

30.0 Rural 3 and 4 Zones

30.1 Permitted Activities

30.1.1 Unless expressly limited elsewhere and subject to compliance with the conditions applying to Permitted Activities the activities listed below shall be permitted without a resource consent.

- Farming.
- Commercial forestry.
- Racing stables, catteries and buildings accessory thereto.
- Protection forestry
- Conservation forestry.
- The erection of buildings provided that only one dwelling house per Certificate of Title is allowed as a Permitted Activity.
- Home occupations, professional offices and veterinary clinics.
- Homestay limited to not more than five visitors.
- Omaka Marae (on Pt Sec 41 Blk III Taylor Pass Survey District and Sec 3 SO 6922) - marae and marae based activities.
- Wairau Pa Marae (on Wairau Sec 23 Maori Block) - marae and marae based activities.
- Papakainga on specifically identified sites listed in Appendix G.
- The keeping of domestic livestock.
- Parks, reserves, recreation grounds, golf courses, trotting grounds.
- Farm airstrips and helipads.
- Clean fills and offal pits.
- Pest management carried out in accordance with a national or regional pest strategy.
- Discharges to land and air, limited to the matters dealt with in Rule 30.1.8.
- Hazardous facilities.
- Land disturbance.
- Application of agrichemicals.
- Mineral prospecting and exploration on land below 1000 metres contour.
- The maintenance of existing drainage channels.
- The diversion and discharge of water associated with the operation of existing drainage channels.
- Temporary Military Training Activities.

- Specifically identified activities listed as permitted on sites scheduled in Appendix G.
- Motorcycling events held by the Marlborough Motorcycle Club.
- Emergency service activities on sites listed in Appendix G.

Conditions for Permitted Activities

30.1.2 Infrastructure and Services

30.1.2.1 Parking and Loading

Refer to Rule 27.2.2 and 27.2.3.

30.1.2.2 In addition to Rule 30.1.2.1 above, all car parking for seasonal workers shall be accommodated on-site.

30.1.3 Bulk and Location of Buildings and Structures

30.1.3.1 Height

Subject to the Airport Protection Rules 30.1.12, 30.1.13 and 30.1.14 no building or structure may exceed a maximum height of 10 metres.

30.1.3.2 Fire Safety Setback

Residential units and accessory buildings shall be set back at least 100 metres from existing commercial forestry.

30.1.3.3 Daylight Control - Applicable to Sites Less than 4,000 m²

30.1.3.3.1 No part of any building shall exceed a height equal to the recession plane angle determined by the application of Figures 2 and 3 of the Definition Chapter. To determine the maximum permitted height in relation to boundaries on the site the diagram in Figure 2 (Recession Plane Indicator) must be viewed within the site, and orientated north. The angle of inclination relative to a particular boundary is determined by the angle on the diagram in Figure 3 adjacent to that boundary.

30.1.3.3.2 Within the Rural 3 and Rural 4 Zones the angle shall be measured from a starting point 2 metres above ground level (x = 2m).

30.1.3.3.3 Except where a site boundary abuts the street or road no part of any building should exceed a height limit imposed by a line drawn at an angle of 55° from the horizontal and originating and drawn at right angles from a point 2 metres above the boundary of the site where it abuts the street or road.

30.1.3.4 Yards - Applicable to Sites Greater than 4,000 m²

Front yard minimum depth requirement - 8 metres.

Rear yard minimum depth requirement - 8 metres.

Side yard minimum depth requirement - 5 metres.

30.1.3.5 Site Coverage

30.1.3.5.1 For marae, marae-based activities and papakainga, not more than 25% of the site may be covered by permanent buildings.

30.1.3.5.2 For all other activities, not more than 15% of the area of the site may be covered by permanent buildings, provided that greenhouses utilising the soils of the site are exempt from the site limitation.

30.1.3.6 Separation Distances

No dwelling may be sited closer than 150 metres to the outer bank of any oxidation pond, sewage treatment works or any site designated for such works.

30.1.3.7 Riparian Margins

30.1.3.7.1 No building may be sited closer than 20 metres to any water body identified in Appendix Q and on the Riparian Setback maps in Volume Three of the Plan.

30.1.3.7.2 No building may be sited closer than 8 metres to any lake, the sea, river, wetland, drainage channel, landward toe of stopbank or from any protection works.

30.1.4 Noise

30.1.4.1 Unless otherwise specified in Rule 30.1.4.2 all activities shall be conducted so as to ensure that noise arising from such activities within the zone does not exceed the following noise limits at or within the boundary of any land with a Residential or Rural Residential Zoning or within the notional boundary of any dwelling on another site:

- | | | |
|----|-------------------------|--|
| a) | 55 dBA L ₁₀ | 0700 hrs to 2200 hrs Monday to Saturday and
0900 hrs to 1900 hrs Sunday |
| b) | 45 dBA L ₁₀ | At all other times |
| c) | 75 dBA L _{max} | On any day between 2200 hrs to 0700 hrs |

Except as provided for elsewhere and provided that the above noise limits shall not apply to temporary military training and normal agricultural and forestry practice

30.1.4.2 Provisions for Specific Activities

30.1.4.2.1 Generators

Any generator or wind powered equipment used solely for the generation of electricity shall be operated such that noise emissions measured at or within the notional boundary of any dwelling in any zone, other than a dwelling on the same site, shall not exceed the following limit:

- | | | |
|----|------------------------|--------------|
| a) | 55 dBA L ₁₀ | At all times |
|----|------------------------|--------------|

Provided that the activity shall be no louder than necessary (and shall comply with the requirements of Section 16 of the Resource Management Act 1991).

30.1.4.2.2 Audible Bird Scaring Devices

30.1.4.2.2.1 Subject to meeting the standards specified below, the use of audible bird-scaring devices in the Rural 3 and 4 Zones is a Permitted Activity.

Category A Devices

30.1.4.2.2.2 No Category A audible bird-scaring device:

- | | | |
|----|--|--|
| a) | Shall be operated between 7.00pm and 6.30am prior to the introduction of daylight saving and 8.00pm and 7.00 am during daylight saving months; | |
|----|--|--|

- b) Shall be operated within 800 metres of any rest home, public or private hospital;
- c) Shall be operated within 160 metres of the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device);
- d) Shall be operated within 100 metres of a public road;
- e) May emit sound at a level greater than 65 dBA weighted sound exposure level measured at or within the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device);
- f) Shall be set to operate at any greater frequency than 12 times in any period of one hour, that is 12 single discharges or four groups of three discharges.
- g) Shall be set at a greater density than one device per five hectares of land in any single land holding, except that in the case of a single land holding of less than five hectares in area, one device shall be permitted; and
- h) Shall be operated unless a legible notice is fixed to the road frontage of the property on which it is being used, giving the name and telephone number of the person responsible for its operation.

Category B Devices

30.1.4.2.2.3 No Category B audible bird-scaring device:

- a) Shall be operated between 7.00pm and 6.30am prior to the introduction of daylight saving and 8.00pm and 7.00 am during daylight saving months;
- b) Shall be operated within 160 metres of the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device);
- c) Shall be operated within 800 metres of any rest home, public or private hospital;
- d) Shall be operated for any continuous period exceeding two seconds or at a frequency greater than 10 times in any hour in the case of airhorns, sirens, or any amplified signal; and
- e) May emit sound at a level greater than 65 dBA weighted sound exposure level measured at or within the boundary or notional boundary of the nearest residential dwelling (excluding a residential dwelling on the same property as the audible bird-scaring device).

30.1.4.2.3 Noise Sensitive Activities

- (a) Any new dwelling house, visitor accommodation or other habitable building located within 300 metres of any frost fan not within the same site shall be designed and constructed so that within the external building envelope surrounding any bedroom (when the windows are closed), airborne sound insulation meets the following single-number rating for airborne sound insulation, determined in accordance with AS/NZS ISO 717.1:2004 Acoustics - Rating of sound insulation in buildings and of building elements Part 1 - Airborne sound insulation:

Dwellings located less than 300m and more than 200m from the nearest frost fan

$$D_{nT,W} + C_{tr50-3150} \geq 27 \text{ dB}$$

Dwellings located less than 200m and more than 100m from the nearest frost fan

$$D_{nT,W} + C_{tr50-3150} \geq 32 \text{ dB}$$

Dwellings located less than 100m from the nearest frost fan

$$D_{nT,W} + C_{tr50-3150} \geq 37 \text{ dB}$$

- (b) For the purposes of this rule, "external building envelope" means an envelope defined by the outermost physical parts of the building, normally the cladding and roof.
- (c) Sub-clauses a) and b) of this rule shall also apply to any alteration of an existing dwelling house, visitor accommodation or other habitable building located within 300 metres of the closest frost fan selected for the purpose of sub-clause a) of this rule, where a new bedroom forms part of the alteration. For the avoidance of doubt only the new bedroom has to be treated in accordance with paragraphs a) and b) of this rule.
- (d) For the purpose of this rule, "frost fan" includes any lawfully established frost fan, and includes a proposed frost fan for which a resource consent has been granted and "site" has the meaning of "single land holding".

30.1.4.2.4 Temporary Military Training Activities

Noise levels of a short duration generated as part of a temporary military training activity shall not exceed the following standards:

Noise levels measured from a line 20 metres from and parallel to the facade of any dwelling or the legal boundary where this is closer to the dwelling do not exceed the following limits:

Time	Limits (DBA)		
	L10	L95	LMAX
(Any Day)			
0630-0730	60	45	70
0730-1800	75	60	90
1800-2000	70	55	85
2000-0630	55		

Impulse noise resulting from the use of explosives, explosives simulators small arms shall not exceed 122dBc.

30.1.5 Heritage

30.1.5.1 Scheduled Heritage Resources

Refer to Rule 27.3.

30.1.5.2 Other Sites of Historical, Archaeological or Iwi Significance.

Note:

Notwithstanding any Permitted Activity status herein, an authorisation from the New Zealand Historic Places Trust is required before any person may destroy, damage or modify the whole or part of any historical, cultural or archaeological site.

30.1.6 Land Disturbance

30.1.6.1 Indigenous Vegetation Clearance

30.1.6.1.1 The clearance of indigenous vegetation from a wetland less than 200m² in area, is a Permitted Activity.

30.1.6.1.2 The clearance of indigenous vegetation, on any certificate of title in any continuous period of five years, is a Permitted Activity where that clearance is:

- a) Less than 1 hectare or 15% of the title, whichever is the lesser and where rules (b) to (f) do not apply;

- b) Less than 0.1 hectare or 15% of the title, whichever is the lesser, where the vegetation is 6 metres or more in height;
- c) Less than 2000m² or 15% of the title, whichever is the lesser, where the average canopy height of the vegetation is greater than 3 metres;
- d) Less than 500m² or 15% of the title, whichever is the lesser, where the vegetation occurs on alluvial sites, or within the coastal environment, or on ultramafic or calcareous geologies, or on bluffs, rock outcrops and associated talus slopes;
- e) Less than 100m² or 15% of the title, whichever is the lesser, of tall tussock of the genus *Chinochloa*;
- f) Less than 500m² or 15% of the title, whichever is the lesser, of indigenous sub-alpine vegetation.

30.1.6.1.3 The clearance of the following is excluded from the requirements in Rule 30.1.6.1.2 above:

- a) Indigenous vegetation growing under plantation forest, woodlot, or shelter belt;
- b) Indigenous vegetation growing in improved pasture where introduced species comprise more than 70% of vegetation ground cover on site;
- c) Indigenous vegetation that is dominated by one of the pioneer species of manuka, kanuka, tauhinu, and bracken fern, and which has grown naturally from previously cleared land (i.e. regrowth) and where the regrowth is less than 20 years in age and for matagouri, where the regrowth is less than 50 years in age;
- d) Where the clearance is associated with the maintenance of an existing road, forestry road or farm track.

30.1.7.1 Vegetation Clearance

30.1.7.1.1 Subject to Rule 30.1.6.1. above the clearance by hand or mechanical means is a Permitted Activity provided that:

- a) Blading or root-raking by bulldozer shall not be used to clear vegetation on slopes of more than 20°.

30.1.7.1.2 Woody vegetation (except for plantation trees and noxious plants under the Noxious Plants Act) shall not be removed by chemical, fire or mechanical means within 8 metres of any permanently flowing river, or any lake, wetland or the sea.

30.1.7.1.3 Plantation trees within 8 metres of any permanently flowing river, or the margin of any wetland, lake or the coast shall be directionally felled away from the water body, except plantation trees leaning over a water body, which may be felled in accordance with safety practices.

30.1.7.1.4 Except as above no logs may be dragged through the bed of any flowing river, or through any lake or wetland.

30.1.7.1.5 Except for direct approaches to bridges, crossings and fords, no heavy machinery may be operated for the purpose of vegetation clearance within 8 metres of any permanently flowing river, or the margin of any wetland, lake or the coast.

30.1.7.1.6 On completion of a vegetation clearance operation, a suitable vegetative cover that will mitigate soil loss, is to be restored on the site so that, within 24 months the

amount of bare ground is to be no more than 20% greater than prior to the vegetation clearance taking place.

- 30.1.7.1.7 The depth of topsoil removed shall not exceed more than 20 mm over more than 15% of any vegetation clearance site.

30.1.7.2 Cultivation

The cultivation of land is a Permitted Activity provided that:

- 30.1.7.2.1 On all slopes greater than 20° cultivation is to be parallel to the contour of the land with the exception that up to 15% of the cultivated area may be cultivated at an angle to the contour. Trenching for cable laying may be carried out at an angle to the contour on slopes greater than 20° and any earth not required to be placed back in the trench shall be placed in a stable location.

- 30.1.7.2.2 Except for trenching for cabling laying, no cultivation is to take place within 8 metres of any permanently flowing river, or any lake, wetland or the sea on land greater than 10° slope or within 3 metres of any permanently flowing river, or any lake, wetland or the sea on land of less than or equal to 10° slope.

- 30.1.7.2.3 The vegetation cover of a cultivation site shall be restored within 24 months of the end of the operation, to a level where the amount of bare ground is not more than 20% greater than prior to the land disturbance taking place.

30.1.7.3 Excavation and Tracking

The excavation of land is a Permitted Activity provided that:

- 30.1.7.3.1 Except for direct approaches to bridges, crossings and fords, no excavation may take place within 8 metres of any permanently flowing river or lake or wetland or the sea.

- 30.1.7.3.2 No excavation may take place within 8 metres of the landward toe of a stopbank and the depth of any excavation beyond that may not exceed 15% of the distance from the stopbank.

- 30.1.7.3.3 On land greater than 20° slope no more than 1,000 m³ may be excavated in any two year period.

- 30.1.7.3.4 The gradient of any side cut excavation must not exceed an average of 9.5° (1:6) and must not exceed 11.3° (1:5) along any length of more than 20 metres.

- 30.1.7.3.5 Storm water controls, water table cut-offs, and culverts are to be installed to ensure that erosion does not occur on the inside edge of the cut. No culvert size less than 300 mm may be used to drain any side-cut excavation.

- 30.1.7.3.6 Batters and side casting are to be stabilised by appropriate measures such as seeding, compacting, drainage and/or other methods of re-vegetation.

- 30.1.7.3.7 Run-off from water tables or surface of side cut excavations is to be directed to stable land areas.

- 30.1.7.3.8 Stream crossings are to be stable and suitable for fish passage.

30.1.7.4 Clean Fill

The filling of land is a Permitted Activity provided that:

- 30.1.7.4.1 The material does not contain any:

a) Hazardous substances;

- b) Combustible or organic materials;
- c) Any other contaminant subject to chemical or biological breakdown;
- d) Liquids or sludges.

30.1.7.4.2 That the volume of material does not exceed 1,000 m³.

30.1.7.4.3 That the filling operation is at least 8 metres from the nearest surface water body.

30.1.7.4.4 That the filled area is covered with at least 200 mm of topsoil, and sown down with a suitable vegetative cover or when infilling has been completed, adopt means to achieve a rapid vegetative cover.

30.1.7.5 General Conditions Applicable to all Land Disturbance.

30.1.7.5.1 No woody material of greater than 100 mm diameter shall be left in any permanently flowing river, lake, wetland or sea as a result of a land disturbance operation.

30.1.7.5.2 All land disturbance sites are to be stable when subject to a storm event of return frequency of 1 in 10 years or less.

30.1.7.5.3 No land disturbance activity shall take place as a Permitted Activity on land of Land Use Capability Class 8.

30.1.8 Discharges

30.1.8.1 Domestic Effluent Disposal

Provision must be made for the satisfactory disposal of all effluent and greywater in accordance with the requirements of this Plan. The requirements of this Plan are deemed to have been met where all domestic effluent and greywater is connected to a public system expressly designed for this purpose or the standards for on-site sewage disposal (Rule 30.1.8.2) are met.

30.1.8.2 On Site Sewage Disposal

The discharge of any contaminant from any domestic on-site treatment system onto or into land is a permitted activity subject to the following conditions:

30.1.8.2.1 A public sewer is not located within 60 metres of the lot boundary.

30.1.8.2.2 A public sewer does not exist within 60 metres of the closest building on the lot to be serviced.

30.1.8.2.3 The discharge is not within any catchment classed NS as defined in Appendix J.

30.1.8.2.4 Where discharges are to soil absorption systems (drainage fields) these shall include the following functions:

- a) The effluent must be able to infiltrate the soil.
- b) The effluent must be able to percolate through a sufficient distance of soil such that it is 'renovated' to have no measurable impact on any surface or ground water body, or any coastal water.
- c) Any effluent directed to the drainage fields should be of a consistent high quality and meet the following standards:

- Faecal coliforms < 10,000/100 ml

- BOD₅ < 100 g/m³
- Suspended solids < 60 g/m³

and not be subject to episodic high values of suspended solids and BOD.

- d) No stormwater shall enter the treatment system.
- e) The system shall be maintained in a functional condition at all times.
- f) The rate of discharge shall not exceed 2 m³/d, averaged over any one week period.
- g) The discharge shall not be within 30 metres of any surface water body or drainage channel.
- h) There shall be no surface ponding of any effluent, nor runoff of any contaminant either directly or indirectly into a surface water body.
- i) The discharge shall be no less than 600 mm above the ground water table at all times.
- j) The discharge shall not be within 30 metres of any bore drawing ground water from an unconfined aquifer.
- k) No objectionable odours shall be able to be detected at or beyond the legal boundary of the area of land on which the contaminants are discharged.
- l) The effluent treatment unit shall be located in a manner that can be readily accessed for periodic servicing.

30.1.8.2.4.1 In the case of a septic tank being utilised that it:

- a) Shall have a minimum design life of fifteen years. (Note: The Building Act 1991 deals with other matters relating to construction and performance.)
- b) The septic tank shall have provisions for 24 hour minimum retention time of average daily flow after three years sludge/scum accumulation at full loading, i.e. sludge/scum accumulation at a rate of 80 litres per person per year as a three year average.

Note:

Sludge accumulation during the first year of operation will be at a higher rate as the biomass of digesting sludge establishes.

30.1.8.2.5 Where discharges are to a surface field (e.g. an irrigation system) the field:

- a) Must not be located in a catchment used for collecting drinking water.
- b) Must be fenced off in a manner to preclude accidental access.
- c) The effluent being discharged shall comply with the standards set out for effluent quality suitable for surface irrigation contained in Appendix O.
- d) The area of the irrigation field shall comply with the manufacturers specifications.
- e) The discharge shall not be within 30 metres of any surface water body or drainage channel.
- f) There shall be no surface ponding of any effluent, nor runoff of any contaminant either directly or indirectly into any surface water body.

- g) The discharge shall not be within 30 metres of any bore drawing ground water from an unconfined aquifer.
- h) No objectionable odours shall be able to be detected at or beyond the legal boundary of the area of land on which the contaminants are discharged.
- i) The effluent treatment unit shall be located in a manner that can be readily accessed for periodic servicing.

30.1.8.3 Application of Fertiliser

The application of fertiliser onto or into land is a Permitted Activity subject to the following conditions:

- 30.1.8.3.1 All reasonable steps shall be taken to avoid contaminants entering water either directly or indirectly as a result of the discharge.
- 30.1.8.3.2 All reasonable steps shall be taken to avoid adverse effects occurring beyond the boundary of the property as a result of the activity.
- 30.1.8.3.3 With the exception of the aerial application of fertiliser, no fertiliser shall be applied within 3 metres of any class AE, FS, CR, WS and A water bodies listed in Appendix J.
- 30.1.8.3.4 No fertiliser should be applied in any class NS catchment.
- 30.1.8.3.5 The total nitrogen loading from the application of fertiliser or any other source shall not exceed 200 kg N/ha/yr.

Note:

The following measures should be adopted to ensure that Rules 30.1.8.3.1 and 30.1.8.3.2 can be met:

- a) Avoiding fertiliser application during, or immediately before, heavy rain which is likely to result in run-off;
- b) Avoiding fertiliser application during high wind which is likely to cause drift into rivers, lakes or wetlands;
- c) Minimising the use of fertiliser on the margins of rivers, lakes and wetlands; and
- d) For aerial applications, ensuring that pilots are aware of the location of water bodies and take appropriate action to avoid the discharge of fertiliser direct to water and riparian margins.

30.1.8.4 Animal Dips

The discharge of any contaminant from an animal dip into or onto land is a Permitted Activity subject to the following conditions:

- 30.1.8.4.1 The discharge shall not be within 100 metres of a surface water body or drainage channel or a well used for domestic water supply.
- 30.1.8.4.2 There shall be no runoff of any contaminant into any surface water body.
- 30.1.8.4.3 The discharge shall not be within any class NS catchment.

Note:

The "Agrichemical Users' Code of Practice" (NZS 8409:1995; New Zealand Agrichemical Education Trust) includes the following guidelines for the disposal of animal dips onto land:

- a) The land needs to be capable of absorbing the volume of liquid to be discharged without runoff risk to wildlife, ground or surface water.
- b) As a guide, not more than 5,000 litres of spent dip should be applied per hectare.
- c) Land used for disposal should not be producing food crops at the time of disposal.

- d) Stock should not be given access to land that has been used as a disposal site for at least 28 days following disposal.

30. 1.8.5 Rules for the Application of Agrichemicals

In addition to Rule 30.1.8.3 and Rule 30.1.8.4 the application of agrichemicals to land based activities shall be a Permitted Activity subject to the following conditions:

- 30.1.8.5.1 The application shall be undertaken in a manner which does not exceed any rate, or contravene any requirements specified on the product label.
- 30.1.8.5.2 The application shall be for the purposes of eradicating, modifying or controlling plants, animals or other organisms, and shall not include the disposal of any agrichemical concentrate onto or into land. Nothing in this rule shall authorise the discharge of concentrate onto or into water.
- 30.1.8.5.3 The application of agrichemical shall not result in agricultural spray drift being deposited on any roof or structure used as a catchment for water supply.
- 30.1.8.5.4 The application shall not result in agrichemical spray drift being deposited on any water body.
- 30.1.8.5.5 All reasonable care shall be exercised in the application of agrichemicals so as to ensure that spray drift does not pass beyond the legal boundary of the area of land on which the agrichemical is discharged. Reasonable care shall be deemed to have been exercised when the agrichemical has been mixed and applied in accordance with Part 5 of the "Agrichemical Users' Code of Practice" (NZS 8409:1995: New Zealand Agrichemical Education Trust).
- 30.1.8.5.6 The following qualifications shall be held within 12 months of the Plan becoming operative.
 - a) Every contractor undertaking the land-based application of agrichemicals shall be a Registered Chemical Applicator, or hold an equivalent qualification.
 - b) Every pilot undertaking the aerial application of agrichemicals shall hold a current GROWSAFE Agrichemical Rating, or an equivalent qualification.
- 30.1.8.5.7 The property owner or manager shall keep records of agrichemical use in accordance with Section 5.9 - "Agrichemical Users' Code of Practice" (NZS 8409:1995: New Zealand Agrichemical Education Trust), and shall make such records available to the Council on request.
- 30.1.8.5.8 The property owner or manager shall on the request of the Council or any neighbouring property owner make available for inspection the current programme for the application of agrichemicals on the property.
- 30.1.8.5.9 The applicator shall notify the Council immediately in the case of accidental discharge into a water body.

Note:

People using agrichemical pesticides may also be required to be approved handlers under the Hazardous Substances and New Organisms Act 1996. An approved handler is required when a pesticide is highly toxic to people or toxic to the environment.

30.1.8.6 Swimming Pool

The discharge of swimming pool waste water into natural water is a Permitted Activity subject to the following:

30.1.8.6.1 The discharge shall contain no algaecides.

30.1.8.6.2 That:

- a) The rate of discharge shall not exceed 5 litres per second.
- b) The discharge shall not have an adverse effect on the water quality of the receiving environment.
- c) The discharge of swimming pool waste water shall not have any effect on fisheries, wildlife habitats, or recreational values of any water body.
- d) The total residual chlorine should not exceed 2.0 micrograms per litre (0.002 gm³)

30.1.8.7 Incineration

The discharge of contaminants to air from incineration of untreated wood, vegetation, newspapers, magazines and cardboard shall be a Permitted Activity provided that:

30.1.8.7.1 The waste is generated on the property where incineration occurs.

30.1.8.7.2 Any vegetative matter is dry.

30.1.8.7.3 The waste being incinerated shall not include:

- a) Car tyres;
- b) Plastic agrichemical containers;
- c) Hazardous substances or containers of hazardous substances;
- d) Oil based products;
- e) Food scraps;
- f) Aerosol cans;
- g) Foam products;
- h) Paper, unless there is a fly ash guard.

30.1.8.7.4 Weather conditions are such that any nuisance effects from smoke are minimised.

30.1.8.8 Deadly Poisons (as listed in the First Schedule to the Toxic Substances Regulations 1983)

The hand application of deadly poisons on all land, and the aerial application on private land, is a Permitted Activity subject to the following conditions:

30.1.8.8.1 The application shall be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the deadly poison manufacturer's instructions and any instructions attached to or enclosed with the product.

30.1.8.8.2 The application shall be for the purpose of eradicating, modifying or controlling vertebrate animals only, and shall not include the disposal of any deadly poison onto or into land.

- 30.1.8.8.3 The applicator shall keep a written record of the locating, timing and amount of the deadly poison application, and how the requirements of this rule have been met; and provide this information to the Council on request.

Note:

Under the Pesticides (Vertebrate Pest Control) Regulations 1983, approval is required from the Medical Officer of Health and the appropriate territorial local authority for any use of deadly poisons:

- a) On a public road;
- b) In any other place to which the public is entitled to have access;
- c) Within 60m of a public road, or of any other place to which the public is entitled to have access;
- d) Inside (or within 400m of) the boundaries of any area or district that is controlled by a territorial local authority;
- e) Inside (or within 400m of) the boundaries of any community, as defined in the Local Government Act; or
- f) In any catchment area from which water for human consumption is drawn.

Any aerial application of a deadly poison must also be publicly notified at least two weeks in advance, and notices erected at every public access route where people normally obtain access to the land.

The permission of affected land owners is required before any deadly poison can be used on their land.

30.1.8.9 Liquid Wastes

The discharge of liquid waste from the processing of fruit, vegetable, shellfish, fish or animal products onto or into land is a Permitted Activity subject to the following conditions:

- 30.1.8.9.1 The characteristics of the waste shall be such that:
- a) BOD₅ - 5,000g/m³;
 - b) Faecal coliforms - 100/100 mL;
 - c) Free available chlorine < 1 g/m³;
 - d) Other contaminants shall not exceed the toxicant limits for irrigation water quality which are set out in Appendix P. These limits are derived from the Australian Guidelines for Fresh and Marine Waters (Australian and New Zealand Environment and Conservation Council [ANZECC] 1992);
 - e) No objectionable odours can be detected at or beyond the legal boundary of the area on which the liquid waste is discharged.
- 30.1.8.9.2 The total nitrogen loading on the land to be used for the discharge shall not exceed 200kg N/ha/yr.
- 30.1.8.9.3 The discharges shall be applied evenly over the disposal area at a rate not exceeding 10mm/day.
- 30.1.8.9.4 The discharge shall not be within 20 metres of any surface water body or drainage channel.

- 30.1.8.9.5 There shall be no runoff of the waste into any surface water body.
- 30.1.8.9.6 A buffer zone of a minimum of 10 metres width shall be maintained between the area of discharge and the legal boundary of the land on which the liquid waste is discharged.
- 30.1.8.9.7 The discharge shall not be within any class NS catchment defined in Appendix J.

30.1.8.10 Solid Waste

The discharge of solid waste from the processing of untreated timber, fruit, vegetable, and shellfish products onto or into land is a Permitted Activity subject to the following conditions:

- 30.1.8.10.1 The waste shall not contain any substances classified as eco-toxic under the Hazardous Substances and New Organisms Regulations.
- 30.1.8.10.2 The discharge shall not be within any class NS catchment defined in Appendix J.
- 30.1.8.10.3 The characteristics of the waste shall be such that no shellfish flesh is included.
- 30.1.8.10.4 No objectionable odours can be detected at or beyond the legal boundary of the area of land on which the waste is discharged.
- 30.1.8.10.5 The total nitrogen loading on the land shall not exceed 100 kg N/ha/yr.
- 30.1.8.10.6 The amount of solids applied shall not exceed a depth of 50mm per year, measured when applied.
- 30.1.8.10.7 The discharge shall not be within 20 metres of any surface water body or drainage channel.
- 30.1.8.10.8 There shall be no runoff of contaminants from the waste into any surface water body.
- 30.1.8.10.9 A buffer zone of a minimum of 5 metres width shall be maintained between the area of discharge and the legal boundary of the area of land on which the waste is discharged.

30.1.8.11 Offal Pits

The discharge of offal into or onto land is a Permitted Activity subject to the following conditions:

- 30.1.8.11.1 The discharge shall consist only of offal generated on the property where the offal is discharged.
- 30.1.8.11.2 The discharge shall not be within any class NS catchment defined in Appendix J.
- 30.1.8.11.3 The discharge shall not be within 50 metres of any surface water body.
- 30.1.8.11.4 The base of the disposal area shall be no less than 1 metre above the highest level of the water table.
- 30.1.8.11.5 The waste shall not contain any substances classified as eco-toxic under the Hazardous Substances and New Organisms Regulations.
- 30.1.8.11.6 No objectionable odours can be detected at or beyond the legal boundary of the area of land on which the offal is discharged.
- 30.1.8.11.7 A buffer zone of a minimum of 20 metres width shall be maintained between any discharge point and the legal boundary of the area of land on which the offal is discharged.

30.1.8.11.8 The offal pit shall be securely covered at all times, and covered with at least 1 metre of soil on final closure of the pit.

30.1.8.11.9 The offal pit shall not be within 30 metres of any well.

30.1.8.12 General Rules Relating to Odour

a) Any person undertaking an activity resulting in the discharge of odorous or potentially odorous contaminants into air, shall adopt the best practicable option to avoid, remedy or mitigate any adverse effects resulting from that discharge of odour.

b) Notwithstanding the generality of the above condition, no person shall discharge contaminants into air that results in odour beyond the boundary of the property or premises that, in the opinion of an officer of the Council, is offensive or objectionable. For the purposes of assessing whether an odour is objectionable or offensive, the opinion shall be sought from an officer of the Council who is responsible for monitoring air quality.

30.1.8.13 General Rules Relating to Dust Emissions

30.1.8.13.1 Any person undertaking an activity resulting in the emission of dust shall adopt the best practicable option to avoid adverse effects resulting from objectionable dust emissions on the receiving environment.

30.1.8.13.2 The discharge of dusts from any process vent or stack shall be subject to the following conditions:

a) They shall not contain toxic substances.

b) Any air pollution control equipment and dust collection system shall be designed to achieve a particulate discharge rate of 125 mg/m³ (corrected to 0 degrees Celsius, 1 atmosphere pressure, dry gas basis) and at no time shall emissions exceed 250 mg/m³ (corrected to 0 degrees Celsius, 1 atmosphere pressure, dry gas basis).

c) No particles in the emission shall be larger than 0.05 millimetres in any direction.

30.1.8.14 Abrasive Blasting Operations

30.1.8.14.1 The discharge of contaminant into air from abrasive blasting, other than from a mobile source, is a Permitted Activity provided the following conditions are met:

a) The surface to be blasted shall not contain any lead, zinc, arsenic, chromium, cadmium, copper, mercury, tributyl tin or thorium-based compounds;

b) When using dry abrasive blasting techniques, all items shall be blasted within an abrasive blasting enclosure, and air extracted from the enclosure shall be filtered so that there is no visible discharge of dust;

c) When using wet abrasive blasting techniques, there shall be no discharge of water spray beyond the boundary of the subject property;

d) The discharge shall not raise the ambient dust deposition rate by more than 4 g/m² per 30 days at any point beyond the boundary of the subject property;

e) Sand or any other material used for abrasive blasting shall contain not more than 5% free silica on a dry weight basis, and shall not be reused.

30.1.8.14.2 The discharge of contaminant into air from abrasive blasting using a mobile source and wet abrasive blasting techniques is a Permitted Activity provided the following conditions are met:

- a) The surface to be blasted shall not contain any lead, zinc, arsenic, chromium, cadmium, copper, mercury, tributyl tin or thorium-based compounds;
- b) The Council and owners or occupiers of properties adjacent to the subject property shall be notified of the location, date and duration of the proposed abrasive blasting operation at least 5 working days before the commencement of the work;
- c) Sand or any other material used for abrasive blasting shall contain not more than 5% free silica on a dry weight basis;
- d) The operator shall so far as is practicable collect all debris and used blasting materials;
- e) All collected debris and used blasting materials shall be removed from the site daily and when operations are completed;
- f) There shall be no discharges of water spray beyond the boundary of the subject property, or beyond 50 metres of the discharge when sited on public land; and
- g) There shall be no visible discharge of dust beyond the boundary of the subject property, or beyond 50 metres of the discharge when sited on public land.

30.1.8.15 Air Discharges from Industrial and Trade Premises

- a) Any discharge to air of contaminants from industrial and trade premises shall comply with the standards for discharges to air prescribed for the Industrial Zone.

30.1.8.16 Discharge of Electro Magnetic Radiation (EMR)

- a) The discharge of EMR (Electric Magnetic Radiation) is a Permitted Activity, provided the level of discharge meets the requirement/limitations of NZS 6609.

30.1.9 Commercial Forestry

Subject to all other conditions for permitted activities (including Land Disturbance requirements) commercial forestry is a Permitted Activity subject to the following:

30.1.9.1 No commercial forestry may be planted on land where they will shade any formed public road, between the hours of 10.00 am and 2.00 pm on the shortest day.

30.1.9.2 No commercial forestry may be planted within 8 metres of a permanently flowing river.

30.1.9.3 No commercial forestry may be planted on land within 100 metres of any residential unit not located on the same site.

30.1.9.4 No commercial forestry may be planted on land within 10 metres of an adjoining property boundary unless the written consent of the adjoining property owner is first deposited with the Council.

30.1.9.5 Without the written consent of the users of a legally established water supply, no commercial forestry may be planted on land within a radius of 70 metres of the intake

point of a domestic water supply where the intake is registered by an easement over the subject land. Such radius to encompass the required portion of the circumference of a circle as is necessary to protect the water flowing down the lie of the land into the intake point; except that in cases where the intake point on any domestic water supply is nearer to the crest line of a catchment than 70 metres, the crest line of the catchment shall be substituted for the distance of 70 metres.

- 30.1.9.6 No commercial forestry may be planted on land within 200 metres of mean high water mark.
- 30.1.9.7 No commercial forestry may be planted in areas of Outstanding Landscape Value as shown on the Planning Maps.
- 30.1.9.8 Planting commercial forestry of indigenous species endemic to an area is a Permitted Activity in every location and is not subject to Rules 30.1.9.6 and 30.1.9.7.

30.1.10 Mineral Prospecting and Exploration

Subject to all other conditions for permitted activities (including Land Disturbance requirements) mineral prospecting and exploration on land below the 1000 metre contour shall be a Permitted Activity subject to the following:

- 30.1.10.1 Geological sampling is limited to the use of hand held machinery.
- 30.1.10.2 Soil and rock samples are not to exceed 5 kilograms per sample.
- 30.1.10.3 All prospecting and exploration activities shall be progressively rehabilitated. This will require recontouring to establish natural drainage patterns. Where vegetative cover has been removed, a vegetative cover that will mitigate soil loss, is to be restored on the site so that, within 24 months the amount of bare ground is to be no more than 20% greater than prior to the vegetation clearance taking place.

30.1.11 Hazardous Facilities (District Function)

30.1.11.1 Effects Ratio

Any activity having an 'effects ratio' no greater than 0.5 shall be a Permitted Activity. The 'effects ratio' shall be calculated in accordance with the Hazardous Facility Screening Procedure set out in Appendix C.

30.1.11.2 Site Design

- 30.1.11.2.1 Any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be effectively sealed with materials which are resistant to the substance(s).
- 30.1.11.2.2 Any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be sealed and banded so that the equivalent of the maximum of the largest container within the banded area can be contained and excluded from the stormwater system when a spill occurs. In areas where drums are stored, the banded area shall be able to contain half of the maximum amount of the material stored.
- 30.1.11.2.3 Any bunds shall be constructed from materials which are resistant to the substance that the bund is designed to contain, so as to prevent the substance entering the soil.

- 30.1.11.2.4 All stormwater grates shall be clearly marked.
- 30.1.11.2.5 Storage of petroleum products in underground tanks shall comply with the most recent version of the Code of Practice for 'Design, Installation and Operation of Underground Petroleum Systems'.
- 30.1.11.2.6 Any part of the site where solid or liquid hazardous or environmentally damaging substances are loaded or unloaded shall be sealed, banded, and drained.
- 30.1.11.2.7 All vehicle accessways onto that part of a hazardous facility site where hazardous and environmentally damaging substances are loaded or unloaded shall have cut-off drains installed which are not directly connected to the stormwater system.
- 30.1.11.2.8 Any part of the site where vehicles, equipment or containers that have or may have become contaminated with hazardous or environmentally damaging substances are washed, shall be sealed, banded and drained so that process effluent (run-off) from the washdown area is discharged into the foulwater system, or collected and stored in tanks for removal by a suitable trade waste contractor.
- 30.1.11.2.9 A record will be kept of the quantities of hazardous wastes stored on-site, or taken away to disposal.

30.1.11.3 Waste Management

- 30.1.11.3.1 The storage of hazardous waste on the site shall be in suitable containers that are either covered or located in a roofed area.
- 30.1.11.3.2 A waste audit shall be undertaken for all premises generating hazardous waste substances in volumes greater than 6 m³/week.
- 30.1.11.3.3 A record will be kept of the quantities of hazardous wastes stored on the site, or taken away to disposal.

30.1.11.4 Fire Safety

All hazardous facilities where flammable hazardous substances are either used or stored shall have adequate fire safety equipment in place.

30.1.11.5 Signage

All hazardous facilities shall be adequately signposted according to the most recent version of the Code of Practice for 'Warning Signs for Premises Storing Hazardous Substances of the New Zealand Chemical Industry Council'.

30.1.11.6 Emergency and Evacuation Plan

All hazardous facilities shall have in place an emergency and evacuation plan which deals with possible on-site accidents involving hazardous substances.

30.1.12 Airport Protection

- 30.1.12.1 No buildings, structures, masts, poles, fences, overhead telegraph cables, overhead power cables, trees or other object may penetrate any flight path described below and delineated on the Planning Maps.
- 30.1.12.1.1 **Omaka Aerodrome Height Restrictions**
 - a) Take-off Climb/Approach Slopes

The take-off climb/approach slope commences at a level of 1.2 metres at the airfield boundary and for the full circumference of the airfield except in the direction of existing aerodrome buildings on the northern side of the aerodrome, and rises at a gradient of 3.3% (1 in 30) until it intercepts the horizontal surface (see Civil Aviation Plan A.M. 14375 for layout and approximate dimensions).

b) Horizontal Surface

The horizontal surface is a plane, circular in shape, with its height 45 metres above the established airfield elevation and having a radius of 2440 metres from the geographical centre of the airfield. (See Civil Aviation Plan A.M. 14375 for layout and approximate dimensions).

30.1.12.1.2 Woodbourne Airport Height Restrictions

a) Main Runway 07/25

The main runway is 1425 metres long and 45.7 metres wide and is orientated on a bearing of 86°00' True and has a sealed surface.

b) Main Strip

The main strip is currently 1545 metres long and 152.5 metres wide and contains the main runway symmetrically within it.

c) Parallel Grass Runway 07/25

Running parallel to the main sealed runway 07/25 is a grass strip of 1545 metres by 150 metres. Transitional side slopes and take-off climb/approach fans originate from this strip in the same manner as for the main runway. The close proximity of this parallel runway to the main runway means that these protection surfaces do not appear at the scale used for the Planning Maps. It is, however, displayed on the larger map held at the Council.

d) Subsidiary Strip 10/28

The subsidiary strip is 1335 metres long and 45 metres wide and is orientated on a bearing of 121°53' True.

e) Take-off Climb/Approach Slopes

There is a take-off climb/approach slope arising at a specific gradient from the level of the lowest part of the strip. Each take-off climb/approach slope extends over a horizontal distance specified below and is symmetrically disposed about the extended centre line of the strip with its sides diverging uniformly outward at a rate of 15% (8°32') from the corners of each strip end. In the case of the turning flight path surface a 4.6 metre step down occurs at the commencement of the turn and the whole width of the surface then continues.

f) Main Take-off Climb/Approach Slopes

Each of the two take-off climb/approach slopes off the main strip rises at a gradient of 1.6% (1 in 62.5) over a horizontal distance of 15000 metres. In addition there is a curved take-off climb surface with its origin at the western end of the main strip. The base line is 152.5 metres wide and extends straight ahead for a distance of 914 metres then curves right on a centre line radius of 1295.4 metres until it intercepts the 45 metres horizontal surface. The slope of this surface has a gradient of 1.6% (1 in 62.5). From point of commence of

turn there is a 4.6 metre vertical step down across the full width of the fan and the gradient then continue on from this lower level at 1.6%.

g) **Subsidiary Strip Take-off Climb/Approach Slopes**

Each of the two take-off climb/approach slopes off the subsidiary strip rises at a gradient of 2% (1 in 50) over a horizontal distance of 2500 metres.

h) **Transitional Slopes**

These extend upwards and outwards from both the sides of each approach slope and the length of the strip edge, rising at a gradient of 14.3% (1 in 7) to intercept the horizontal surface.

i) **Horizontal Surface**

The horizontal surface is a horizontal plane, with a height of 45 metres above the established airport datum and extending 4000 metres from all four sides of the strip edge. Where ground rises so that it penetrates or becomes close to the horizontal surface, then, with the written permission of the Director of Civil Aviation, this surface may be adjusted in conformity with the ground so as to provide a vertical clearance of 10 metres above ground level.

j) **Conical Surface**

The conical surface extends from the periphery of the horizontal surface upwards and outwards at a slope of 5% until a height of 150 metres above the airfield datum is reached. Where ground rises so that it penetrates or becomes close to the conical surface then this surface may, with the written permission of the Director of Civil Aviation, be adjusted in conformity with the ground so as to provide vertical clearance of 10 metres.

30.1.13 Protection of VHF Omni-directional Radio Range (VOR)

30.1.13.1 No trees, overhead electric power cables, overhead telegraph cables, fences or buildings may be located within 365 metres radius of the datum described below:

- a) The VOR site is near the 'BB' trig, approximately latitude 041°29'30" south, longitude 174°03'48" east, on the north bank of the Wairau River mouth.
- b) Datum is a point midway between the 'BB' trig and the sea coast, in a N-E direction from the 'BB' trig.

30.1.14 Woodbourne Airport Restrictions of Land Use

30.1.14.1 There is an Runway Protection Overlay shown on the Planning Maps. Each overlay extends from the strip end for a distance of 1060 metres in the case of the Main Strip, 610 metres in the case of the Subsidiary Strip (southeast approach) and to the north boundary of State Highway 6 in the case of the Subsidiary Strip (northwest approach).

30.1.14.2 Within the area covered by the Runway Protection Overlay the following activities are not permitted:

- a) Forestry.
- b) Orchards.

- c) Viticultural or horticultural crops which require post or wire supporting structures.
- d) Land uses which attract birds.
- e) Buildings exceeding 20 m².

30.1.14.3 No new roads should be constructed where a take-off climb/approach, or a transitional slope would pass at a lower height than 4.67 metres vertically above the road.

30.1.15 Rules Applying to Temporary Military Training Activities

30.1.15.1 Any Temporary Military Training Activity shall be a Permitted Activity, subject to the following conditions:

- a) The written consent of the owner shall have been obtained.
- b) No permanent structures shall be constructed.
- c) This activity shall not involve excavation (permanent or mechanical), unless provided for in this Plan.
- d) Flying activity shall be in compliance with Civil Aviation Regulations or in agreement with the local controlling authority.
- e) The activity shall be limited to a period not exceeding 31 days.
- f) Noise levels measured from a line 20 metres from and parallel to the facade of any dwelling or the legal boundary where this is closer to the dwelling do not exceed the following limits:

Time	Limits (DBA)		
(Any Day)	L10	L95	LMAX
0630-0730	60	45	70
0730-1800	75	60	90
1800-2000	70	55	85
2000-0630	55		

Impulse noise resulting from the use of explosives, explosives simulators small arms shall not exceed 122dBC.

30.1.16 Motorcycling Events Held by the Marlborough Motorcycle Club Inc

30.1.16.1 Motorcycling events may be held between 9.00 am and 9.00 pm for no more than 8 hours per day over any three consecutive days.

Note

Where the motorcycling event can be seen from a state highway or where the site has direct access onto a state highway, the Marlborough Motorcycle Club Inc should consult with Marlborough Roads to determine if a Traffic Management Plan is required.

30.2 Controlled Activities

30.2.1 Application must be made for a resource consent for a Controlled Activity for the following:

- The sale of farm produce from a rural selling place.
- Excavation exceeding 1,000 m³ on land over 20° slope .
- The discharge of liquid wastes and animal effluent.
- Relocated buildings over 36m² in area.
- Temporary Military Training Activities (not a permitted activity).
- Erection and use of frost fans.

30.2.2 All Controlled Activities shall be subject to the general conditions applicable to Permitted Activities. In addition the following shall apply to specified activities. An application for a resource consent may be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94(1)(b) of the Resource Management Act 1991.

30.2.3 The Sale of Farm Produce from a Rural Selling Place

The sale of farm produce from a rural selling place is a Controlled Activity provided that it conforms to the following Standards and Terms:

30.2.3.1 Standards and Terms

- a) The activity is not served by vehicular access from a State Highway.
- b) The farm produce offered or displayed for sale is that which is grown on a farming unit owned or leased by the grower of such produce.
- c) That the sale takes place from a rural selling place that is roofed and enclosed on at least three sides and is of such an appearance that it does not detract from the natural qualities of the locality in which it is situated.
- d) Parking for vehicles shall be provided at the rate of 1 space per 5 m² of rural selling place.
- e) Parking area shall be laid out in a manner such that vehicles do not need to reverse off the property.

30.2.3.2 Matters Over Which the Council Will Exercise Control

The Council reserves control over and may impose conditions with respect to:

- a) Drainage and effluent disposal.
- b) Water supply, water storage and treatment.
- c) The design and appearance of the building.
- d) The location of the building.

- e) The need for and design of acceleration and deceleration lanes.
- f) Any other matters to avoid the creation of a traffic hazard.

30.2.4 Excavation exceeding 1,000 m³

Any excavation on land on slopes greater than 20° and exceeding 1,000 m³ in volume is a Controlled Activity where it conforms to the following Standards and Terms:

30.2.4.1 Standards and Terms

- 30.2.4.1.1 The gradient of any side cut excavation must not exceed an average of 9.5° (1:6) and must not exceed 11.3° (1:5) along any length of more than 20 metres.
- 30.2.4.1.2 Stormwater controls, water table cut-offs and culverts are to be installed to ensure that erosion does not occur on the inside edge of the cut. No culvert size less than 300 mm may be used to drain any side cut excavation.
- 30.2.4.1.3 Batters and side castings are to be stabilised by appropriate measures such as seeding, compacting, drainage and/or other methods of revegetation.
- 30.2.4.1.4 Run-off from water tables or surfaces of side cut excavations is to be directed to stable land areas.
- 30.2.4.1.5 Stream crossings are to be stable and suitable for fish passage.
- 30.2.4.1.6 Retaining walls and other structures are to be designed in accordance with good engineering practice.
- 30.2.4.1.7 Except for direct approaches to bridges, crossings and fords, no excavation may take place within 8 metres of any permanently flowing river or any lake or the sea.

30.2.4.2 Matters Over Which the Council Will Exercise Control

The Council reserves control over and may impose conditions with respect to:

- a) The natural clarity of any permanently flowing river, lake, wetland or the sea, and the levels of suspended sediment in any discharge from a land disturbance site.
- b) The entry of any woody organic material into any permanently flowing river, lake, wetland or the sea.
- c) The restoration of vegetation cover on any excavation site.
- d) The removal of topsoil on any excavation site.
- e) The need for protection of any historical, cultural or archaeological artefact or site.
- f) The stability of any excavation site when subject to storm events.

30.2.5 Discharge of Liquid Wastes and Animal Effluent

Subject to Rule 30.1.8.9 the discharge of any liquid waste or animal effluent onto or into land is a Controlled Activity subject to the following standards and terms:

30.2.5.1 Standards and Terms

30.2.5.1.1 The characteristics of the waste or effluent shall be such that:

- a) BOD₅ - 10,000 g/m³;
- b) Faecal coliforms - 1 x 10⁶ /100 mL (median of at least 6 samples taken at monthly intervals);
- c) Free available chlorine < 2 g/m³;
- d) Other contaminants shall not exceed the toxicant limits for irrigation water quality which are set out in Appendix P. These limits are derived from the Australian Guidelines for Fresh and Marine Waters (Australian and New Zealand Environment and Conservation Council [ANZECC] 1992);
- e) No objectionable odours can be detected at or beyond the legal boundary of the area on which the liquid waste is discharged.

For the purposes of assessing whether an odour is objectionable or offensive, the opinion shall be sought from an officer of the Council who is responsible for monitoring air quality.

30.2.5.1.2 The discharge is not within 20 metres of any surface water body or drainage channel.

30.2.5.1.3 The discharge shall not be within any class NS catchments defined in Appendix J.

30.2.5.1.4 The total nitrogen loading on the area of land to be used for the discharge shall not exceed 200 kgN/ha/yr.

30.2.5.1.5 There is a buffer zone of 10 metres width between any point of discharge and the legal boundary of the area of land on which the treated animal waste is discharged.

30.2.5.2 Matters Over Which the Council Will Exercise Control

The Council reserves control over and may impose conditions with respect to:

- a) The location of the area over which the waste is discharged.
- b) The volume of discharge and application rate.
- c) The actual and potential effect the discharge may have on surface water bodies.
- d) Duration of the consent.
- e) Monitoring requirements.

30.2.6 Relocated Buildings

The relocation of any building is a Controlled Activity provided that the activity conforms to the following Standards and Terms.

30.2.6.1 Standards and Terms

All relocated buildings must comply fully with the rules for Permitted Activities for the zone and all other relevant rules.

30.2.6.2 Information Requirements

The application is to be accompanied by an assessment of effects that address the Fourth Schedule of the Act and the following additional matters:

- a) The age and architectural design.
- b) The external appearance of the building and its compatibility with the standard of other buildings in the vicinity of the proposed site.
- c) The effect on the visual amenities of the area in the vicinity of the proposed site.

30.2.6.3 Matters Over Which the Council Will Exercise Control

The Council reserves control over and may impose conditions with respect to:

- a) The external appearance of the building.
- b) Compatibility with buildings in the immediate vicinity.
- c) Reinstatement or restoration works.
- d) Landscaping requirements.
- e) The need for a bond to cover reinstatement work.
- f) A time period for the completion of reinstatement work.

30.2.7 Temporary Military Training Activities

30.2.7.1 Any temporary military training activity which does not comply with the relevant permitted activity conditions shall be a Controlled Activity.

30.2.7.2 Matters Over Which the Council Will Exercise Control

In considering an application for a Controlled Activity the Council may exercise its discretion over the following matters:

- a) Duration of the activity.
- b) Earthworks.
- c) The location, duration and frequency of any noise omissions.

30.2.8 Erection and Use of Frost Fans

The construction use and maintenance of a frost fan is a Controlled Activity provided that the activity conforms to the following standards and terms:

30.2.8.1 Standards and Terms

30.2.8.1.1 Noise from a frost fan shall not exceed 55 dB LAeq (15min):

- a) at a distance of 300 metres from the device; or

- b) at any point within the notional boundary of any existing dwelling, visitor accommodation or other habitable building (other than on the property on which the frost fan is situated);

whichever is the least distance.

- 30.2.8.1.2
 - a) Subject to (b), 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;
 - b) Noise from a frost fan which has special audible characteristics such as tonality or impulsiveness, shall have a 5 dB penalty added to the measured level before compliance with rule 30.2.8.1.1 is assessed except that:
 - (i) where the Reference Method in the Standard is used to determine the penalty, the value of the penalty shall be a value in the range 0.1 dB to 6.0 dB as determined by that method;
 - (ii) no penalty for special audible characteristics shall apply to a frost fan in the Awatere Catchment if the frost fan is greater than 1 kilometre from any existing dwellinghouse, visitor accommodation or other habitable building.
 - c) for the avoidance of doubt, NZS 6801:1991 and NZS 6802: 1991 do not apply.

30.2.8.1.3 The frost fan shall only be operated for protection of crops from frost from bud burst to harvest, with the exception that frost fans may also be operated in the following circumstances:

- a) For the purposes of maintenance and testing, limited to operation between 8am to 5pm on any day; or
- b) For compliance monitoring at any time when the monitoring is undertaken by the Council or, where the monitoring is undertaken by a third party, when the Council has been notified.

30.2.8.1.4 When protecting crops from potential frost damage, a frost fan shall only be operated in wind speeds not greater than 8 km/hr (averaged over periods not greater than 5 minutes) and when the local air temperature is less than 1°C. For the purposes of this rule, temperature shall be measured within the property to be protected, for vineyards at the lowest fruiting wire and for other crops at the lowest point of the bud height (above ground level) of the plants being protected.

30.2.8.1.5 The frost fan shall not be located within 500 metres of an Urban Residential, Township Residential, Rural Township, the Marlborough Ridge Zone or within 300 metres of a Rural Residential Zone.

30.2.8.2 Information Requirements

An application shall include the following information:

- a) Details of the proposed frost fan(s), including make and model, manufacturers' specifications, blade type and configuration, drive motor details, and design speed of the tips of the blades.
- b) A plan showing the location of the proposed frost fan(s) (with accurate NZTM coordinates) and area it is designed to cover.

- c) A plan showing the location of the nearest dwelling, visitor accommodation or habitable building, or the nearest zone of a residential nature, and the distance to it.
- d) Detail of all means to ensure the performance of the frost fan and noise levels remain as predicted, including measures to govern the blade tip speed and the cut-off mechanism for winds exceeding 8 km per hour.
- e) A report prepared by an appropriately qualified and experienced acoustic consultant addressing the following:
 - a full and detailed description of the proposed frost fan;
 - prediction of the noise contours of the proposed frost fan based on operational parameters specifically identified in the report for the particular location where the frost fan is proposed to operate, except where that frost fan has been certified by a body approved by the Council and the proposed fan is to be located and operated in accordance with that certification;

30.2.8.3 Matters Over Which the Council Will Exercise Control

The Council reserves control over and may impose conditions with respect to:

- a) Operational requirements of the frost fans.
- b) Orientation, rotational constraints, speed of the frost fan power source or frost fan blade set and engine muffling.
- c) Operation of the frost fan for maintenance purposes.
- d) Recording information about the use of the frost fan, including temperature and windspeed at the area being protected.
- e) Monitoring and reporting.
- f) The provision of contact details for the vineyard owner/manager.
- g) The review of Conditions.

30.3 Limited Discretionary Activities

30.3.1 Non-compliance with the conditions for Permitted Activities may be allowed to the extent specified below. Application must be made for a resource consent for a Limited Discretionary Activity for the following:

- Buildings exceeding the maximum permitted site coverage up to a maximum of 20% of the specified standard.
- Buildings and structures exceeding the maximum permitted height up to a maximum of 20% of the specified standard.
- Buildings encroaching the height envelope created by the recession plane angles by a maximum of 1.0 metre in any direction.
- Buildings encroaching into any required yard.
- Parking requirements where site circumstances make it impracticable to comply with standards.
- Boarding Kennels
- Land disturbance activities that do not meet either permitted or controlled activity standards.
- Commercial forestry within 200 metres of the mean high water mark.
- Commercial forestry in areas of Outstanding Landscape Value as shown on the Planning Maps.

30.3.2 Limits to the Council's Discretion

30.3.2.1 In each of the above cases the Council's discretion shall be limited to a consideration of the adverse effects expected to directly result from the proposed non-compliance together with such matters listed in Rules 30.3.3, 30.3.5 and 30.3.6 below as are relevant to the non-compliance.

30.3.2.2 All applications for non-compliance shall be non-notified, however, the Council may require the written approval of every person who may in the Council's judgement be adversely affected by the granting of the consent for non-compliance unless it is considered unreasonable in the circumstances to require such approval.

30.3.3 Matters to which the Council has Restricted the Exercise of its Discretion - Building and Parking Matters

In considering any application for non-compliance the Council will in the exercise of its discretion have regard to the following matters:

- a) The non-compliance should not diminish the overall rural character of the locality.
- b) The non-compliance should not have any significant effect on the rural landscape.
- c) The non-compliance should not have any adverse effect on adjoining properties.

- d) The non-compliance should not have an actual or potential adverse effect on the safety of adjoining roads.

30.3.4 Conditions - Building and Parking Matters

Any resource consent may include conditions relating to any one or more of the following, in addition to those matters contained in Section 108 of the Act:

- a) The bulk and location of buildings and structures including fences.
- b) The protection of public and private amenity values.
- c) The design and appearance of any buildings.
- d) Landscape design and appearance and site layout.
- e) The protection of the roading network and any traffic impacts.
- f) Bonds or covenants to secure the performance of consent conditions.

30.3.5 Matters to which the Council has Restricted the Exercise of its Discretion - Land Disturbance

The Council reserves discretion over and may impose conditions in regard to:

- a) Natural clarity of any permanently flowing river, lake, wetland or the sea, and the levels of suspended sediment in any discharge from a land disturbance site;
- b) Entry of any wood organic material into any permanently flowing river, lake, wetland or the sea;
- c) Restoration of vegetative cover on any excavation, cultivation or vegetation clearance site;
- d) Removal of topsoil on any vegetation clearance site;
- e) Need for protection of any historical, cultural or archaeological artefact or site; and
- f) Stability of any excavation site when subject to storm events.

30.3.6 Matters to which the Council has Restricted the Exercise of its Discretion - Boarding Kennels

In relation to boarding kennels the Council's discretion shall be limited to the adverse effects relating to:

- a) Location of the boarding kennels in relation to property boundaries; and
- b) Noise mitigation in relation to the dogs to be housed on site.

30.3.7 Matters to which the Council has restricted the Exercise of its Discretion - Commercial Forestry within 200 metres of mean high water mark or within areas of Outstanding Landscape Value as shown on the Planning Maps

30.3.7.1 The Council reserves discretion over and may impose conditions on the following matters:

- a) The effects of the proposal on any ecological feature, archaeological or historic sites within the areas proposed for clearance and/or planting.
- b) Measures to be used to protect any significant areas of native vegetation.
- c) The methods to be used during any proposed clearance, planting, excavating, filling, cultivation or harvesting work.
- d) The methods to be used to prevent erosion of soil.
- e) The time period over which any clearance and/or planting will take place.
- f) The effects of the proposal on landscape values and measures used to mitigate any adverse effects.
- g) Measures to be used to protect water flow and quality of any bodies of water or wetlands in the vicinity.
- h) Methods to be employed to inhibit the spread of fire.
- i) Anticipated date(s) and time period(s) of harvesting.
- j) The demands on roads and transportation facilities through the transportation of harvested timber.
- k) The risk of wilding spread.

30.4 Discretionary Activities

30.4.1 Application must be made for a resource consent for a Discretionary Activity for the following:

- Activities listed as Permitted or Controlled Activities which do not comply with standards and/or conditions or with the provisions for non-compliance dealt with as Limited Discretionary Activities. Except that this provision shall not apply to activities listed as Non-Complying or Prohibited Activities.
- Within the Airport Noise Exposure Overlay airport noise sensitive activities listed in Appendix M.
- Rural industry.
- Trees, and fences of greater than 1.5 metres height, within 8 metres of a river, a publicly owned or maintained drainage channel, or landward toe of any designated stopbank in the Rural 3 Zone.
- Community facilities.
- Papakainga - not on specifically identified sites.
- Dwellinghouses (not provided for as a Permitted Activity).

- Visitor accommodation.
- Cemeteries and crematoria.
- Commercial airstrips.
- Commercial activities.
- Use of oil for dust suppression on rural roads.
- Marae and marae-based activities.
- Landfill - discharge of contaminants to land, air and water.
- Effluent treatment ponds facilities, associated plant, outfall structures, land irrigation systems.
- Additional residential accommodation.
- Quarrying and mineral extraction in the Rural 4 Zone on land below the 1000 metre contour.
- Intensive Farming.
- Wineries, distilleries, breweries.
- Refuse transfer stations.
- Deadly poisons applied on public land.
- Any discharge to air which is a Discretionary Activity in the Industrial Zones.
- Land disturbance on land of greater than 35° slope.
- Any discharge not complying with Rule 30.2.5 above.
- Within any area identified as a Flood Hazard on the Planning Maps the following are Discretionary Activities:
 - Any building.
 - Construction of stopbanks, modification of existing stopbanks or deposition of material in ephemeral channels.
 - Construction of impermeable walls, fences or similar structures which would divert water.
 - Any excavation.
- The grazing of cattle, deer and pigs and any cultivation (except that for the primary purpose of riparian management) within 3 metres of the bank of any permanently flowing Class A water body defined in Appendix J.
- Emergency services.
- Vehicle oriented activities.
- Clearance of indigenous vegetation over 6 metres in height located on alluvial sites, or within the coastal environment, or on ultra-mafic, or calcerous geologies or on bluffs, rock outcrops and associated talus slopes.
- Clearance of indigenous vegetation from rock bluffs within 50 metres of an active watercourse, where the rock bluff is over 5 metres in height and greater than 20 metres in length as measured along the base of the bluff.

- Clearance of indigenous vegetation within 15 metres of any water body identified in Appendix Q and on the Riparian Setback maps in Volume Three of the Plan.
- New dairy farming.

30.4.2 General Assessment Criteria (pursuant to Sections 67(1)(k) and 75(1)(k) of the RMA 1991)

Any application for a Discretionary or Non-Complying Activity shall generally comply with the conditions for Permitted Activities. In addition they shall be considered in terms of the following assessment criteria. For some activities specific standards and criteria also apply.

30.4.2.1 Matters Subject to Assessment

30.4.2.1.1 Any relevant objectives, policies and rules of this Plan.

30.4.2.1.2 Any relevant policies of the New Zealand Coastal Policy Statement.

30.4.2.1.3 Any relevant objectives, policies and methods of the Marlborough Regional Policy Statement.

30.4.2.1.4 The likely effects of the proposal on the locality and wider community and in particular:

- a) Whether the proposal will enhance or maintain the amenity values of the surrounding area;
- b) Whether the proposal will inhibit or disadvantage existing activities;
- c) Whether the proposal creates any demand for services or infrastructure at a cost to the wider community;
- d) Whether the proposal contributes to the character of the surrounding area and helps maintain the cultural values of the community;
- e) Whether the proposal has or may have any adverse effects on roading, traffic movement or road safety.

30.4.2.1.5 The likely effects of the proposal on areas of landscape importance:

- a) Any adverse effects of earthworks or tree planting.
- b) The extent to which the activity is likely to have adverse effects on the character of indigenous ecosystems which contribute to natural landscape patterns.
- c) The extent to which tree or shrub species to be planted will ameliorate any landscape effects.

30.4.2.1.6 The likely effects of the proposal on significant nature conservation values, indigenous vegetation and habitats of indigenous fauna:

- a) The degree of significance of a species or community of indigenous plants and animals at the specific locality of the proposed activity. In particular:
 - The status of the particular species, whether it is rare, vulnerable or endangered in the District, or nationally.
 - The general rate of decline of a particular species in the District, or nationally.

- The distinctive or uniqueness of a particular community, or group of communities of plants or animals, to the District, or nationally.
 - The range or diversity of species in a particular plant or animal community.
 - The importance of an area providing habitat to animals/birds.
- b) The extent to which the activity threatens the indigenous plants or animals/birds identified at the site.
 - c) The extent to which the tree or shrub species have the potential for weed/wilding spread.
 - d) The extent to which the environment in and adjoining the site is sensitive to modification.
 - e) The degree to which the activity will adversely affect natural features geomorphological or geological sites.
 - f) The extent to which the vegetation is an integral part of, or enhances the landscape values and natural character of the locality.
 - g) The degree to which river, lake or wetland habitat is adversely affected through run-off and sedimentation caused by earthworks.
 - h) The degree to which fresh water habitat may be compromised by a decline in water yields due to tree plantings.
 - i) The extent of any alteration of a wetland and the subsequent loss of habitat.
 - j) The degree to which any increased nutrient levels of a lake or wetland may occur.
 - k) Possible alternative locations or methods for undertaking the activity.

30.4.2.1.7 The likely effects of the proposal on the beds of and within rivers, lakes and wetlands and drainage channels:

- a) The extent to which the activity may affect birdlife and the degree of significance a particular bird species has to the District.
- b) The degree to which trout or salmon are adversely affected by disturbance to a riverbed, including the clearance of vegetation.
- c) The degree to which public access would be restricted.
- d) The degree to which access for channel maintenance would be restricted.
- e) The extent to which the activity will result in a loss of natural character and any recreational values associated with the waterbody.
- f) The degree to which any possible alternative locations or methods for undertaking the activity could occur.
- g) The degree to which water quality is adversely affected.

30.4.2.1.8 The likely effects of the proposal on riparian areas:

- a) The degree to which the activity will restrict public access and enjoyment of the waterbody margin.

- b) The degree to which the activity threatens indigenous plants or animals or their habitat identified in the waterbody beds and margins.
- c) The degree of significance of indigenous plant or animal communities.
- d) The extent of any alteration to a wetland and the subsequent loss of habitat.
- e) The degree to which nutrient levels of a lake or wetland may be increased.
- f) The extent to which fresh-water habitat, amenity, quality, or recreational values may be adversely affected through increased nutrient or sediment run-off.
- g) The extent to which the natural character of the waterbody margin will be retained.
- h) The extent to which the activity may impact on recreational values associated with the waterbody, including the amenity of that part of the river, stream, lake or wetland.

30.4.2.1.9 In respect of natural hazards:

- a) The likelihood of the proposed activity, including the addition to any residential unit, or other building, being threatened by flooding or ponding.
- b) The quantity of assets that will be vulnerable to flooding, as a result of the establishment of the proposed activity.
- c) The ability of buildings/structures to be relocated, and estimated cost.
- d) The extent to which the construction of the building/structure will result in the increased vulnerability of other sites to flooding.
- e) The expected depth of floodwater in an event of up to 1 in 100 year return period frequency, and whether this depth can be adequately coped with by specifying minimum floor levels.
- f) The expected velocity of the floodwater and its potential to scour or directly remove objects.
- g) Whether the proposed activity detrimentally affects the pattern of drainage water movement or water storage.
- h) Whether proposed activity will result in accelerated erosion of the land or sediment or woody debris deposition in waterbodies.

30.4.2.1.10 In terms of the discharge of contaminants and the use of hazardous substances that any proposal:

- a) Does not create unacceptable risk to the community and includes any measures to prevent or mitigate against any impacts from hazards.
- b) Does not involve the use of hazardous substances or hazardous installations such that there shall be any significant risk to the environment, locality or wider community.
- c) Does not generate noise, dust fumes, smoke or odours which are likely to be noxious or dangerous to any occupier of an adjoining property.

30.4.2.1.11 Whether the proposed activity is likely to have any effects on the physical and natural environment or community such that some form of financial contribution is necessary and should be imposed as a condition of consent. A financial contribution may be

required in the following circumstances (except for a single dwellinghouse on one lot) or as otherwise required in the Plan where:

- a) Any activity will lead to increased pressure on or demand for the use of any public reserve, facility(ies) or infrastructure including roads, walkways, refuse disposal systems.
- b) Any activity is likely to impact negatively upon the development capability of any adjoining land.
- c) Any activity leads or will lead to a situation where off-site effects can be mitigated, but unless required by condition of consent be at the cost of the Council.
- d) Where the proposal will create a need for public works, services, reserves, or capital expenditure.

30.4.2.1.12 In respect of Woodbourne Airport and the Omaka Aerodrome:

- a) The effect any activity may have on the operational safety of aircraft.
- b) The effect any activity may have on the 24 hour, 7 day operation capability of the airport.

30.4.2.1.13 In respect of commercial activities:

- a) Any potential adverse effects on the vibrancy and vitality of the Central Business Zone.
- b) The size and characteristics of commercial activity.
- c) Effects on the road network.
- d) Effects on local and wider amenity values.

30.4.3 Particular Standards and Criteria Applicable to Listed Discretionary Activities

(pursuant to Sections 67(1)(k) and 75(1)(k) of the Resource Management Act 1991)

The criteria specified for any particular discretionary activity as listed below shall be considered in addition to the General Assessment Criteria set out in Rule 30.4.2.

30.4.3.1 Commercial Activities

30.4.3.1.1 Assessment Criteria

- a) The extent to which the commercial activity will result in levels of traffic generation or pedestrian activity which are incompatible with the character or the surrounding rural area.
- b) The ability to mitigate any actual or potential adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.

- c) The extent to which commercial activity on the site is an integral and necessary part of, or closely associated with, other activities being undertaken on the site.
- d) The extent to which the commercial activity is compatible with the existing business zones.
- e) The extent to which the commercial activity cannot be physically or practically undertaken within the existing business zones.
- f) The proximity of the commercial activity to an urban area.
- g) Beyond trade competition, the extent to which the activity will significantly adversely affect either on its own or cumulatively, the vibrancy and vitality of the Central Business Zone taking into account the following:
 - The purpose of the Central Business Zone and the likely effect upon the mix of land use activities within the Central Business Zone.
 - The likely effect upon the existing urban design qualities inherent in the Central Business Zone, including in particular streetscape, amenity values and connections.
 - Existing Central Business Zone pedestrian counts and anticipated changes to pedestrian counts directly related to the proposed activity.
 - Retail and traffic distribution effects.
 - Central Business Zone vacancy rates.
 - The frequency and characteristics of customer and service vehicle visits.
- h) The effect of the commercial activity on the long term availability of soils for primary productive use.

30.4.3.2 Visitor Accommodation

30.4.3.2.1 Assessment Criteria

- a) Any actual or potential adverse effects of the proposed visitor accommodation in terms of:
 - Noise, vibration and lighting from vehicles entering, and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density rural environment.
 - Loss of privacy and remoteness.
 - Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - Pedestrian safety in the vicinity of the activity.
 - Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- b) The ability to mitigate any actual or potential adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as

infrequency of the activity, or limited total time over which the traffic movements occur.

- c) Any actual or potential adverse effects of the activity on the quality of ground and/or surface waters.

30.4.3.3 Commercial Airstrips and Commercial Helicopter Landing Areas

30.4.3.3.1 Assessment Criteria

- a) The extent to which the noise from the aircraft is incompatible with the character of the surrounding rural area.
- b) The extent to which the noise from the aircraft will adversely affect the pleasant use and enjoyment of the surrounding environment by residents and visitors.

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- c) The extent to which the noise from the aircraft will reduce opportunities for passive recreation, enjoyment of peace and tranquillity and, particularly, opportunities for remote experience recreation.

30.4.3.4 Landfills

Landfills including the discharge of contaminants onto or into land, and discharge into air or water associated with a solid waste landfill.

30.4.3.4.1 Standards

- a) The establishment of a landfill over an unconfined aquifer shall not occur.
- b) The landfill shall be sealed such that leachate cannot escape except through a controlled structure.
- c) Any leachate discharge shall be collected and disposed of in an appropriate manner, for example by recycling through the landfill or by treatment.
- d) The landfill shall be managed in a manner that minimises intrusion from external sources of water.
- e) Discharged material shall not be placed within 1500 metres of a surface waterbody or drainage channel.
- f) As far as practicable, only wastes that can safely be accommodated in the landfill without adverse effects on the environment beyond the site are to be discharged.
- g) No gaseous substance or substance likely to form a noxious, reactive or toxic gas (other than landfill gas) once placed in the landfill, is to be discharged.
- h) Tip face burning shall not occur.
- i) Prior to commencing operation, a contingency plan shall be prepared, designed to remedy or mitigate any actual or potential adverse environmental effects that might arise, beyond those permitted by the consent from the operation of the landfill (including effects that may arise after waste disposal operations have ceased). The Plan shall include details of proposed environmental indicators, and trigger levels for implementation of relevant parts of the contingency plan.
- j) The consent holder shall ensure that all staff and other persons engaged at the landfill are fully aware of the above conditions.
- k) The consent holder shall undertake the following to monitor the effects of the landfill operation on the environment:
- Monitoring of the following groundwater quality indicator parameters at three monthly intervals.

pH	Total Alkalinity
Temperature	Ammoniacal Nitrogen
Conductivity	BOD5 /COD
Nitrate Nitrogen	Chloride
Hardness	Iron (soluble)

- The landfill shall be registered on the Hazards Register.

- No hazardous waste may be disposed of in the landfill unless:
- Accepted hazardous wastes are mixed with mature refuse appropriately, and disposed in discrete cells with low permeability capping and lining material.
- The landfill site and operation has leachate capture and either; recirculation, treatment, or disposal to sewage treatment facility.
- The landfill site and operation has an appropriately designed and operated leachate and groundwater quality surveillance programme which indicates insignificant levels of groundwater contamination and will be regularly monitored for potentially hazardous constituents following acceptance.
- The operator applies cover on a daily basis and low permeability intermediate and final cover.
- The site has adequate low permeability/attenuating lining materials and appropriate subsoil conditions as evaluated by a detailed hydrogeological investigation.
- The site is further than 3 km from any significant point of water abstraction and use within the same hydrogeological catchment.
- The site is securely fenced and has personnel in attendance during all times of operation capable of assessing whether documentation with wastes is adequate. Additionally, personnel must be available who can decide how to evaluate specific wastes and determine the required disposal option, and who are fully instructed in the requirements for safe handling of the particular waste both for themselves and other landfill users. Where wastes are proposed to be accepted, appropriate testing (concentration and leachability of constituents) should be carried out.
- The site has at least a 4 metre depth of well compacted refuse available above the site base.
- The site has acceptable control of stormwater, and applies cover at least on a weekly basis.
- The site is further than 1 km from any significant point of water extraction and use.
- The closure is to include a low permeability protective cap.
- The site is further than 500 metres from residential areas.
- The site is located and engineered such that extreme meteorological events will not cause significant mobilisation of wastes by such processes as erosion, wave action, and stormwater run-off.
- The operation has in place appropriate operational, quality assurance, emergency response, and post closure management plans.

30.4.3.4.2 Assessment Criteria

- a) The characteristics of the receiving environment including the current and likely future uses of that environment, and in particular any actual or potential effects on surface water quality, groundwater quality, air quality and the coastal environment.

- b) The proneness to erosion, inundation or subsidence of the landfill site.
- c) Effects related to the management of the site and its operation.
- d) Effects related to the nature of material to be discharged and potential by-products.
- e) Practical alternatives to use of the proposed site.
- f) Possible alternative receiving environments (i.e. other than land).
- g) The mitigation measures, safeguards, and contingency plans to be used to help prevent or reduce any actual or potential adverse effects.
- h) The impact on natural and cultural values.
- i) The impact of traffic on the locality.
- j) Measures to control the effects of litter.
- k) The need for financial contributions in the form of money, land, works, services, or any combination thereof. Such financial contributions may be required as a condition of any resource consent granted and shall be made for the purposes of:
 - Mitigating any adverse effects of the activity on air, water, or soil quality, or the life-supporting capacity of ecosystems.
 - Remedying any significant adverse effects on land or water, or cultural or amenity values, beyond the site of past or present contaminant discharges.
 - Restoration of the site through contouring and revegetation.

30.4.3.5 Effluent Treatment Ponds, Facilities, Associated Plant, Outfall Structures, Land Irrigation Systems

Includes the discharge of contaminants onto or into land, air and water associated with on-site effluent treatment and treatment of reticulated sewage.

30.4.3.5.1 Assessment Criteria

- a) The nature of the contaminants entering the sewerage system and being discharged from the system.
- b) Whether trade wastes are present in the system and any steps taken or required in order to:
 - Monitor industrial and trade wastes entering the system.
 - Minimise the adverse effects of industrial and trade wastes on the treatment of the effluent, including any steps to encourage cleaner production practices in industries discharging wastes to the system.
- c) The extent to which stormwater is able to enter the system, and any steps taken to avoid, remedy or mitigate the effects of system overload by stormwater.
- d) Any steps taken or required to avoid accidental discharges from the system and the potential effects of any accidental discharges that may occur.

- e) The extent to which the effluent is treated prior to the discharge entering any water.
- f) Any actual or potential effects of the discharge on surface water, coastal water and groundwater.
- g) Any effects of any odour or other contaminant discharged to air, as the result of the discharge.
- h) Any actual or potential effect of the discharge on human health or amenity and on the health and functioning of plants, animals or ecosystems.
- i) Any other uses or values of the discharge site and surrounding area, including any values placed on the site by Tangata Whenua.
- j) The Ministry of Health Guidelines for the Safe Use of Sewage Effluent and Sewage Sludge on Land.

30.4.3.6 Intensive Farming

30.4.3.6.1 Assessment Criteria

- a) The extent to which the intensive farming operation will be compatible with the character of the surrounding rural area, including the density of residential units in the area.
- b) The degree to which the proposed intensive farming operation is likely to lead to odour, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:
 - The size of the proposed intensive farming operation and its associated site;
 - The design of the buildings, facilities, and waste and noise management systems;
 - The management and operation of the waste and noise management systems;
 - Waste treatment measures employed;
 - Odour and noise abatement measures employed.
- c) The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- d) The extent to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- e) The effect of the intensive farming on the long term availability of high class soils for primary productive use.
- f) The extent to which any proposal complies with any Industry Code of Practice.

30.4.3.7 Cemeteries and Crematoria

30.4.3.7.1 Standard

A cemetery shall not be established closer than 100 metres from any potable water source.

30.4.3.7.2 Assessment Criteria

- a) Any facility shall be of a scale and intensity such that other activities in the locality are not detrimentally impacted by a loss of visual or lifestyle amenity values.
- b) The effects of any traffic operated can be absorbed into the transportation hierarchy.
- c) Access to the facility shall be such that any potential for traffic hazard is mitigated or avoided.
- d) All buildings should be designed so that their scale, form and exterior finish is complementary to those of the surrounding area and landscape.

30.4.3.8 Quarrying and Mineral Extraction

30.4.3.8.1 Assessment Criteria

- a) The extent to which the activities of vegetation clearance and the excavation and removal of material associated with extraction impact on amenity values, landscape values, and natural and physical resources and water quality, aquatic habitats and indigenous habitats.
- b) The extent to which roads or buildings impact on amenity values, landscape values, and natural and physical resources.
- c) The ability of the proposal to rehabilitate the site after mining so:
 - That the long-term stability of the site is ensured;
 - That the landforms or vegetation on finished areas are visually integrated into the landscape;
 - That the land is returned to its original productive capacity, where appropriate;
 - That water and soil values are protected.
- d) The ability of operation to minimise dust, noise, lighting and vibration so that amenity or natural conservation values are not at risk.
- e) The ability of the company to adequately monitor the operation and its effects on the receiving environment.

30.4.3.9 Rural Industry

30.4.3.9.1 Standard

Discharges of contaminants to air shall meet the standards prescribed for Permitted Activities in the Industrial 2 Zone.

30.4.3.9.2 Assessment Criteria

- a) The extent to which the scale of the activity and any buildings will be compatible with the scale of other buildings and activities in the surrounding area.
- b) The extent to which landscape character will remain dominated by open space rather than by buildings and areas of hard surfacing.
- c) The extent to which materials or equipment associated with an activity needs to be stored or operated outside.
- d) The extent of noise or visual impact, and the degree to which materials or equipment associated with an activity are visible from any public road or place.
- e) The extent to which the activity requires a rural location in terms of scale, use of or relationship to rural resources.
- f) The effect of the activity on the long term availability of soils for primary productive use.
- g) Any actual or potential adverse effects of the likely traffic generation from the activity in terms of:
 - Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density rural environment.
 - Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- h) The ability to mitigate any actual or potential adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic.
- i) The actual or potential effects on the road network.
- j) Consent application for an activity that is immediately adjacent to any residential zoning. Council will give consideration to the effects of that activity upon the neighbouring zone.

30.4.3.10 Deadly Poisons on Public Land

The aerial application of any deadly poison (as listed in the First Schedule to the Toxic Substances Regulations 1983) into or onto publicly owned land in circumstances which may result in that deadly poison (or any other contaminant emanating as a result of natural processes from the deadly poison) entering water, is a Discretionary Activity.

30.4.3.10.1 Standards

- a) The Application is to be undertaken in a manner which does not exceed any rate, or contravene any other requirement, specified in the agrichemical manufacturer's instructions and any instructions attached to or enclosed with the product; and

- b) The application is for the purpose of eradicating, modifying or controlling vertebrate animals only, and does not include the disposal of any deadly poison onto or into land.

30.4.3.10.2 Assessment Criteria

- a) The application rate of the agrichemical;
- b) The area over which the agrichemical is discharged;
- c) The methods of discharge; and
- d) Monitoring provisions.

30.4.3.11 Airport Noise Sensitive Activities

30.4.3.11.1 Standards

Noise sensitive activities (including additions, alterations and reconstruction of existing activities) listed in Appendix M to this Plan should be designed to ensure that sound levels are attenuated to the indoor design sound levels for that activity.

30.4.3.11.2 Assessment Criteria

- a) The degree to which the outdoor space of a noise sensitive activity will be affected by noise from airport flight operations intrusions.
- b) The degree to which the activity might result in the operation of the airport and its facilities being curtailed.

30.4.3.12 New Dairy Farms

30.4.3.12.1 Standards

New dairy farm activities should be established in such a manner to ensure that no surface, ground, and coastal water quality, or wetland, is adversely affected by the operation of the dairy farm.

30.4.3.12.2 Assessment Criteria

- a) The extent to which the proposed dairy farming operation is consistent with the policies for new dairy farms in this Plan.

30.4.4 Resource Consent Conditions

Any resource consent may include conditions relating to any one or more of the following in addition to those matters contained in Section 108 of the Act:

- a) The bulk and location of buildings.
- b) The protection or enhancement of amenity values.
- c) The protection or enhancement of the quality and quantity of natural waters or water systems.
- d) The protection of the natural character of water bodies and their margins, significant indigenous vegetation and the habitats of indigenous fauna, trout and salmon.

- e) The design and appearance of any buildings.
- f) Landscape design and appearance, and site layout.
- g) The protection of future roading options and the management of traffic impacts.
- h) Financial contributions in accordance with the requirements of the Plan.
- i) Bonds or covenants to secure the performance of consent conditions.

30.5. Non-Complying Activities

30.5.1 Application must be made for a resource consent for a Non-Complying Activity for the following:

- Any activity not provided for as a Permitted, Controlled, Limited Discretionary, Discretionary or Prohibited Activity shall be deemed to be a Non-Complying Activity.
- Quarrying and mineral extraction on lands above 1000 metres.
- Gravel extraction in the Rural 3 Zone.

Note:

This does not include gravel extraction from rivers, refer General Rules - Freshwater, Rivers and Riverbeds 27.1.8.1 and 27.1.8.4.

30.6 Prohibited Activities

30.6.1 The following are Prohibited Activities for which no resource consent shall be granted:

- The disposal of hazardous waste substances to land (other than into an approved hazardous waste landfill).
- The combustion of:
 - **Materials associated with the recovery of metals from insulated electrical cables in the open; or**
 - **Materials and metals used in motor vehicles in the open; or**
 - Any other PVC plastic, or rubber tyres, waste oils, treated timber, or agricultural chemical wastes in the open.

Note:

In the open means other than in an enclosed incineration device with a chimney.