

# 19. Open Space 3 Zone

## 19.1. Permitted Activities

---

Unless expressly limited elsewhere by a rule in the Marlborough Environment Plan (the Plan), the following activities shall be permitted without resource consent where they comply with the applicable standards in 19.2 and 19.3:

[D]

**19.1.1. Passive recreation.**

[D]

**19.1.2. Recreational event or special event.**

[D]

**19.1.3. Freedom camping except for in an area identified as a prohibited area for freedom camping in a bylaw made by the Council.**

[R, D]

**19.1.4. Conservation planting.**

[R, D]

**19.1.5. Indigenous vegetation clearance.**

[R, D]

**19.1.6. Non-indigenous vegetation clearance.**

[R, D]

**19.1.7. Excavation.**

[R, D]

**19.1.8. Filling of land with clean fill.**

[R, D]

**19.1.9. Geotechnical bore drilling for the purposes of investigation of sub-surface conditions.**

[D]

**19.1.10. Farming.**

[R]

**19.1.11. Discharge of contaminants to air arising from the burning of materials for any of the following purposes:**

- (a) training people to put out fires;
- (b) creating special smoke and fire effects for the purposes of producing films;
- (c) fireworks display or other temporary event involving the use of fireworks.

[R]

**19.1.12. Discharge of contaminants to air from burning for the purposes of vegetation clearance.**

[R]

**19.1.13. Discharge of contaminants to air arising from burning in the open.**

[R]

**19.1.14. Discharge of human effluent into land through a long drop toilet.**

[R]

**19.1.15. Discharge of human effluent into or onto land.**

[R]

**19.1.16. Application of a vertebrate toxic agent into or onto land.**

[R]

**19.1.17. Application of an agrichemical into or onto land.**

[R]

**19.1.18. Application or discharge of an aquatic herbicide or glyphosate into or onto land for the purposes of removing pest plants from Significant Wetlands.**

[R]

**19.1.19. Application of fertiliser or lime into or onto land.**

[R]

**19.1.20. Application of compost or solid agricultural waste into or onto land.**

[R]

**19.1.21. Discharge of agricultural liquid waste (except dairy farm effluent) into or onto land.**

[R]

**19.1.22. Disposal of farm rubbish into a pit.**

[R]

**19.1.23. Disposal of offal or a carcass into an offal pit.**

[R]

**19.1.24. Making compost or silage in a pit or stack, or stockpiling agricultural solid waste.**

[R]

**19.1.25. Storage of compost not in a pit or stack.**

## **19.2. Standards that apply to all permitted activities**

---

**19.2.1. Construction and siting of any building and structure.**

19.2.1.1. The maximum height of a building or structure must not exceed 10m.

19.2.1.2. A building or structure must not be sited within 20m of a Riparian Natural Character Management Area.

- 19.2.1.3. A building or structure must not be sited in, or within 8m of, a river, lake, Significant Wetland, drainage channel, Drainage Channel Network or the landward toe of any stopbank or the sea.
- 19.2.1.4. A habitable or accessory building must have a fire safety setback of at least 100m from any existing commercial forestry or carbon sequestration forestry on any adjacent land under different ownership.
- 19.2.1.5. On land within the Limestone Coastline Outstanding Natural Feature and Landscape:
- (a) except for a building or structure with a total area not exceeding 10m<sup>2</sup>, a building platform must be located at least 20m vertically below a Significant Ridgeline;
  - (b) the paint applied to the exterior cladding of a building or structure must have a light reflectance value of 45% or less.
- 19.2.1.6. On land within the Wairau Dry Hills Landscape:
- (a) except for a building or structure with a total area not exceeding 10m<sup>2</sup>, a building platform must be located at least 20m vertically below a Significant Ridgeline;
  - (b) the paint applied to the exterior cladding of a building or structure must have a light reflectance value of 45% or less.
- 19.2.1.7. Except for the construction or siting of a fence or gate necessary for farming activity, or for conservation purposes, no building or structure must be constructed or sited within the White Bluffs Outstanding Natural Feature and Landscape.
- 19.2.1.8. A building or structure that has the potential to divert water must not be within a Level 2 Flood Hazard Area.
- 19.2.1.9. A building or structure must not be within a Level 3 Flood Hazard Area.

### 19.2.2. Noise.

- 19.2.2.1. An activity must not cause noise that exceeds the following limits at the Zone boundary or within the Zone:
- |                     |   |
|---------------------|---|
| 7.00 am to 10.00 pm | 50 dBA L <sub>Aeq</sub>                         |
| 10.00 pm to 7.00 am | 40 dBA L <sub>Aeq</sub> 70dB L <sub>AFmax</sub> |
- 19.2.2.2. Noise must be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.
- 19.2.2.3. Construction noise must not exceed the recommended limits in, and must be measured and assessed in accordance with, NZS 6803:1999 Acoustics – Construction Noise.

### 19.2.3. Odour.

- 19.2.3.1. The odour must not be objectionable or offensive, as detected at or beyond the legal boundary of the area of land on which the permitted activity is occurring.

### 19.2.4. Smoke.

- 19.2.4.1. The smoke must not be objectionable or offensive, as detected at or beyond the legal boundary of the area of land on which the permitted activity is occurring.

**19.2.5. Dust.**

- 19.2.5.1. The best practicable method must be adopted to avoid dust beyond the legal boundary of the area of land on which the activity is occurring.

**19.2.6. Dust from any process vent or stack.**

- 19.2.6.1. The dust must not contain hazardous substances.
- 19.2.6.2. The particulate discharge rate from any air pollution control equipment and dust collection system must not exceed 250mg/m<sup>3</sup> at any time, corrected to 0°C, 1 atmosphere pressure, dry gas basis.
- 19.2.6.3. Dust particles must not exceed 0.05mm size in any direction.

**19.3. Standards that apply to specific permitted activities**

---

**19.3.1. Recreational event or special event.**

- 19.3.1.1. The event must not exceed three consecutive days duration.
- 19.3.1.2. Where a site immediately adjoins or is located across a road from any land zoned Urban Residential 1, Urban Residential 2 (including Greenfields) or Urban Residential 3, the activity must not be conducted on the site between the hours of midnight and 7am.
- 19.3.1.3. All structures and other works accessory to the event must be removed and the site returned to its original condition within 5 working days after the activity has ceased.
- 19.3.1.4. If access is to be directly off a State Highway, approval from the Road Controlling Authority must be provided to the Council.

**19.3.2. Conservation planting.**

- 19.3.2.1. The following species must not be planted:
- (a) Douglas fir (*Pseudotsuga Menziesii*);
  - (b) Lodgepole pine (*Pinus contorta*);
  - (c) Muricata pine (*Pinus muricata*);
  - (d) European larch (*Larix decidua*);
  - (e) Scots pine (*Pinus sylvestris*);
  - (f) Mountain or dwarf pine (*Pinus mugo*);
  - (g) Corsican pine (*Pinus nigra*);
- 19.3.2.2. There must be no planting of vegetation which will mature to a height exceeding 6m within 30m of a formed and sealed road.
- 19.3.2.3. There must be no planting within the Wairau Dry Hills Landscape.
- 19.3.2.4. Only indigenous species must be planted in, or within 8m of, a Significant Wetland.

**19.3.3. Indigenous vegetation clearance.**

- 19.3.3.1. Indigenous vegetation clearance must comply with Standards 19.3.4.1 to 19.3.4.6 (inclusive).
- 19.3.3.2. The clearance of indigenous vegetation in the following circumstances is exempt from Standards 19.3.3.3 to 19.3.3.5 (inclusive):

- (a) Indigenous vegetation under or within 50m of commercial forest, woodlot forest or shelter belt;
- (b) Indigenous vegetation dominated by manuka, kanuka, tauhinu, bracken fern and silver tussock, and which has grown naturally from previously cleared land (i.e. regrowth) and where the regrowth is less than 20 years in age;
- (c) Indigenous vegetation dominated by matagouri, and which has grown naturally from previously cleared land (i.e. regrowth) and 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, harvesting track or farm track.

19.3.3.3. Clearance of indigenous vegetation must not occur:

- (a) On land identified on the Threatened Environments – Indigenous Vegetation Sites;
- (b) On land above mean high water springs that is within 20m of an Ecologically Significant Marine Sites.

19.3.3.4. Clearance of indigenous forest must not exceed 1000m<sup>2</sup> per Computer Register in any 5 year period.

19.3.3.5. Clearance of indigenous vegetation, per Computer Register, must not exceed:

- (a) 2000m<sup>2</sup> in any 5 year period where the average canopy height is between 3m and 6m;
- (b) 10000m<sup>2</sup> in any 5 year period where the average canopy height is below 3m, except for the following species where clearance must not exceed:
  - (i) 500m<sup>2</sup> of indigenous sub-alpine vegetation;
  - (ii) 100m<sup>2</sup> of tall tussock of the genus *Chinochloa*.

#### 19.3.4. Non-indigenous vegetation clearance.

- 19.3.4.1. Vegetation must not be removed by fire or mechanical means within 8m of a river (except an ephemeral river, or intermittently flowing river when not flowing), lake or the coastal marine area.
- 19.3.4.2. Vegetation clearance must not be in, or within 30m of, a river within a Water Resource Unit with a Natural State classification.
- 19.3.4.3. Within, or within 8m of, a Significant Wetland, Pest Plants identified in Appendix 25 and willow, blackberry, broom, gorse and old man's beard must be the only vegetation removed. Any vegetation removed under this Standard must only be cleared by non-mechanical means.
- 19.3.4.4. Vegetation clearance must not be within such proximity to any abstraction point for a community drinking water supply registered under section 69J of the Health Act 1956 as to cause contamination of that water supply.
- 19.3.4.5. Woody material greater than 100mm in diameter and soil debris must:
  - (a) not be left within 8m of, or deposited in, a river (except an ephemeral river or intermittently flowing river, when not flowing), lake, Significant Wetland or the coastal marine area;

- (b) not be left in a position where it can enter, or be carried into, a river (except an ephemeral river), lake, Significant Wetland or the coastal marine area;
  - (c) be stored on stable ground;
  - (d) be managed to avoid accumulation to levels that could cause erosion or instability of the land.
- 19.3.4.6. Vegetation clearance must not cause any conspicuous change in the colour or visual clarity of a flowing river after reasonable mixing, or the water in a Significant Wetland, lake or coastal marine area measured as follows:
- (a) hue must not be changed by more than 10 points on the Munsell scale;
  - (b) the natural clarity must not be conspicuously changed due to sediment or sediment laden discharge originating from the vegetation clearance site;
  - (c) the change in reflectance must be <50%.

### 19.3.5. Excavation.

- 19.3.5.1. There must be no excavation in excess of 1000m<sup>3</sup> on any land with a slope greater than 20 degrees within any 24 month period.
- 19.3.5.2. Excavation must not occur on any land with a slope greater than 35°.
- 19.3.5.3. Excavation must not be in, or within:
- (a) 8m of a river (except any ephemeral river when not flowing), lake or the coastal marine area;
  - (b) 8m of a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification;
  - (c) 8m 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.
- 19.3.5.4. The excavation must not occur in a Soil Sensitive Area identified as loess soils.
- 19.3.5.5. Excavation must not be within such proximity to any abstraction point for a drinking water supply registered under section 69J of the Health Act 1956 as to cause contamination of that water supply.
- 19.3.5.6. Excavation must not be within a Level 2 or 3 Flood Hazard Area, or within the Level 4 Flood Hazard Area in the vicinity of Condors Overflow.
- 19.3.5.7. There must be no excavation in excess of 500m<sup>3</sup> per Computer Register located within the Bryant Range, Upper Pelorus Area, Richmond Range Conservation Estate and Red Hills Range Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.5.8. There must be no excavation in excess of 500m<sup>3</sup> per Computer Register located within the Mt Duncan, Mount Rutland and Mount Cullen Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.5.9. There must be no excavation in excess of 500m<sup>3</sup> per Computer Register located within the Limestone Coastline Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.5.10. There must be no excavation in excess of 500m<sup>3</sup> per Computer Register located within the Marlborough Sounds Outstanding Natural Feature and Landscape within any 12 month period.

- 19.3.5.11. There must be no excavation in excess of 10m<sup>3</sup> within a Groundwater Protection Area.
- 19.3.5.12. Wheeled or tracked machinery must not be operated in, or within 8m of, a river (except any ephemeral river or intermittently flowing river, when not flowing), lake, Significant Wetland or the coastal marine area.
- 19.3.5.13. Batters must be designed and constructed to ensure they are stable and remain effective after completion of the excavation.
- 19.3.5.14. Water control measures and sediment control measures must be designed, constructed and maintained in an area disturbed by excavation, such that the area is stable and the measures remain effective after completion of the excavation. The diameter of a culvert used to drain any excavation must not be less than 300mm.
- 19.3.5.15. Excavation must not cause any conspicuous change in the colour or visual clarity of any flowing river after reasonable mixing, or the water in a Significant Wetland, lake or coastal marine area measured as follows:
  - (a) hue must not be changed by more than 10 points on the Munsell scale;
  - (b) the natural clarity must not be conspicuously changed due to sediment or sediment laden discharge originating from the excavation site;
  - (c) the change in reflectance must be <50%.

#### **19.3.6. Filling of land with clean fill.**

- 19.3.6.1. The filling must not use commercial clean fill.
- 19.3.6.2. Filling in excess of 1000m<sup>3</sup> must not occur within any 24 month period.
- 19.3.6.3. Fill must not be placed over woody vegetation on land with a slope greater than 10°.
- 19.3.6.4. Filling must not be in, or within:
  - (a) 8m of a river (except an ephemeral river when not flowing), lake or the coastal marine area;
  - (b) 8m of, a Significant Wetland or 30m of a river within a Water Resource Unit with a Natural State classification;
  - (c) 8m of the landward toe of a stopbank.
- 19.3.6.5. The filling must not occur in a Soil Sensitive Area identified as loess soils.
- 19.3.6.6. Filling must not be within such proximity to any abstraction point for a drinking water supply registered under section 69J of the Health Act 1956 as to cause contamination of that water supply.
- 19.3.6.7. A filled area must be designed, constructed and maintained to ensure it is stable and remains effective after completion of filling.
- 19.3.6.8. Water control measures and sediment control measures must be designed, constructed and maintained in a fill area, such that the area is stable and the measures remain effective after completion of the filling. The diameter of any culvert used to drain any fill areas must be less than 300mm.
- 19.3.6.9. When the filling has been completed, the filled area must be covered with at least 200mm of soil, and sown down with a suitable vegetative cover or other means to achieve a rapid vegetative cover.
- 19.3.6.10. Filling must not be within a Level 2 or 3 Flood Hazard Area.

- 19.3.6.11. There must be no filling in excess of 500m<sup>3</sup> per Computer Register located within the Bryant Range, Upper Pelorus Area, Richmond Range Conservation Estate and Red Hills Range Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.6.12. There must be no filling in excess of 500m<sup>3</sup> per Computer Register located within the Mt Duncan, Mount Rutland and Mount Cullen Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.6.13. There must be no filling in excess of 500m<sup>3</sup> per Computer Register located within the Limestone Coastline Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.6.14. There must be no filling in excess of 500m<sup>3</sup> per Computer Register located within the Marlborough Sounds Outstanding Natural Feature and Landscape within any 12 month period.
- 19.3.6.15. The filling must not cause any conspicuous change in the colour or visual clarity of any flowing river after reasonable mixing, or the water in a Significant Wetland, lake or coastal marine area measured as follows:
- (a) hue must not be changed by more than 10 points on the Munsell scale.
  - (b) the natural clarity must not be conspicuously changed due to sediment or sediment laden discharge originating from the filling site.
  - (c) the change in reflectance must be <50%.

**19.3.7. Geotechnical bore drilling for the purposes of investigation of sub-surface conditions.**

- 19.3.7.1. The bore must be drilled by a Recognised Professional.
- 19.3.7.2. A copy of the bore log, including a grid reference identifying the bore location, must be supplied to the Council in a suitable electronic format within 20 working days of drilling of the bore.
- 19.3.7.3. On completion of the geotechnical investigation, the bore must be sealed or capped to prevent any potential contamination of groundwater.

**19.3.8. Farming.**

- 19.3.8.1. The farming must not include a dairy farm or pig farm established after 9 June 2016.

**19.3.9. Discharge of contaminants to air arising from the burning of materials for any of the following purposes:**

- (a) training people to put out fires;**
- (b) creating special smoke and fire effects for the purposes of producing films;**
- (c) fireworks display or other temporary event involving the use of fireworks.**

- 19.3.9.1. The Council must be notified at least 5 working days prior to the burning activity commencing.
- 19.3.9.2. If the property is located within the Blenheim Airshed, the discharge must not occur during the months of May, June, July or August.
- 19.3.9.3. Any discharges for purposes of training people to put out fires must take place under the control of the NZ Fire Service or any other nationally recognised agency authorised to undertake firefighting research or firefighting activities.



**19.3.10. Discharge of contaminants to air from burning for the purposes of vegetation clearance.**

- 19.3.10.1. Burning must not be carried out on Class 7e or Class 8 land when the Fire Weather Index Parameters (as notified by the Rural Fire Authority for the burn area, pursuant to the Forest and Rural Fires Act 1977) for the burn are:
- (a) Drought code - 200 or higher; or
  - (b) Build up index - 40 or higher.

**19.3.11. Discharge of contaminants to air arising from burning in the open.**

- 19.3.11.1. Only material generated on the same property or a property under the same ownership can be burned.
- 19.3.11.2. The property where the burning is to occur must be located outside of the Blenheim Airshed.
- 19.3.11.3. The total volume of material being burned must not exceed 2m<sup>3</sup> if the property is adjoining any land zoned Urban Residential 1, Urban Residential 2 (including Greenfields), Urban Residential 3, Coastal Living or Rural Living.

**19.3.12. Discharge of human effluent into land through a long drop toilet.**

- 19.3.12.1. There must not be a Council operated sewerage system designed for that purpose within 60m of the long drop toilet.
- 19.3.12.2. The bottom of the long drop is located above the natural groundwater level at all times.
- 19.3.12.3. The long drop toilet must not be located:
- (a) within 50m of a river, lake, Significant Wetland or drainage channel;
  - (b) within 30m of a bore.
- 19.3.12.4. The long drop toilet must not be constructed on unconsolidated gravels, coarse or medium sands, fissured rocks or scree.
- 19.3.12.5. Once the human effluent reaches within 1m of the original ground level, or the long drop is no longer used, the content of the long drop must be covered with soil to a depth of at least 1m.
- 19.3.12.6. The long drop toilet must be constructed so that no surface runoff enters the toilet.

**19.3.13. Discharge of human effluent into or onto land.**

- 19.3.13.1. The discharge was lawfully established without Resource Consent prior to 9 June 2016.
- 19.3.13.2. There must not be a Council operated sewerage system designed for that purpose within 30m of the property boundary or 60m of the closest building.
- 19.3.13.3. The human effluent must be treated via an on-site wastewater management system which must be maintained in an efficient operating condition at all times.
- 19.3.13.4. There must be no increase in the rate of discharge due to an increased occupancy of any building(s).
- 19.3.13.5. There must be:
- (a) no ponding of effluent;

- (b) no run-off or infiltration of effluent beyond the property boundary or into a river, lake, Significant Wetland, drainage channel, Drainage Channel Network, groundwater or coastal water.

19.3.13.6. The discharge rate must not exceed 2000 litres per day, averaged over any 7 day period.

19.3.13.7. Effluent must be able to:

- (a) infiltrate through at least 600 mm of unsaturated soil following primary treatment; or
- (b) infiltrate through at least 300 mm of unsaturated soil following secondary treatment.

19.3.13.8. The discharge must not occur within a Groundwater Protection Area.

19.3.13.9. The discharge must not occur within 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU.

19.3.13.10. The discharge must not be within a Level 2 or 3 Flood Hazard Area.

**19.3.14. Application of a vertebrate toxic agent into or onto land.**

19.3.14.1. The agent must be approved for use under the Hazardous Substances and New Organisms Act 1996 and the use and discharge of the substance is in accordance with all conditions of the approval.

19.3.14.2. All reasonable care must be exercised with the application so as to ensure that the vertebrate toxic agent must not pass beyond the legal boundary of the area of land on which the vertebrate toxic agent is being applied.

**19.3.15. Application of an agrichemical into or onto land.**

19.3.15.1. The agrichemical must be approved for use under the Hazardous Substances and New Organisms Act 1996.

19.3.15.2. Triazine herbicide must not be applied to a Soil Sensitive Area identified as free-draining soils.

19.3.15.3. The application must not result in the agrichemical being deposited in or on a river, lake, Significant Wetland, drainage channel or Drainage Channel Network that contains water.

19.3.15.4. The application must be undertaken in accordance with the most recent product label. All spills of agrichemicals above the application rate must be notified to Council immediately.

19.3.15.5. The application must be carried out in accordance with Sections 5.3 and 5.5 of NZS 8409:2004 Safe Use of Agricultural Compounds and Plant Protection Products – Management of Agrichemicals.

**19.3.16. Discharge of an aquatic herbicide or glyphosate into or onto land for the purposes of removing pest plants from Significant Wetlands.**

19.3.16.1. Pest Plants identified in Appendix 25 and willow, blackberry, broom, gorse and old man's beard are the only vegetation that may be sprayed.

19.3.16.2. The aquatic herbicide or glyphosate must be approved for aquatic use by the Environmental Protection Authority.

19.3.16.3. The application must be undertaken in accordance with the manufacturer's instructions, if consistent with any requirements of the Environmental Protection Authority.

- 19.3.16.4. Application rates must not exceed those required by the Environmental Protection Authority or, if none, those stated on the most recent product label for the relevant application equipment or method and target species.

**19.3.17. Application of fertiliser or lime into or onto land.**

- 19.3.17.1. The application of fertiliser must not be applied to a Soil Sensitive Area identified as free-draining soils.
- 19.3.17.2. Fertiliser must be stored on an impermeable, bunded surface and covered at all times.
- 19.3.17.3. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland, drainage channel or Drainage Channel Network that contains water.
- 19.3.17.4. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs).
- 19.3.17.5. The application must not occur when the soil moisture exceeds field capacity.
- 19.3.17.6. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime does not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.

**19.3.18. Application of compost and solid agricultural waste into or onto land.**

- 19.3.18.1. The application must not occur within:
- (a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU;
  - (b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;
  - (c) 10m of a dwelling on any adjacent land in different ownership.
- 19.3.18.2. The total cumulative nitrogen (N) loading from all discharges on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs).

**19.3.19. Discharge of agricultural liquid waste (except dairy farm effluent) into or onto land.**

- 19.3.19.1. The discharge must not occur into or onto a Soil Sensitive Area.
- 19.3.19.2. The discharge must not occur within:
- (a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU;
  - (b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;
  - (c) 10m of the boundary of any adjacent land in different ownership.
- 19.3.19.3. A high rate discharge system must not be used to discharge onto land with an average slope of 7° or greater, and the slope must not exceed 11.3° (1:5) at any point.
- 19.3.19.4. The discharge must not occur when the soil moisture exceeds field capacity.
- 19.3.19.5. Ponding must not be detectable beyond 24 hours after discharge.
- 19.3.19.6. The discharge must not result in anaerobic soil conditions.

- 19.3.19.7. The total cumulative nitrogen (N) loading from all discharges on the areal extent of land to be used for the discharge must not exceed 200 kg N/hectare/year (excluding N from direct animal inputs).
- 19.3.19.8. The pH of the liquid waste must range between 4.5 and 9 immediately prior to discharge.
- 19.3.19.9. Records of pH levels must be kept and available upon request by the Council.

**19.3.20. Disposal of farm rubbish into a pit.**

- 19.3.20.1. Only biodegradable material (except offal or a carcass) must be disposed of to a farm rubbish pit.
- 19.3.20.2. Only farm rubbish sourced from the same property must be disposed of to a farm rubbish pit.
- 19.3.20.3. The farm rubbish pit must not be sited within a Groundwater Protection Area.
- 19.3.20.4. The farm rubbish pit must not be located within:
  - (a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU;
  - (b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;
  - (c) 50m of any boundary of the property or a dwelling.
- 19.3.20.5. Surface run-off must not enter the pit.
- 19.3.20.6. When any pit is filled to within 0.5m of the original land surface, or is no longer used, the contents must be covered with soil to a depth of at least 0.5m.

**19.3.21. Disposal of offal or a carcass into an offal pit.**

- 19.3.21.1. The offal or carcass must be from pastoral agriculture except intensive farming undertaken on the same property.
- 19.3.21.2. Only offal and carcasses may be disposed of to an offal pit.
- 19.3.21.3. The disposal must not occur into or onto a Soil Sensitive Area identified as loess soils.
- 19.3.21.4. The offal pit must not be located within:
  - (a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU;
  - (b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;
  - (c) 50m of any boundary of the property or a dwelling.
- 19.3.21.5. The offal pit must be located above the natural ground water level at all times.
- 19.3.21.6. The offal pit must be completely covered by an impermeable material at all times or otherwise designed to prevent the entry of surface runoff when not in use.

**19.3.22. Making compost or silage in a pit or stack, or stockpiling agricultural solid waste.**

- 19.3.22.1. The stack or stockpile must not be located on a Soil Sensitive Area identified as free-draining soils.
- 19.3.22.2. The pit must not be located on a Soil Sensitive Area identified as free-draining soils or loess soils.
- 19.3.22.3. The pit, stack or stockpile must not be located within:
  - (a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU;
  - (b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;
  - (c) 10m of any boundary of any adjacent land in different ownership.
- 19.3.22.4. The pit or stack must be completely covered by an impermeable material when not in use.
- 19.3.22.5. There must be no runoff of leachate from the pit, stack or stockpile.
- 19.3.22.6. Surface run-off must not enter the pit, stack or stockpile.

**19.3.23. Storage of compost not in a pit or stack.**

- 19.3.23.1. The storage of compost must not occur within:
  - (a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU;
  - (b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;
  - (c) 10m of any dwelling on any adjacent land in different ownership.
- 19.3.23.2. If the compost is stored for longer than 3 months, the compost must be completely covered with an impermeable material.
- 19.3.23.3. If stored for longer than 3 months, the compost must not be located in a Soil Sensitive Area.

**19.4. Discretionary Activities**

---

Application must be made for a Discretionary Activity for the following:

[R, D]

**19.4.1. Any activity provided for as a Permitted Activity that does not meet the applicable standards.**

[D]

**19.4.2. Any use of land not provided for as a Permitted Activity or limited as a Prohibited Activity.**

[R]

**19.4.3. Any discharge of contaminants into or onto land, or to air, not provided for as a Permitted Activity or limited as a Prohibited Activity.**

## 19.5. Prohibited Activities

---

The following are Prohibited Activities for which no application can be made:

[R]

**19.5.1. Discharge of contaminants to air arising from the burning of any of the following materials:**

- (a) wood having a moisture content of more than 25% dry weight;
- (b) wood which is painted, stained, oiled or coated;
- (c) wood treated with preservatives or impregnated with chemicals, including but not limited to, wood treated with Copper-Chrome-Arsenic (CCA);
- (d) pellets containing greater than 10 mg/kg (dry) of copper and 0.02 w-% (dry) of chlorine;
- (e) composite wood boards containing formaldehyde or similar adhesives, including but not limited to, chip board, fibreboard, particle board and laminated boards;
- (f) metals and materials containing metals, including but not limited to cables
- (g) materials containing asbestos;
- (h) material containing tar or bitumen;
- (i) all rubber, including but not limited to, rubber tyres;
- (j) synthetic material, including, but not limited to, motor vehicle parts, foams, fibreglass, batteries, chemicals, paint and other surface-coating materials, or type of plastics;
- (k) waste oil;
- (l) peat;
- (m) sludge from industrial processes;
- (n) animal waste (except animal waste generated on production land), medical waste, pacemakers, biomechanical devices or chemical waste.

[R]

**19.5.2. The storage or reprocessing of hazardous waste, or the disposal of hazardous waste into or onto land (other than into a lawfully established hazardous waste landfill).**

[R]

**19.5.3. Planting Lodgepole pine (*Pinus contorta*).**

[R]

**19.5.4. Discharge of human effluent into or onto land through a soak pit established after 9 June 2016.**