.8.2 | Abatement notice |
| 2020 | 7.1 Hectares | 4.4.8.1 | Retrospective resource consent |
| 2019 | 145 Hectares | 4.4.8.2 | Prosecution |
| 2019 | 16.8 Hectares | 4.4.8.1 | Retrospective resource consent |
| 2018 | 70 Hectares | 4.4.8.2 | Nil |
| 2018 | 36.38 Hectares | 4.4.8.2 | Nil |
| 2018 | 3 x individual specimens | 4.4.8.1 | Written warning |
| 2018 | 18.7 Hectares | 4.4.8.2 | Infringement Notice |

No instances of unauthorised indigenous vegetation clearance are recorded from 2016 to 2017.

District Plan Rural Rules are attached for your reference.

Yours sincerely,

Information Management Officer

4 RURAL ZONES

4.1 ZONE STATEMENT - RURAL ZONES:

- Rural G (General)
- Rural S (Scenic)

The Rural G (General) Zone covers the downlands and plains being primarily the arable areas of the District. The zone contains high class soils in areas around Oamaru, Weston and Palmerston and near the coast. These high class soils are identified on the Planning Maps. The zone also contains soils of lesser value, found on land with a landuse capability class of III, IV and V land in and around the foothills.

The Rural S (Scenic) Zone generally covers the high country, rangelands and inland basin areas and is predominantly used for extensive pastoral farming with pockets of forestry and arable farming. The Rural Scenic Zone has a particular visual amenity associated with the dominance of open-space vistas and landforms and the lack of intensive subdivision and landuse and the overall absence of buildings and structures. Parts of the upper Waitaki contain landscapes that are outstanding due to their high degree of unity, coherence and naturalness.

4.2 DISTRICT-WIDE RULES

Attention is drawn to the following District-Wide Rules which may **also** apply in addition to any relevant Zone Rules to activities undertaken in the Rural Zone. Any one or more of the District-Wide Rules may require an activity to obtain a resource consent.

- Temporary Buildings and Activities (Refer Rule 10)
- Heritage Rules..... (Refer Rule 11)
- Transport Rules..... (Refer Rule 12)
- Sign Rules..... (Refer Rule 13)
- Subdivision and Development Rules (Refer Rule 14)
- Utilities Rules (Refer Rule 15)
- Hazardous Substances (Refer Rule 16)
- Natural Hazards Rules (Refer Rule 17)

4.3 ACTIVITIES

4.3.1 PERMITTED ACTIVITIES

The following activities shall be **Permitted Activities**, provided that they comply with all of the Site Development Standards (Rule 4.4) and Critical Zone Standards (Rule 4.5):

- 1 **Forestry Activities*** in the Rural G Zone (but refer to rules 4.4.7, 4.4.8, 4.4.9 and 4.5.2 on exotic tree planting generally).
**As at 1 May 2018, notwithstanding any other rules in this plan, all plantation forestry activities regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 must comply with those regulations.*
- 2 **Amenity Tree Planting** (but refer to rules 4.4.7, 4.4.8, 4.4.9 and 4.5.2 on exotic tree planting generally).

- 3 **Shelterbelts** in the Rural G Zone, or in the Rural S Zone providing that the land in the Rural S Zone is on slopes of less than 16 degrees (measured as an average slope angle over any 100m length of the slope) or is on land at least 100m away from State Highways (but refer to rules 4.4.7, 4.4.8, 4.4.9 and 4.5.2 on exotic tree planting generally for both zones).
- 4 **Farming Activities**, except for the farming of chinchillas and the irrigation of land for pastoral or crop production within areas identified as an Outstanding Landscape shown on the Planning Maps.
- 5 **Residential Activities**, except for Residential Units in the Rural S Zone.
- 6 **Visitor Accommodation**, limited to farm holiday accommodation or homestays accommodating no more than 5 visitors at any one time provided that;
- a) the site shall continue to be used for farming and residential purposes;
 - b) the activity shall principally be carried out within a residential unit, or a building accessory to a residential unit or farming activity.
- 7 **Home Occupations** limited to;
- a) 40m² of the gross floor area of the buildings on a site are used for any home occupation;
 - b) goods, materials or equipment associated with a home occupation which are stored within a building;
 - c) the manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with a home occupation within a building.
 - d) one full-time equivalent person who is employed in undertaking any home occupation and who permanently resides elsewhere than on the site.
- 8 **Mineral Prospecting**;
- Regional Council consent may be required for any drilling, taking of water, discharges to land or water, dams and diversions.
- 9 **Intensive Farming**, limited to:
- a) Intensive farming of pigs limited to:
 - i) no more than 50 sows and no more than 500 pigs of mixed ages; and
 - ii) housed pigs no closer than 500m to a property boundary; and
 - iii) 10 outdoor, free-range pigs per hectare and their progeny up to weaner stage.
 - b) Intensive farming of poultry limited to housed birds no closer than 100m to a property boundary;
- No disposal of piggery or poultry effluent forming part of the intensive farming activity shall be undertaken on land closer than 500m to an existing dwelling on an adjoining Certificate of Title or in the vicinity of the subject site.
- Regional Council consent may be required for any discharge to land or river.
- 10 **Recreational Activities (other than on the surface of waterways)**, limited to:

- a) outdoor recreational activities which are not commercial;
- b) commercial outdoor recreation activities where access is by people on foot only and the scale is limited to no more than 10 people in any one group;
- c) group visits to sites used for farming or residential activities;
- d) buildings, associated with recreational activities specified under a)-c) above, which do not exceed 50m² in area and are limited to use for public shelter including huts for overnight shelter, toilet facilities and information, except that group visits to sites used for farming or residential activities may use buildings principally used for farming or residential activities;
- e) buildings, structures and tracks associated with recreational access;
- f) picnic areas.

11 Commercial Activities, limited to:

- a) retail sales of:
 - i) fruit, vegetables, plants, flowers, eggs produced on the site;
 - ii) refreshments served to group visits to sites used for farming or residential activities;
 - iii) handcrafts produced on the site.

Provided written approval from Transit NZ for access onto any State Highway is obtained.

12 Activities on the surface of waterways, except:

- a) Any structure or mooring which passes across or through the surface of any waterway or is attached to the bank of any waterway;
- b) Commercial motorcraft operations on the Ahuriri River between the months of August to February inclusive.

Regional Council consent may be required for any activity on the bed of lake or river.

13 Mineral extraction and processing provided that:

- a) The site has been used for this activity since 12 December 1986; (RMA1102/99 10/10/03)
- b) Noise standards to be in accordance with the critical zone standard;
- c) Extraction and processing activities shall not occur for more than 60 days in any calendar year;
- d) The maximum volume of gravel extracted and processed shall not exceed 5000 cubic metres per day;
- e) The maximum volume of gravel stockpiled on site shall not exceed 20,000 cubic metres per stockpile;
- f) There shall be no more than 50 heavy vehicle return trips in any one day generated by activities on the site;

- g) Dust nuisance shall not be offensive or objectionable at or beyond the boundary of the site.
- h) Extraction does not occur in the ground water protection zones for the Lower Waitaki Plains Aquifer shown in Maps C9 and C10 of the Regional Plan: Water for Otago, the Kakanui-Kauru Alluvium Aquifer shown in Map C10 of the Regional Plan: Water for Otago, and the Shag Alluvium Aquifer shown in Map C11 of the Regional Plan: Water for Otago. (RMA1102/99 10/10/03)

14 Earthworks limited to the following:

- a) Earthworks limited to the maintenance of existing:
 - tracks
 - irrigation infrastructure
 - yards
 - fencelines
 - roads including the State Highway
- b) Earthworks associated with all other activities on any site provided that the earthworks do not exceed 100 m³ in volume over a continuous five year period or 50 m² in area.

15 Scheduled Activities listed in Rule 4.7, which comply with the standards specified for the particular scheduled activity.

4.3.2 CONTROLLED ACTIVITIES

The following activities shall be **Controlled Activities**:

1 Earthworks

- a) On any site earthworks which:
 - exceed 100m³ in volume over a continuous five year period or exceed 50m² in area, and
 - comply with the Site Development Standards 4.4.7 and 4.4.8.

This rule does not apply to the maintenance of existing tracks, irrigation infrastructure, yards, fencelines or roads including the State Highway.

- b) The Council has reserved control over the following matters:
 - i) siting, slope and camber of the track;
 - ii) manner of forming a track;
 - iii) terrain disturbance including vegetation clearance, volumes and materials to be removed;
 - iv) rehabilitation of disturbed ground;

(Refer to Appendix D for guidelines)

Regional Council consent may be required for any drilling, taking of water, discharges to land or water, dams and diversions.

2 Mineral Exploration and other Resource Investigation Activities, which comply with Site Development 4.4.7 Environmentally and Ecologically Sensitive Areas.

- a) The Council has reserved control over the following matters:

- i) terrain disturbance including vegetation clearance, and volumes of material to be removed;
- ii) impact on nature conservation, historic and cultural values
- iii) rehabilitation of a site;
- iv) siting of roads or any buildings;
- v) noise, vibration and dust.

Regional Council consent may be required for any drilling, taking of water, discharges to land or water, dams and diversions.

3 Extraction of limestone and tuff (mining) and the manufacturing of cement only in the Cement Policy Area (refer Planning Maps 22 and 26),

- a) The Council has reserved control over the following matters:
 - i) terrain disturbance including vegetation clearance, and volumes of material to be removed;
 - ii) impact on nature conservation, historic and cultural values
 - iii) rehabilitation of a site;
 - iv) siting of roads or any buildings;
 - v) noise, vibration and dust.

4 Farming of Goats, Thar, Chamois, Wallaby and Fitch

- a) The farming of goats, thar, chamois, wallaby and fitch, within 1 kilometre of indigenous vegetation communities which provide a potential habitat for escaped animals to form or contribute to populations in the wild.
- b) The Council has reserved control over the following matters:
 - i) the methods (including animal enclosures) to ensure animals cannot accidentally escape.
 - ii) the provision of a financial contribution in the form of a bond, if necessary, to be held by the Council and used to defray costs of controlling animals which may have escaped.

4.3.3 DISCRETIONARY ACTIVITIES

The following activities shall be **Discretionary Activities**:

- 1 **Live-in Community Activities**;
- 2 **General Community Activities**;
- 3 **Industrial and Service Activities**;
- 4 **Mining Activities**, other than Mining, or Mineral Prospecting or Exploration provided for as a Permitted or Controlled Activity. Regional Council consent may be required for any drilling, taking of water, discharges to land or water, dams and diversions.
- 5 **Visitor Accommodation**, except where listed as a Permitted Activity;
- 6 **Recreational Activities**, except where listed as a Permitted Activity;
- 7 **Activities on the surface of waterways**, not listed as a Permitted Activity. Regional Council consent may be required for any activity on the bed of lake or river;

- 8 **Intensive Farming**, except where listed as a Permitted Activity and/or for any intensive farming located in a Rural Zone within 2 kilometres of Residential, Rural Residential, or Township Zone. Regional Council consent may be required for any discharge to land or water;
- 9 **Forestry Activities** in the Rural S Zone other than within areas identified as an Outstanding Natural Landscape shown on the Planning Maps (Refer to Rule 4.3.4 [5]);
- a) The Council has reserved discretion over only the following matters:
- i) effects on indigenous vegetation and associated habitat;
 - ii) effects on landscape and visual amenity;
 - iii) provision of a management plan to avoid or mitigate erosion during harvesting;

This rule is also subject to the Rules 4.4.7 (4), 4.4.8, 4.4.9 and 4.5.2 that apply to any exotic tree planting. Also refer to Appendix D for the landscape guidelines.

- 10 **Shelterbelts** not listed as a Permitted Activity in the Rural Scenic Zone.
- a) The Council has reserved discretion over the following matters in respect of visual effects:
- i) location of shelter belts;
 - ii) size of shelterbelts;
 - iii) use of tree species, and the location of such species;
 - iv) methods to avoid any wilding tree spread.

Note: Also refer to Rules 4.4.7 (4 and 5), 4.4.8 (4), 4.4.9 and 4.5.2 that apply to any exotic tree planting. Also refer to Appendix D for the landscape guidelines.

- 11 **Residential Units** in the Rural S Zone
- a) The Council has reserved control over the visual effects of the residential unit in terms of:
- i) location;
 - ii) size;
 - iii) reflectivity and colour, and;
- b) The Council has reserved control over the visual effects of the access to the residential unit in terms of:
- i) design, formation and location

This rule is subject to the standards that apply to any residential units and other buildings, including rule 4.4.7 [1]). Note: also refer to Appendix D for the landscape guidelines.

- 12 **Any Activity** which is listed as a Permitted Activity or a Controlled Activity or a Restricted Discretionary Activity under rules 4.3.3 (9), (10) or (11) and which complies with all of the relevant Critical Zone Standards (Rule 4.5), but does not comply with any one or more of the relevant Site Development Standards (Rule 4.4).
- 13 **Any Scheduled Activity** listed in Rule 4.7 which does not comply with any one or more of the Standards specified for the particular scheduled activity.
- 14 **Any Other Activity**, which is not listed as a Permitted Activity, Controlled Activity, Discretionary Activity or Non-Complying Activity, and which complies with all of the Critical Zone Standards (Rule 4.5).

4.3.4 NON-COMPLYING ACTIVITIES

The following activities shall be **Non-Complying Activities**:

- 1 **Any Activity**, which is not listed as a Discretionary Activity and which does not comply with any one or more of the relevant Critical Zone Standards.
- 2 **Commercial Activities**; except where listed as a Permitted Activity.
- 3 **Farming of chinchillas.**
- 4 **Animal Release**
 - a) The release into the wild of thar, chamois, goats, fitch, wallaby, deer, or pigs, except for control purposes under the Wild Animals Control Act.
- 5 **Forestry Activities** within areas identified as an Outstanding Natural Landscape shown on the Planning Maps.
- 6 **Farming activities** involving the irrigation of land for pastoral or crop production within areas identified as an Outstanding Natural Landscape shown on the Planning Maps

Prohibited Activities

The following activities shall be **prohibited activities**:

- 1 Residential Activities, Hospitals, Educational Facilities, Elderly Persons Home, Visitor Accommodation or Live-In Community Activities located:
 - a) inside the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40; or,
 - b) within the Take Off / Approach surface area located between the Outer Control Boundary (55 dBA Ldn) and the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40.

4.4 SITE DEVELOPMENT STANDARDS

4.4.1 Residential Density

- 1 Minimum net area for any site for each residential unit contained within the site shall be:

| | |
|----------------|----------------|
| Rural G | Rural S |
| 4ha | 20ha |

- 2 Where the area of a site contained in a separate Certificate of Title is less than that in Rule 4.4.1.1 above but not less than 3000m², one residential unit may be built per site.

4.4.2 Height of Buildings

1. Maximum height of any building for an activity shall be 10m except within the Cement Manufacturing sub-area of the Cement Policy Area (refer Planning Map 26) where there shall be no maximum building height and except that no building for an activity shall exceed the maximum height determined by a 1:7 transitional side

surfaces gradient or by a 1:40 Take Off / Approach Surface gradient for aircraft using the Omarama Airfield, as shown on Planning Maps 7 and 40. (Note: Contact the Council for assistance in determining the height.).

2. Within the Cement Manufacturing sub-area of the Cement Policy Area (refer Planning Map 26) the maximum height for each structure shall not exceed the following:

| | |
|---|------------|
| • Preheater | 97 metres |
| • Main Stck | 104 metres |
| • Limestone Storage | 22 metres |
| • Gypsum Storage | 12 metres |
| • Raw Mill | 39 metres |
| • Raw Mill Bin Feeds | 31 metres |
| • Cement Mill (including conveyor transfer Tower) | 34 metres |
| • Coal Mill | 40 metres |
| • Coal Storage | 22 metres |
| • Cement Silos | 50 metres |
| • Clinker Silos | 50 metres |
| • Off-specification Clinker Silo | 35 metres |
| • Homogenizing Silos | 50 metres |
| • Kiln | 18 metres |
| • PGNA Analyser Building | 15 metres |
| • Clinker Cooler Building | 30 metres |
| • Meteorological Monitoring Mast | 35 metres |

- i) There is a limit of buildings necessary for a single cement manufacturing plant within the Cement Manufacturing sub-area.
- ii) Excluding those buildings specified above, the maximum building height of all other buildings in the Cement Manufacturing sub-area shall be 10 m in accordance with the Rural Zone building height limit.
- iii) The height of the building shall be measured from finished ground levels (after any excavation works).
- iv) In addition to the buildings and structures listed, there are various ancillary items (such as conveyors, ducts, air filters, dust slides, etc), and various small enclosures, which may be placed on or above the main structures.

4.4.3 Setback from Roads

- 1 The minimum setback for any building for an activity shall be 20m from the road reserve boundary of a State Highway.

Except that:

- a) Buildings less than 10m² in gross floor area may be located within the above setback requirement.

- 2 The minimum setback for any building for an activity shall be 15m from the road reserve boundary of a road, other than a State Highway:

Except that:

- a) Buildings less than 10m² in gross floor area may be located within the above setback requirement.
- 3 The minimum setback for a stockloading ramp or race with its entry/exit point located facing a road, including a State Highway, shall be 30m from the road reserve boundary. Only a stockloading ramp or race with its entry/exit point running parallel to the road is exempt from this standard.

4.4.4 Setback from Neighbours

Minimum setback of buildings for an activity from internal boundaries shall be:

- | | | |
|---|---|-----|
| 1 | for residential units | 20m |
| 2 | for buildings, other than principal residential buildings, designed and/or used for the housing of animals:..... | 30m |
| 3 | for other buildings greater than 10m ² in gross floor area | 6m |

except that

- buildings for the housing of pigs and poultry shall also comply with the provisions of Rule 4.3.1.8.; and
- residential units to be built on a site adjoining an activity that involves more than two discharges of chemical sprays in any one year shall be set back 30m.

Waynes

Where any lot of less than 5000m² with a separate certificate of title is in existence in the Rural G Zone before the District Plan was notified (December 1996) then setback from internal boundaries shall be 1.6m. These provisions shall also apply to an existing residential unit on a lot less than 5000m². Any new, or alteration to, a residential unit shall meet Site Development Standard 5.4.5 (recession lines for the Township Zone).

For the purpose of Rule 4.4.3, Waynes means the area east from State Highway 85 and bounded by the Shag River as shown on Map 31.

4.4.5 Access

Each residential unit shall have legal access to a formed road.

4.4.6 Intensive Farming Effluent Disposal

No disposal of piggery or poultry effluent forming part of an intensive farming activity shall be undertaken on land closer than 500m to an existing dwelling on an adjoining Certificate of Title or in the vicinity of the subject site.

Regional Council consent may be required for any discharge to land or water.

4.4.7 Environmentally and Ecologically Sensitive Areas

- 1 No buildings for an activity shall be allowed in the following areas:

- a) Within areas of significant indigenous vegetation and habitat of significant indigenous fauna identified on the Planning Maps and listed in Appendix C.
- b) Within 20m of any lake, river, stream or wetland or within any wetland.
- c) Above 900m in altitude .
- d) Within any geopreservation site.
- e) Within areas identified on the Planning Maps as:
 - i. an Outstanding or Significant Natural Feature
 - ii. an Outstanding Natural Landscape
 - iii. a Significant Coastal Landscape

2 No earthworks, other than for the maintenance of existing tracks, irrigation infrastructure, yards, fencelines or roads including the State Highway, shall occur in the following areas:

- a) Within areas of significant indigenous vegetation and habitat of significant indigenous fauna and geopreservation sites identified on the Planning Maps and listed in Appendix C.
- b) Within 20m of any lake, river, stream or wetland or within any wetland. This rule does not apply to work in the bed of any lake, river or stream but Regional Council consent may be required.
- c) Above 900m in altitude.
- d) On slopes with an angle greater than 20 degrees (measured as an average slope angle over any 100m length of slope).
- e) An area of Otago skink habitat or Grand skink habitat as shown on Appendix J.
- f) Within areas identified on the Planning Maps as:
 - i. an Outstanding or Significant Natural Feature
 - ii. an Outstanding Natural Landscape
 - iii. a Significant Coastal Landscape

3 There shall be no indigenous vegetation clearance, other than for the maintenance of existing tracks, irrigation infrastructure, electricity transmission infrastructure, yards or fence lines, in the following areas:

- a) Areas of significant indigenous vegetation and habitat of significant indigenous fauna identified on the Planning Maps and listed in Appendix C.
- b) Within 20m of any lake, river, stream or wetland or within any wetland.
- c) Within 100m (inland) of the mean high water springs at the coast.
- d) Above 900m in altitude.
- e) An area of Otago skink habitat or Grand skink habitat as shown on Appendix J.

4a No exotic tree planting, including amenity tree planting, shall be allowed in the following areas:

- a) Areas of significant indigenous vegetation and habitat of significant indigenous fauna identified on the Planning Maps and listed in Appendix C.

- b) Within 20m of any lake, river, stream or wetland or within any wetland. (For within the bed of any lake, river, stream or wetland refer to Regional Council Policies and Rules).
- c) Above 900m in altitude.
- 4b No exotic tree planting, other than amenity tree planting, shall be allowed within areas identified on the Planning Maps as:
- an Outstanding Natural Landscape
 - An Outstanding or Significant Natural Feature
 - a Significant Coastal Landscape
- 4c No exotic tree planting, other than amenity tree planting, shall be allowed within an area of Otago skink habitat or Grand skink habitat as shown on Appendix J¹.

For the purposes of Rule 4 above exotic tree planting also includes shelterbelts, woodlots and forestry activities, other than forestry activities in an Outstanding Natural Landscape which is captured by Rule 4.3.4 (5).

Regional Council consent may be required for any vegetation burning.

5 Exotic Trees of the following species shall not be established in the Rural Scenic Zone:

- | | | |
|----|---------------------|------------------------------|
| a) | Lodgepole pine | <i>Pinus contorta</i> |
| b) | Scots pine | <i>Pinus sylvestris</i> |
| c) | Corsican pine | <i>Pinus nigra</i> |
| d) | Dwarf mountain pine | <i>Pinus uncinata</i> |
| e) | Mountain pine | <i>Pinus mugo</i> |
| f) | Douglas fir | <i>Pseudotsuga menziesii</i> |
| g) | All larches | <i>Larix</i> species |
| h) | All alders | <i>Alnus</i> species |
| i) | All willows | <i>Salix</i> species |
| j) | Sycamore | <i>Acer pseudoplatanus</i> |

4.4.8 General Indigenous Bush Vegetation Clearance

1. On any site there shall be no clearance of indigenous bush.
2. On any site there shall, over any five year continuous period, be no clearance of:
 - a) more than 5000 square metres of indigenous vegetation generally, except where the vegetation clearance is carried out within, and for the purposes of, maintaining an area of improved pasture; or:
 - b) more than 1000 square metres or more of tall tussock grassland communities of the genus *Chionochloa* except where the vegetation clearance is carried out for the purposes of maintaining improved pasture; or:
 - c) more than 500 square metres of generally closed canopy matagouri (*Discaria toumatou*) dominated indigenous shrubland that has a canopy height of greater than 1.5 metres and is associated with river margins, fans, ridges and bluffs; or:

¹ Submission V2-141/21 (DoC)

- d) more than 500 square metres of diverse indigenous shrubland, where 'diverse' means three or more shrub species and includes at least one of the following species:
- Sophora prostrata
 - Porcupine scrub (*Melicytus alpinus*)
 - Turpentine scrub (*Dracophyllum longifolium*, *Dracophyllum uniflorum*)
 - Tauhinu (*Ozothamnus leptophyllus*)
 - Coprosma sp.
 - Hebe sp.
 - Carmichaelia sp.
 - Olearia sp.
 - Mountain wineberry (*Aristotelia fruticosa*)
 - Corokia cotoneaster

3. On any site there shall be no clearance of:

- a) any indigenous coastal duneland, saltmarsh or herbfield vegetation; or
- b) any coastal shrubland containing *Hebe elliptica*, *Carmichaelia* sp. or *Coprosma* sp.; or
- c) any indigenous inland saline vegetation; or
- d) any indigenous vegetation associated with limestone outcrops; or
- e) any indigenous shrubland containing:
- Bog Pine (*Halocarpus bidwillii*)
 - Celery Pine (*Phyllocladus alpinus*)
 - Hall's totara (*Podocarpus hallii*)
 - Mountain totara (*Podocarpus nivalis*); or
 - any individual specimen of the above over one metre in height; or
- f) any indigenous turf communities associated with tarns, glacial moraines or river margins.

4. There shall be no exotic tree planting into an area of indigenous bush, shrubland or tall tussock grassland (*Chionochloa* sp.) that exceeds the thresholds contained in 4.4.8 (1)-(3).

Definitions

1. For the purposes of Rule 4.4.8, shrubland is characterised by:
 - a. A generally closed canopy (although there will be open patches within the shrubland); and
 - b. A difficulty avoiding either standing on, or touching, the shrubs when walking through the majority of the area.
 - c. An area that does not include scattered individual outlier plants.
2. For the purposes of Rule 4.4.8, tall tussock grassland is characterised by a density of tussock plants in which it would be difficult to avoid either standing on or touching the tussocks when walking through the majority of the area.
3. For the purposes of Rule 4.4.8, improved pasture means an area of pasture where species composition and growth has clearly been modified and enhanced for livestock grazing by cultivation with or without associated burning, or by topdressing and over-sowing with or without associated burning, or by direct drilling, and where exotic improved pasture species dominate (i.e. where either the coverage of indigenous species or the number of species present, as estimated on a per hectare

basis, does not exceed 30%). Improved pasture includes species such as ryegrass and clovers but excludes sweet vernal and browntop.

Exemption to Rules 4.4.7 and 4.4.8

Rules 4.4.7 and 4.4.8 shall not apply to activities that are provided for under any one of the following mechanisms:

- a. Section 76 Reserves Act 1977 Declaration
- b. Section 77 Reserves Act 1977 Resources Covenant
- c. Section 27 Conservation Act 1987 Management Agreement
- d. Queen Elizabeth II National Trust Act 1977

Provided that such above mechanisms:

- a. Protect the nature conservation values of an area that is subject to the rules
- b. Remain current for the duration of the activity
- c. Have not been breached
- d. Have been lodged with the Council.

4.4.9 Tree Planting/Forestry

Setback from Neighbouring Properties

Tree planting shall be a Permitted Activity on or within 15 metres of an internal boundary where the proposal is accompanied by the written approval of the affected landowner. Where there is no written approval from the affected land owner, the activity is a restricted Discretionary Activity. Council's discretion will be restricted to setback matters only.

4.4.10 Siting of Noise Sensitive Activities – Oamarama Airfield

Any habitable rooms in a new residential unit, hospital, educational facility, elderly persons home, visitor accommodation or any new live-in community activity, or any alterations or additions to habitable rooms in conjunction with any existing residential unit, hospital, educational facility, elderly persons home, visitor accommodation, or any live-in community activity, shall, within the area between the Outer Control Boundary (55 dBA Ldn) and the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40, be constructed with acoustic insulation materials that ensure the indoor sound environment does not exceed 40 LAeq (60min). A recognised acoustic consultant shall certify that the construction meets the above design standard.

4.5 Critical Zone Standard

4.5.1 Noise

Activities, shall be conducted such that the following noise limits are not exceeded at any point within the notional boundary of a habitable building on another site, other than the site from which noise generated:

| | |
|---|-------------------|
| Monday to Friday 7am – 10pm | 55dB LAeq (15min) |
| Saturday 8am – 7pm | 55dB LAeq (15min) |
| At all other times and any public holiday | 40dB LAeq (15min) |
| Daily 10pm to 7am the following day | 75dB LAFmax |

Exemption:

Noise limits shall not apply to:

- (a) residential activities
 - (b) harvesting, forestry harvesting, bird scarers and any one-off activity not normally anticipated as being required for normal farming activities.
 - (c) Fire Service and Police
- provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.

Sound levels shall be measured in accordance with the provisions of NZS 6801:2008 *Acoustics – Measurement of environmental sound* and assessed in accordance with the provisions of NZS 6802:2008 *Acoustics – Environmental noise*.

4.5.2 Tree Planting/Forestry

1 *Interference with structures*

No trees shall be planted near power poles, power lines or any underground piping such that when the trees grow they will interfere with these structures.

2 *Setback from roads*

No tree planting shall be positioned such that when the trees grow they will shade a public road between the hours of 1000 and 1400 on the shortest day of the year.

3 *Setback from residential units*

No tree planting shall be positioned such that when the trees grow they will shade an existing neighbouring residential unit between the hours of 0900 and 1600 on the shortest day of the year.

4.5.3 Flight Protection Area for Oamaru Airport/Omarama Airfield

The following shall apply within the Flight Protection Area for Oamaru Airport and the Flight Protection Area for Omarama Airfield as described in Appendix F and as shown on the Planning Maps.

- a) No building, structure, mast, pole, tree or other object within the Inner Flight Protection Area for Oamaru Airport shall penetrate any of the flight paths or transitional side slopes from the main or subsidiary runways, as described in [Appendix F](#);
- b) Where there is any conflict between these height limits, and height limits under other standards, the lowest height restriction shall apply;
- c) No road or railway line shall be constructed where an approach slope or transitional slope would pass lower than 4.6 metres vertically above any part of the road, or 4.9 metres above the railway line;
- d) No activity shall expel a gas, liquid, or solid such that it enters any height restriction slopes or surfaces at a vertical velocity greater than 4 metres per second.

These District Plan rules for flight protection areas do not apply outside the Waitaki District. Any description or lines drawn on planning maps which are beyond the boundaries of the Waitaki District are indicative only.

Note: *Enforcement provisions will be used under the Act where any activity produces vibration, smell, or dust or manufactures, stores, uses transports or disposes of*

hazardous substances in such a way that has or is likely to be either noxious, dangerous, offensive, objectionable, to such an extent that it has or is likely to have an adverse effect on the environment.

4.6 NON-NOTIFIED RESOURCE CONSENTS

In accordance with section 77D RMA 1991, an application for resource consent required by the following activities are precluded from public notification (s95A RMA 1991) and limited notification (s95B RMA 1991) subject to sections 95A(2)(b), 95A(2)(c), 95A(4), 95B(3) and 95C of the Act:

- Controlled Activities (Rule 4.3.2)
- Shelterbelts in the Rural S Zone (Rule 4.3.3 [10])
- Residential Units in the Rural S Zone (Rule 4.3.3. [11])
- Setback from roads (Site Development Standard (Rule 4.4.3))
- Access (Site Development Standards (Rule 4.4.5))
- Animal Control (Rule 4.3.2.4)
- Earthworks greater than 100 m³ in volume or 50 m² in area (Rule 4.3.2 [1])
- Buildings for farming activities only (excluding residential units)² (Site Development Standard (Rule 4.4.7 (1) (e))

Refer to Part VI, Section 3 (Information Requirements for Resource Consents and Designations).

4.7 SCHEDULED ACTIVITIES

The following activities are Scheduled Activities within the Rural Zone. All other Rural Zone rules and the rules for Utilities in Part III Section 15 shall not apply to these activities within Scheduled Areas.

4.7.1 WAITAKI HYDROSCHEME

The Waitaki Hydro Scheme is made up of 8 power stations that generate nearly a quarter of the capacity of the entire Meridian Energy generating system. Of these stations, 5 are located wholly or partly within the Waitaki District. Ohau B and C are part of the Upper Waitaki Power Development Scheme and are located wholly in Waitaki District. Benmore, Aviemore and Waitaki are part of the Mid Waitaki Power Development Scheme. As the boundary between Waitaki and Waimate Districts is located down the centre of the Waitaki River, these dams are located partly in Waitaki District and partly in Waimate District. Their associated power stations, however, are located wholly within the Waitaki District.

The physical resources that make up this chain of hydro developments include power stations which house generating plant, canal systems, control structures, weirs, reservoir storage areas and associated roading. The schedule provides a means of recognising these resources and defines the area within which activities related to the generation of energy can be undertaken. Rivers, lakes, canals and wetland areas associated with or adjoining the hydro power stations also provide important recreation and wildlife resources. Provision for these activities is made under the Rural Zone rules applying to the surface of water.

4.7.1.1 SCHEDULED ACTIVITIES – MERIDIAN ENERGY

² Further submission V2-145/11 Omarama Station
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The following activities shall be **Scheduled Activities** within the Rural G (General) and Rural S (Scenic) Zone, and shall apply to:

1 **Ohau B and C**

Ohau B and C hydro power stations are both located on a canal linking Lake Ruataniwha with Lake Benmore. They both generate the same capacity of 212 megawatts. A labyrinth weir located downstream from the B station allows water to be diverted into the Ohau River, which runs to the west of the canal.

2 **Lake Ohau Weir**

This structure controls the flow of water from Lake Ohau into the Ohau River to maintain minimum water levels.

3 **Ruataniwha**

Lake Ruataniwha and dam link the Ohau canal system between the Ohau A and B power stations. (Ohau A is located within the Mackenzie District) The main dam is a 240 metre long concrete structure with a wing dam of earth construction 480 metres long. The dam incorporates 3 gates and a spillway. State Highway 8 traverses both structures.

4 **Waitaki**

The Waitaki power station has a generating capacity of 105 megawatts. The dam behind the powerhouse is 354 metres long and acts as an ungated spillweir. Accessory facilities include access roads, parking areas, landscaped grounds and visitor information facilities. An irrigation intake provides water for the Lower Waitaki Irrigation Scheme.

5 **Aviemore**

The Aviemore power station has a generating capacity of 220 megawatts. The Aviemore dam is constructed with both concrete and earth sections and is 760 metres long. A feature of Aviemore is the fish spawning race which allows trout to migrate upstream from Lake Waitaki to spawning grounds close to the dam.

6 **Benmore**

The Benmore power station has a generating capacity of 540 megawatts and is the southern end of the HVDC link which joins the North and South Island electricity systems. The Benmore dam is the largest earth dam in New Zealand. The crest of the dam is 823 metres long and 110 metres high. Accessory facilities include landscaped grounds and a visitor information centre.

7 **General**

All of these developments have associated access roading, powerlines and ancillary structures. Scheduling provides a means of recognising these resources and defines the area within which activities related to the generation of energy can be undertaken. Rivers, lakes, canals and wetland areas associated with or adjoining the developments also provide important recreation and wildlife resources. Provision for these activities is made under the Rural Zone rules applying to the surface of water. A general objective of the schedules is to replace designations that existed in previous District Plans.

4.7.1.2 PERMITTED ACTIVITIES – MERIDIAN ENERGY

The following activities shall be **Permitted Activities**:

- 1 The operation, maintenance, refurbishment, enhancement and upgrading of power stations except where a significant external modification or addition to a structural component or building is involved.

Power station operations shall include the use and operation of penstocks, turbines, generators, substations and switchyards and related transmission, communications, protection and monitoring equipment.

- 2 The operation, maintenance, refurbishment and upgrading of any canal structure, control structure, dam, spillway, intake or weir, including automated gates, siphons and fish and elver passes, except where a significant external modification or addition to the structure is involved.
- 3 Booms for the purpose of public safety on the surface of water and their maintenance.
- 4 Activities necessary to maintain land and water bodies, including activities for the purpose of erosion control and environmental monitoring and enhancement.

For the purpose of Rule 4.7.1.2, “significant external modification” shall be any modification or addition which results in more than 20m² of additional land being utilised for buildings, structures or ancillary activities, or the height of any existing building increased by more than 2.5 metres.

Note: Relevant assessment matters for resource consents are listed in Part III Section 18 pg 320.

4.7.1.3 CONTROLLED ACTIVITIES – MERIDIAN ENERGY

The following activities shall be **Controlled Activities**:

- 1 Any significant external modification to a power station, canal structure, control structure, dam, spillway, intake, weir, automated gate or siphon which involves the addition of a structural component or a building for the purpose of efficiency enhancement or upgrading except where the work will result in an increase in the area and/or volume of the maximum operating level of a lake or water storage area permitted at the date of public notification of this Plan.

For the purpose of Rule 4.7.1.3, “significant external modification” shall be any modification or addition which results in more than 20m² of additional land being utilised for buildings, structures or ancillary activities, or the height of any existing building increased by more than 2.5 metres.

Note: Relevant assessment matters for resource consents are listed in Part III Section 18 pg 320.

4.7.1.4 DISCRETIONARY ACTIVITIES – MERIDIAN ENERGY

The following activities shall be **Discretionary Activities**:

- 1 Any significant external modification to a power station, canal structure, control structure, dam, spillway, intake, weir, automated gate or siphon which would result in an increase in the area and/or volume of the maximum permitted operating level of a lake or water storage area at the date of public notification of this Plan.
- 2 The construction and installation of new power generation facilities with intake, spillway and other related structures.

For the purpose of Rule 4.7.1.4, "significant external modification" shall be any modification or addition which results in more than 20m² of additional land being utilised for buildings, structures or ancillary activities, or the height of any existing building increased by more than 2.5 metres.

Note: *Relevant assessment matters for resource consents are listed in Part III Section 18 pg 320.*

4.7.2 TARA HILLS RESEARCH STATION

"Tara Hills High Country Research Station" was established in 1948 and is the only high country research station in New Zealand. Research at Tara Hills is focused on pastoral farming and forestry with particular emphasis on Merino fine wool production and sustainable high country management."

It is the property of "New Zealand Pastoral Agriculture Research Institute Limited" which is a Crown Research Institute formed on 1 July 1992. Tara Hills was previously owned and designated by the Ministry of Agriculture and Fisheries.

Tara Hills is 3342.7ha in area and has the general appearance of an extensive high country farm unit. In terms of stock and pasture management it is run in a similar fashion to traditional farms and the effects of these farming activities are no different from any other farm unit. In terms of these activities the rules of the Rural S Zone shall therefore apply. However, Tara Hills does have additional facilities and functions which set it apart from traditional farms and which are not provided for in the general rules applying to the Rural S Zone. These facilities include up to 11 staff houses, an office and administration block, garage and laboratory. The site is therefore characterised by a concentration of houses and ancillary buildings not normally found on a single farm unit. It is also regularly visited by persons and groups wishing to obtain information related to research activities.

This schedule provides a method of recognising the established facilities at Tara Hills and acknowledging the importance of its research function to New Zealand's livestock industry.

4.7.2.1 SCHEDULED ACTIVITIES - TARA HILLS

The following activities shall be **Scheduled Activities** within the Rural S (Scenic) Zone, and shall apply to:

- 1 "Tara Hills High Country Research Station" - Pt Run 322A.
- 2 The activities and standards set out under this Schedule shall be in addition to those of the Rural S Zone and should be read conjunctively.

4.7.2.2 PERMITTED ACTIVITIES

- 1 Advanced technology activities for the purpose of:

"research, development, manufacture, and commercial application in respect of both agriculture and forestry - agritechnology, applied physical processes, biotechnology, chemical processes, computer software development and/or use, electronics, instrumentation technology, laser physics, manufacturing technology, medical technology, new materials technology, telecommunications."

- 2 Residential activities for the accommodation of staff employed on the site.

- 3 Farm field days and conferences for the purpose of informing and advising on research activities.
- 4 General storage and office activities accessory to advanced technology activities.

4.7.2.3 DISCRETIONARY ACTIVITIES

Any activity listed as a Permitted Activity and which does not meet the performance standard(s) specified.

4.7.2.4 SITE DEVELOPMENT STANDARD

All buildings shall be sited in accordance with the site standards for buildings in the Rural S Zone except for Site Development Standard (a) Residential Density.

4.7.3 OAMARU RACEWAY

The following activities shall be **Scheduled Activities** within the Rural G (General) Zone, and shall apply to:

- 1 "Oamaru Raceway" - Legal Description - Sections 28-29, 31, 34. 2 of 56 Blk I Oamaru Survey District and Section 2 of 58 Part 2 of 60-61 1293 R Block I Oamaru Survey District.
- 2 The activities and standards set out under this Schedule shall replace those of the Rural G Zone.

4.7.3.1 PERMITTED ACTIVITIES

- 1 **Recreational Activities;**
- 2 **Commercial Activities;** , limited to retail sales of food and beverage.

4.7.3.2 Standards

- 1 **Setback from Roads**
All buildings shall be setback a minimum distance of 20m from the road boundary.
- 2 **Setback from Neighbours**
All buildings and car-parking areas shall be setback a minimum distance of 10m from internal boundaries.
- 3 **Height of Buildings**
No building shall exceed a maximum height of 15m.
- 4 **Building Coverage**
A single building shall not exceed 1500m² in total floor area. The combined total area of all buildings on site shall not exceed a maximum of 40% of the total site area.
- 5 **Hard Surfacing**
No more than 50% of the site area shall be covered by hardsurfacing, including tracks, courts, footpaths, and carparking areas.
- 6 **Commercial Activities**
The sale of food and beverages shall be limited to consumption on the site.

7 Noise

Any on-site activities shall be conducted such that the following noise levels are not exceeded at any point within the notional boundary of a habitable building on another site:

| | |
|---|-------------------|
| Monday to Friday 7am – 10pm | 55dB LAeq (15min) |
| Saturday 7am – 7pm | 55dB LAeq (15min) |
| At all other times and any public holiday | 40dB LAeq (15min) |
| Daily 10pm to 7am the following day | 75dB LAFmax |

Sound levels shall be measured and assessed in accordance with the provisions NZS 6801:2008 *Acoustics – Measurement of environmental sound* and NZS 6802:2008 *Acoustics – Environmental noise*.