

# 37.0 Rural Township Zone

## 37.1 Permitted Activities

The following activities shall be permitted without a resource consent where together with any relevant definition they conform to the conditions for Permitted Activities as well as the general rules:

- Any activity which is listed as a Permitted Activity in the Town Commercial Zone;
- Any activity which is listed as a Permitted Activity in the Urban Industrial Zone except that in the case of hazardous facilities the effects ratio shall be the same as for the Town Commercial Zone;
- Keeping of domestic livestock;
- Domestic wastewater and stormwater discharges;
- Land disturbance; and
- Transport depots existing at the time of the Plan becoming operative.

## Conditions for Permitted Activities

### 37.1.1 Infrastructure and Services

#### 37.1.1.1 Parking

The following provisions shall apply where:

- An activity is established on a site;
- There is a change of activity; or
- A building(s) is constructed, substantially reconstructed, altered or added to. For the purposes of this rule substantially altered or added to means an addition or alteration of more than 25%.

Activity	Parking Spaces Required
Licensed premises	One for every four persons designed to be accommodated.
All other activities	One for every 100 m <sup>2</sup> floor space.

### 37.1.2 Amenities

#### 37.1.2.1 Lighting

##### 37.1.2.1.1 Conditions

- a) All exterior lighting shall be directed away from adjacent properties and roads so as to avoid any adverse effects on the neighbourhood and on traffic safety;
- b) No activity shall result in greater than a 10 Lux spill (horizontal and vertical) of light onto any adjoining property within the zone, measured 2 metres inside the boundary of any adjoining property; and
- c) No activity shall result in a greater than 2.5 Lux spill (horizontal and vertical).

### 37.1.2.2 Noise

All permitted activities shall be conducted so as to ensure that noise arising from such activities does not exceed the following noise limits at or within the boundary of any other site zoned Rural Township:

- At any time 65 dBA L10
- On any day between 2200 hours - 0700 hours the following day 75 dBA L<sub>max</sub>
- On any day between 0700 hours - 2200 hours No L<sub>max</sub> limit

Provided noise arising from activities shall not exceed the following noise limits at or within the boundary of any land zoned Urban Residential:

- 0700 hours - 2200 hours Monday to Friday and 0700 hours - 1200 hours Saturday 55 dBA L10
- At all other times including any public holiday 45 dBA L10 and 75 dBA L<sub>max</sub>

### 37.1.2.3 Maximum Height

The maximum height of any building shall not exceed 12 metres.

### 37.1.2.4 Building Envelope

For properties which adjoin an Urban Residential Zone all buildings shall be confined within a height envelope in respect of the common boundary. The height envelope shall have the dimensions specified for recession planes in the Urban Residential Zone.

### 37.1.2.5 Building Setbacks

- a) Minimum building setback from road boundaries shall be 3 metres; and
- b) Minimum building setback where the Rural Township Zone abuts the Urban Residential Zone shall be 5 metres.

### 37.1.2.6 Site Coverage

After any set back requirements are accounted for, up to 100% of the site may be covered in building.

### 37.1.2.7 Hazards/Riparian Management

37.1.2.7.1 Except for internal alterations within an existing structure, building activity is not a Permitted Activity within the coverage of the Natural Hazards overlay identified on the Planning Maps.

37.1.2.7.2 Unless specified in the schedule of water bodies and Table 1 in Appendix I and the Ecology Maps in Volume Three, or to the contrary elsewhere in the Plan, all proposed buildings and structures shall be set back at least 8 metres from the top of any bank of any river, or where there is a stopbank at least 8 metres from the landward toe of that stopbank, except that this shall not apply to road structures across rivers. Buildings and structures shall be set back at least 20 metres from the coast, lakes and wetlands.

### **37.1.3 Hazardous Facilities (District Function)**

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#### **37.1.3.1 Effects Ratio**

Any activity having an 'effects ratio' no greater than 0.2 shall be a Permitted Activity. The 'effects ratio' shall be calculated in accordance with the Hazardous Facility Screening Procedure set out in Appendix C.

#### **37.1.3.2 Site Design**

**37.1.3.2.1** 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).

**37.1.3.2.2** Any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be sealed and bunded so that the equivalent of the maximum of the largest container within the bunded area could be contained and excluded from the stormwater system if a spill occurs. In areas where drums are stored, the bunded area shall be able to contain half of the maximum amount of the material stored.

**37.1.3.2.3** 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.

**37.1.3.2.4** All stormwater grates shall be clearly marked.

**37.1.3.2.5** 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 Storage Systems.

**37.1.3.2.6** Any part of the site where solid or liquid hazardous or environmentally damaging substances are loaded or unloaded shall be sealed, bunded, and drained to the satisfaction of the Council.

**37.1.3.2.7** 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.

**37.1.3.2.8** 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, bunded 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.

**37.1.3.2.9** A record will be kept of the quantities of hazardous wastes stored on-site, or taken away for disposal.

#### **37.1.3.3 Hazardous Waste Management**

##### **37.1.3.3.1 Conditions**

- a) The storage of hazardous waste on the site shall be in suitable containers that are either covered or located in a roofed area;
- b) A waste audit shall be undertaken for all premises generating waste hazardous substances in volumes greater than 6m<sup>3</sup>/week;
- c) All sites where hazardous waste substances or waste containing hazardous substances is, or may be generated must provide appropriate and sustainable disposal procedures. Hazardous waste disposal in or outside the district may only be to facilities which are formally approved by The Council; and
- d) A record will be kept of the quantities of hazardous wastes stored on the site, or taken away for disposal.

#### **37.1.3.4 Fire Safety**

All hazardous facilities where flammable hazardous substances are either used or stored shall have adequate fire safety equipment in place in compliance with the requirements of the Dangerous Goods Regulations.

#### **37.1.3.5 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.

#### **37.1.3.6 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. A current copy of the plan may be lodged with the Council.

### **37.1.4 Land Disturbance**

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#### **37.1.4.1 Land Disturbance General**

Any land disturbance activity which meets the conditions below is a Permitted Activity.

- a) Any increase in the concentration of suspended sediment shall not be more than 20% as measured by the 'black disk' method, notwithstanding that the concentration of suspended sediment in run-off water shall not exceed 200 grams/cubic metre at any point of discharge to any receiving water. The effects on the receiving water are to be measured at a distance downstream of two widths of the receiving watercourse or 50 metres, whichever is the lesser;
- b) No woody material of greater than 100mm diameter shall be left in any permanently flowing river, lake, wetland or sea as a result of a land disturbance operation; and
- c) All land disturbance sites are to be stable when subject to a storm event of return frequency probability of 10% or less.

##### **37.1.4.1.1 Exception**

Except any land disturbance activity that does not comply with the above conditions or is in an area identified as a hazard area that is required for the purposes of constructing or providing access to any structure requiring a building permit under the Building Act, shall not be a Permitted Activity, with no restriction on the exercise of Council's discretion.

#### **37.1.4.2 Excavation and Filling**

##### **37.1.4.2.1 Gradients**

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.

##### **37.1.4.2.2 Water Control and Culverts**

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 300mm may be used to drain any side-cut excavation.

#### 37.1.4.2.3 Stabilisation

Batters and side castings are to be stabilised by appropriate measures such as seeding, compacting, drainage and/or other methods of revegetation.

#### 37.1.4.2.4 Run-off

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

#### 37.1.4.2.5 Crossings

River crossings are to be stable and maintained as suitable for fish passage.

#### 37.1.4.2.6 Riparian Areas

Except for direct approaches to bridges, crossings and fords; maintenance of rail and public roads; and trenching for cable laying, no excavation or filling must take place within riparian management zones as specified in the schedule of water bodies and Table 1 in Appendix I and as mapped in Ecology Maps in Volume Three, or in a manner or location where the General Conditions for Land Disturbance above can not be complied with.

#### 37.1.4.2.7 Slope

Any excavation or filling on land greater than 20° and less than 35° slope, provided the activity complies with Rules 37.1.4.2.1 to 37.1.4.2.6 above and not more than 1,000m<sup>3</sup> may be excavated/filled in any two year period.

#### 37.1.4.2.8 Backfilling

All earth not required to be placed in a trench shall be removed from the land disturbance site, and placed in a stable location. Where a resource consent is required for placement of the fill, this shall be obtained prior to the start of work.

### 37.1.5 Discharges

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#### 37.1.5.1 Domestic Wastewater Management

Provision must be made for the satisfactory management of all domestic wastewater in accordance with the requirements of the Plan. The requirements of the Plan are deemed to have been met where all domestic wastewater is connected to a public system expressly designed for this purpose or the conditions for on-site domestic wastewater discharges (Rule 37.1.5.2) are met.

#### 37.1.5.2 The Discharge of Domestic Wastewater into Land

The discharge of domestic wastewater, through any on-site wastewater management system lawfully established without resource consent prior to 21 April 2005, into land is a Permitted Activity providing:

37.1.5.2.1 A public sewer is not located within 30 metres of the lot boundary or 60 metres of the closest building on the lot to be serviced.

37.1.5.2.2 Garbage grinders are not installed in any building that the on-site wastewater management system services.

37.1.5.2.3 The rate of discharge does not exceed 2000 litres per day, averaged over any one week period.

- 37.1.5.2.4 There is no increase in the rate of discharge due to an increased occupancy of the building(s) that the on-site wastewater management system serves following an extension or alteration of the building(s).
- 37.1.5.2.5 The domestic wastewater, following primary treatment, is able to infiltrate through at least 600mm of unsaturated soil or, following secondary treatment, is able to infiltrate through at least 300mm of unsaturated soil.
- 37.1.5.2.6 There is no ponding of any domestic wastewater, or no run-off or infiltration of any contaminant beyond the property boundary or into any surface waterbody, groundwater or coastal water or drainage channel.
- 37.1.5.2.7 The on-site wastewater management system is maintained in an efficient operating condition at all times.
- 37.1.5.2.8 No objectionable odours can be detected.

### 37.1.5.3 Stormwater Discharges (Point source and Non Point Source)

- The discharge of point source stormwater, to land or natural water, by gravity and/or
- The discharge of non point source stormwater, to land or any natural water;

shall be a Permitted Activity provided that;

- a) The discharge shall not cause any significant erosion or inundation of land;
- b) The discharge shall not have any significant adverse effect on water quality;
- c) The discharge shall not have any adverse effect on any fisheries, wildlife habitats or recreational values of any waterbody; and
- d) The discharge does not contain stormwater from an area where hazardous substances are stored unless:
  - Hazardous substances cannot enter the stormwater; or
  - There is an interceptor system in place to collect hazardous contaminants or diverted contaminated stormwater to a trade waste system;
- e) The above provisions do not apply to the drainage of naturally occurring wetlands or lakes;

**Note:** The discharge of stormwater into the Coastal Marine Area is dealt with by the rules in the Coastal Marine Zone.

### 37.1.5.4 Discharge to Air

#### 37.1.5.4.1 Discharge for the Purpose of Ventilation

The discharge from any premise for the purpose of ventilation or from a fume cupboard shall be a Permitted Activity provided that:

- a) There is no objectionable odour or dust at or beyond the property boundary, or beyond 20 metres from any point of discharge when it is sited on public land; and

- b) There is no offensive, adverse, or objectionable health effects beyond the property boundary; and
- c) Any fume cupboard installed prior to 1 October 1993 shall have existing rights of operation, provided it complies with the Building Act 1991, and the Health and Safety in Employment Act 1992. New fume cupboards in buildings undergoing significant building alteration, shall comply with New Zealand Standard 7203:1992.

#### 37.1.5.4.2 Discharges of Displaced Air

The discharge into air of any contaminant from tanks used for the storage of liquids (including petrol and diesel oil) or from the venting of gas pipelines, pumps, compressors or tanks shall be a Permitted Activity provided that:

- a) There is no objectionable odour or dust at or beyond the property boundary, or beyond 20 metres from the point of discharge whichever distance is less.

#### 37.1.5.4.3 Discharges of Water Vapour

Any discharge into air of condensed water vapour, including steam shall be a Permitted Activity provided that:

- a) Any plume does not impair visibility on any road or in any aircraft flight path;
- b) There is no drift of an objectionable plume onto an adjacent property; and
- c) There is no venting of steam or water vapour directly above footpaths or onto other properties.

#### 37.1.5.4.4 Discharge From Small Scale Fuel Burning Equipment

The discharge into air from an industrial trade premise, or from a non-moving source that is not an industrial or trade premise, of:

- products of combustion from fuel burning equipment using coal, oil, or untreated wood at a rate not exceeding 40 kilowatts; or
- methane, or natural or liquefied petroleum gas at a rate not exceeding 5 Megawatts

shall be a Permitted Activity provided that:

- a) The discharge is from a chimney or exhaust flue;
- b) There is no objectionable smoke at or beyond the property boundary;
- c) Smoke does not adversely affect visibility on any road;
- d) There is no objectionable odour at or beyond the property boundary; and
- e) There is no objectionable deposition of particulate matter from smoke onto any land or structure at or beyond the property boundary.

#### 37.1.5.4.5 Discharges Associated with Storage, Transfer and Disposal of Waste

The discharge of particulate matter, dust and odour into air from any source (whether moveable or not) that is used for the storage, transfer, treatment and disposal of solid or liquid waste management purposes or for composting organic material is a Permitted Activity provided that there is no objectionable deposition of dust at or beyond the property boundary.

#### 37.1.5.4.6 Discharges from Particular Industrial or Trade Premises

The discharges of contaminants into air is a Permitted Activity from:

- Premises for the manufacture of beverages, including soft drinks, extraction of fruit juices, fermentation of wine, distillation of spirits, and alcoholic beverages;
- Premises used as or associated with funeral parlours, chapels, stonemasons;
- Premises used as or associated with the manufacture of household, industrial, electrical and garden equipment and appliances, excluding the manufacture of concrete products, rubber goods, processes involving the galvanising of steel;
- Premises used for food processing by deep fat frying or oil frying of any animal or vegetable matter where the processes have either singly or together a raw material capacity of less than five tonnes an hour;
- Premises used for joinery, including the manufacture, restoration or finishing of furniture and wood crafts, and cabinet making;
- Premises used for powder coating and spraypainting;
- Premises used for the application of surface coating, including printing or manufacture of packaging materials, and printing of paper;
- Premises used for the drying of grain and vegetable matter;
- Premises used for the manufacture of furnishings, clothing, carpets, but excluding rubber underlay;
- Premises used for the operation of drycleaning, dyeing, laundering and cleaning facilities;
- Premises used for the processing of food including baking, cooking, freezing and canning, but excluding the production of milk powders;
- Premises used for the retail and wholesale distribution of automotive fuels, oils, liquefied gases and gases;
- Premises used for the retail and wholesale distribution of fuels used for industrial processing and home heating;
- Premises used for the sale, servicing or repairs to motor vehicles, trains, trailers, boats or like equipment, including body and engine repairs, panel beating, fibre-glassing, and painting, when carried out in a booth or enclosure that has been designed to contain any emission of paint overspray;
- Premises used for the storage of food in refrigerated units;
- Premises used for the storage, blending and distribution of bulk products, including fertiliser, animal feeds, roading materials, gardening materials, and concrete processing materials; and
- Premises used solely for animal slaughtering;

provided that:

- a) there is no objectionable odour at or beyond the property boundary;
- b) there is no objectionable deposition of dust at or beyond the property boundary; and
- c) there is no offensive, adverse, or objectionable health effects beyond the property boundary.



## **37.2 Limited Discretionary Activities**

- Minor Non Compliance;
- Activities within Riparian Management Zones (specified in Appendix I and Ecology Maps in Volume Three).
- The discharge of domestic wastewater authorised by resource consent prior to 21 April 2005, or the discharge of domestic wastewater through any on-site wastewater management system installed after 21 April 2005, into or onto land.

### **37.2.1 Minor Non Compliance**

Minor non-compliance with the conditions for Permitted Activities may be permitted to the extent specified below and will be considered by way of a Limited Discretionary Consent:

- Buildings encroaching the height envelope created by the recession plane angles by a maximum of 1 metre in any direction; and
- Buildings exceeding the maximum permitted height by up to a maximum of 20% of the specified;
- Parking requirements by up to 50%.

#### **37.2.1.1 Limits to the Council's Discretion**

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 Rule 27.2.1.2 below as are relevant to the non-compliance.

All applications for minor 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.

#### **37.2.1.2 Matters for Consideration in the Exercise of Council's Discretion**

In considering any application for minor non-compliance the Council will in the exercise of its discretion give consideration to the following matters.

The non-compliance should not:

- a) Diminish the natural character of the locality, having regard to the natural character areas identified in Appendix Two, Volume One;
- b) Have any adverse effects on the amenities enjoyed by adjoining residential properties; and
- c) Adversely affect on-site manoeuvring of vehicles or affect the safe flow of traffic on adjoining roads.

### 37.2.1.3 Conditions

With respect to a waiver of parking requirements, either wholly or in part any application may be subject to conditions on the following matters:

- a) Restrictions on intensity and scale of activity so as to keep traffic generation in the vicinity within the capacity and safety limits of the adjoining roading system; and
- b) Measures to be implemented in order to increase the capacity and/or safety of the roading system in order to accommodate the proposed traffic generation and ensure adequate allowances for future traffic growth. This may require financial contributions on behalf of the applicant to achieve these measures.

### 37.2.2 Activities within Riparian Management Zones (specified in Appendix I and Ecology Maps in Volume Three)

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#### 37.2.2.1 Matters to which Council has restricted the exercise of its discretion:

- a) The effects on the natural clarity of any river, lake, wetland or the sea;
- b) The effects of the entry of any woody material into any river, lake, wetland or the sea;
- c) The effects on natural hazard management, including stability of riparian management zones and river control matters;
- d) Protection of riparian habitat diversity;
- e) Protection of in-stream habitat; and
- f) Provision of physical public access where legal public access is provided for.

### 37.2.3 The Discharge of Domestic Wastewater Authorised by Resource Consent Prior to 21 April 2005, or the Discharge of Domestic Wastewater, Through any On-site Wastewater Management System Installed after 21 April 2005, into or onto Land.

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#### 37.2.3.1 Standards and Terms

- (a) The domestic wastewater shall not be discharged into soil determined to be Category 1, 4, 5 or 6 soil (in accordance with the Council's guidelines for the investigation, design, installation and maintenance of on-site wastewater management systems) if it is proposed to use a conventional on-site wastewater management system; and
- (b) The term of the discharge permit shall not exceed 15 years;

### 37.2.3.2 Matters to which the Council has restricted the exercise of its discretion

- (a) The proximity of the discharge to any surface water, groundwater or coastal water and any actual or potential adverse effects of the discharge on water quality;
- (b) The proximity of the discharge to any public sewer;
- (c) The proximity of the discharge to other discharges of domestic wastewater and the potential for cumulative effects;
- (d) The potential for the discharge to adversely affect the quality of water in any river or aquifer, or in the coastal marine area;
- (e) The potential for the discharge to initiate instability or make existing instability worse;
- (f) The extent to which the proposed on-site wastewater management system complies with the Council's guidelines for the investigation, design, installation and maintenance of on-site wastewater management systems;
- (g) The site conditions, including the nature of the soil and soil depth;
- (h) The nature of the on-site wastewater management system and the appropriateness of the system to the site conditions;
- (i) The capacity of the treatment unit and the level of treatment;
- (j) The rate and method of discharge;
- (k) The size of the land application area and alternative locations for the land application area;
- (l) The necessity for monitoring the performance of the on-site wastewater management system; and
- (m) The management and maintenance of the on-site wastewater management system, including the ability to access the on-site system for maintenance purposes.; and
- (n) Alternative on-site wastewater management systems.

## 37.3 Discretionary Activities

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

- Activities listed as Permitted Activities which do not comply with conditions or with the provisions for minor compliance dealt with as Limited Discretionary Activities;
- Discharges other than of a domestic nature to land or water; and
- Any activity listed as a Permitted Activity and either adversely affecting or being affected by any hazard area identified on the Planning Maps as a hazardous area;
- Building construction in riparian management zones as identified in Appendix I and the Ecology Maps in Volume Three.

### **37.3.1 General Assessment Criteria**

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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 also apply.

### **37.3.2 Matters the Subject of Assessment**

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- 37.3.2.1 The effect of the proposal on the integrity of the Rural Township Zone's character;
- 37.3.2.2 The impact of the proposal on the proper functioning of the State Highway system;
- 37.3.2.3 The extent and nature of any discharges to land, air or water and the extent to which their effects have been avoided, remedied or mitigated; and
- 37.3.2.4 The adverse effect of the proposal on the environment; and
- 37.3.2.5 Whether the proposal will diminish the natural character of the locality, having regard to the natural character areas identified in Appendix Two, Volume One.

### **37.3.3 Resource Consent Conditions**

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Any resource consent may include conditions relating to any one or more of the following:

- a) All those matters contained in section 108 of the Act;
- b) The bulk and location of buildings;
- c) The protection or enhancement of amenity values;
- d) The protection or enhancement of the quality and quantity of natural waters or water systems;
- e) The protection of any significant environmental feature;
- f) The protection of any iwi, heritage or archaeological sites or features;
- g) The design and appearance of any buildings;
- h) Financial contributions in accordance with the requirements of the Plan;
- i) Bonds or covenants to secure the performance of consent conditions;
- j) Landscape design and appearance;
- k) The protection of future roading options and the management of traffic impacts; and
- l) Adverse effects on the environment.

## **37.4 Non-Complying Activities**

- Any activity other than a Prohibited Activity which is neither a Permitted Activity, Limited Discretionary Activity nor a Discretionary Activity shall be deemed to be a Non-Complying Activity.

### 37.5 Prohibited Activities - being activities for which no resource consent shall be granted

- The disposal of hazardous waste substances to land or water.
- The combustion of:
  - materials associated with the recovery of metals from insulated electrical cables; or
  - materials and metals used in motor vehicles; or
  - any other PVC plastic, or rubber tyres, treated timber, or agricultural chemical wastes.
- The discharge of domestic wastewater, through any soak pit established after 21 April 2005, into land.

