

3 PEOPLE'S HEALTH, SAFETY AND VALUES

.....

REVERSE SENSITIVITY EFFECTS

Policy B3.4.19

Ensure new or upgraded road infrastructure and new or expanding activities, which may have adverse effects on surrounding properties, are located and managed to mitigate these potential effects.

Policy B3.4.20

Protect existing lawfully established activities in the Rural zone from potential for reverse sensitivity effects with other activities which propose to establish in close proximity.

Explanation and Reasons

Policy B3.4.19 and B3.4.20 manage reverse sensitivity effects in the rural area. Policy B3.4.19 requires a resource consent for activities to set up which are likely to affect surrounding properties. This gives an opportunity for affected parties to participate in the consent process and for the Council to ensure those effects are mitigated to a satisfactory level. The policy also acknowledges that new roads and the upgrading of transport infrastructure needs to be managed to mitigate reverse sensitivity effects.

Policy B3.4.20 protects activities which are established from potential reverse sensitivity effects caused by potentially incompatible activities locating close to them. The most common activity is erecting houses. Other potentially incompatible activities include: restaurants; schools; and other forms of residential or visitor accommodation. This policy is necessary to enable established businesses to operate efficiently and with some certainty, and to avoid creating unpleasant living environments for people. The most common tool to mitigate reverse sensitivity effects is to maintain appropriate buffers or separation distances between activities. However, there may be other methods which can be used to avoid reverse sensitivity effects.

Part B, Section 2.1 Transport contains specific policies to manage reverse sensitivity effects with transport routes.

Methods

District Plan Rules

- Discretionary activities
- Intensive livestock farming
- Waste disposal
- Aircraft
- Residential density
- Building position controls

- Subdivision standards

District Plan Policies

- Township Volume, Section B4.3, Growth of Towns
- Rural Volume, Policy B4.1.1

Land Information Memorandum

- Information Sheet

TEMPORARY ACTIVITIES

Policy B3.4.21

Provide for temporary activities associated with community-based as well as non commercial events or those that are necessary for construction purposes, provided associated short term adverse effects on the environment are appropriately managed.

Explanation and Reasons

Policy B3.4.21 provides for a range of temporary activities most of which are encompassed within the Plan definition. These activities include construction activities to recognise the necessary effects associated with these activities during the temporary construction of buildings and structures. They also include a range of other activities which are primarily focussed on community related activities rather than temporary commercial or retail activities. There are benefits to the District from allowing temporary community activities within the Plan frequency limits and typically the positive community effects of these activities outweigh any temporary adverse effects which are managed through the limits imposed.

Methods

District Plan Rules

- Rural Volume, Part C – Rural Zone - Activities

District Plan Objectives and Policies

- Rural Volume, Quality of the Environment - B3.4

QUALITY OF THE ENVIRONMENT – ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B.3.4:

- Variation in activities in the rural area on the Plains.
- Activities on the Port Hills and in the high country remain predominantly farming, forestry, outdoor recreation and holiday accommodation.
- Buildings are low rise (1 or 2 storey) and surrounded by vegetation cover rather than hard standing.
- Utilities are made of low reflective materials.
- Outdoor signs advertise local events, products or information.

- New airfields are not located too close to houses.
- Nuisance effects may occur from time to time from temporary or seasonal rural activities, but these effects should be mild and typical of the rural environment.
- Buffer zones are maintained between residential activities and activities with which they may be incompatible.

QUALITY OF THE ENVIRONMENT — MONITORING

See Part E, Appendix 1.

This page has intentionally been left blank

6 RURAL RULES - OUTDOOR SIGNS AND NOTICEBOARDS

6.1 OUTDOOR SIGNS – GENERAL

Permitted Activities – Outdoor Signs – General

6.1.1 Erecting any outdoor sign shall be a permitted activity if all of the following conditions are met:

6.1.1.1 The sign, unless it is a temporary sign, is located entirely within the site to which it relates, and is not located on, or overhangs onto, any road reserve;

Note:

1. Temporary sign is defined in Part D of the Plan. It includes any sign on a site for up to 6 months to advertise upcoming events or to sponsor a business or organisation which is associated with an activity on the site except that a period of 12 months prior to the event is specifically provided for signs advertising church and school anniversaries.

2. Rule 6.1.1 does not apply to any temporary election sign that complies with the Electoral (Advertisements of a Specified Kind) Regulations 2005.

6.1.1.2 The sign is positioned so that it does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, bend or corner;

6.1.1.3 The sign does not have any of the following features:

- (a) Flashing or revolving lights;
- (b) Sound effects;
- (c) Balloons or blimps; or
- (d) Moving parts;

6.1.1.4 The sign is designed so that it does not resemble a traffic sign or signal;

6.1.1.5 The light spill from any illuminated sign onto any adjoining property or the road reserve is not more than 3-lux spill;

6.1.1.6 The height of the sign is not more than:

- (a) The height of the building to which it is attached; or
- (b) 6m above the ground if the sign is not attached to a building;

6.1.1.7 The size of the sign, including any sign attached to a building, is not more than 3m² and the total area of signage on the site does not exceed 6m².

6.1.1.8 Any sign which is attached to a building and exceeds 3m² in area does not protrude beyond the framework of the building;

6.1.1.9 The maximum number of signs on any one property, including any temporary signs, is in accordance with Table C6.1.

.....

6.4 OUTDOOR SIGNS AND STRATEGIC ROADS

Permitted Activities – Outdoor Signs and Strategic Roads

- 6.4.1 Erecting any outdoor sign on a site adjoining a road which is listed in Appendix 9 as a Strategic Road shall be a permitted activity if all of the following conditions are met:
- 6.4.1.1 The sign has a maximum number of 5 words or a maximum combined number of 6 words and symbols;
 - 6.4.1.2 There is a minimum separation distance between any 2 outdoor signs of:
 - (a) 70m, where the speed limit is 80km/hr; or
 - (b) 80m, where the speed limit is 100km/hr;
 - 6.4.1.3 The sign is visible from a distance of:
 - (a) 175m, where the speed limit is 80km/hr; or
 - (b) 250m where the speed limit is 100km/hr;
 - 6.4.1.4 The sign has a minimum height for any letter which complies with the values set out in Table C6.2.
 - 6.4.1.5 The sign is illuminated only when the premises are open for business; and
 - 6.4.1.6 The sign is positioned at right angles to the road frontage of the site but angled off the direction of traffic by 5°.

Note:

1. Rule 6.4.1 does not apply to any temporary election sign that complies with the Electoral (Advertisements of a Specified Kind) Regulations 2005.

9 RURAL RULES - ACTIVITIES

9.2 ACTIVITIES – LISTED ACTIVITIES

Discretionary Activities – Listed Activities

- 9.2.1 All of the following activities shall be discretionary activities irrespective of whether they comply with all other rules in the Plan for permitted activities:
- 9.2.1.1 Any activity which requires an Offensive Trade Licence under the Health Act 1956;
 - 9.2.1.2 Any activity which involves the composting of organic material, where that material is brought on to the site except where additional material such as saw dust or straw is required as part of the process of composting pigs;
 - 9.2.1.3 Any activity which involves the manufacture of fertiliser from organic material, where that material is brought on to the site;
 - 9.2.1.4 Prisons or detention centres; and
 - 9.2.1.5 Camping ground facilities.

Non-Complying Activities – Listed Activities

- 9.2.2 All of the following activities shall be non-complying activities irrespective of whether they comply with all other rules in the Plan for permitted activities:
- 9.2.2.1 Any other industrial activity, except for an other industrial activity being a home based occupation.

Note: ~~Rule 9.2.2 does not apply to any temporary activity.~~

....

9.5 RURAL BASED INDUSTRIAL ACTIVITIES

Permitted Activities – Rural Based Industrial Activities

- 9.5.1 Any rural based industrial activity shall be a permitted activity if the following conditions are met:
- 9.5.1.1 The maximum area of any site covered by any building(s), loading, storage and waste areas used for any rural based industrial activity on the site shall be 100m².
 - 9.5.1.2 No more than two full-time equivalent persons are employed in undertaking the activity on the site.

~~Note: Rule 9.5.1 does not apply to any temporary activity.~~

...

9.12 ACTIVITIES AND CARPARKING, VEHICLE CROSSINGS, ACCESS AND EGRESS

Permitted Activities — Carparking, Vehicle Crossings, Access and Egress

- 9.12.1 The activity shall comply with the rules for carparking, vehicle crossings, vehicle access and egress set out in Rule 4, and Appendix 10 for specific provisions applying to State Highways to be a permitted activity.

Default Activity — Carparking, Vehicle Crossings, Access and Egress

- 9.12.2 Any activity which does not comply with Rule 9.12.1 shall have the status set out in Rules 4.4 to 4.6 for the rules(s) with which it does not comply.

9.13 ACTIVITIES AND VEHICLE MOVEMENTS

Permitted Activities — Activities and Vehicle Movements

- 9.13.1 Any activity, except for those permitted under Rule 9.13.2, which does not exceed the following maximum number of vehicle movements shall be a permitted activity:

9.13.1.1 Road Unformed and, or not maintained by Council:

- (a) For any commercial or industrial related activity where access is required off an unformed and un-maintained road, excluding normal farming activities: Nil.
- (b) For any individual property access off an unformed and un-maintained road: 15 equivalent car movements per day (ecm/d) per site.

9.13.1.2 Road Formed, Sealed and maintained by Council:

- (a) State Highway and Arterial Roads (as identified in Appendix 9): 30 ecm/d per site averaged over any one week period).
- (b) Local and Collector Roads: 60 ecm/d per site (averaged over any one week period).

9.13.1.3 Road Formed, Unsealed and maintained by Council:

- (a) 60 ecm/d per site (averaged over any one week period).

- 9.13.2 Any temporary activity that exceeds the maximum number of vehicle movements permitted under 9.13.1 is permitted provided a Traffic Management Plan is submitted to Council at least 5 working days prior to the activity commencing and approved by Council prior to the activity commencing.

Note:

1. Rule 9.13.1 does not apply to vehicle movements between sites within a property; or relocating of premises; ~~or any other temporary activity.~~
 2. For the purposes of Rule 9.13.1.2, Local roads are those roads which are not listed in Appendix 9 as State Highways, Arterial Roads, or Collector Roads.
 3. Rule 9.13.1 does not apply to the areas shown on the Planning Maps as the Existing Development Areas for Terrace Downs and Grasmere – refer to the provisions in Appendix 21 (Terrace Downs) or Appendix 22 (Grasmere).
 4. Rule 9.13.1 does not apply to existing plantations.
 5. Rule 9.13.1 does not apply to roads within the Porters Ski and Recreation Area.
 6. In any area to activities of a limited duration required by normal primary production activities including agriculture, horticulture, aquaculture, forestry and fishing, provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.
- For the purpose of this exemption “activities of a limited duration” means: Rural activities which are temporary and/or intermittent in nature, such as crop harvesting, crop irrigation and general use of farm machinery but does not include Rural Industrial Activities or Intensive Livestock Farming. Such uses may occur on a limited number of days in a year, a limited number of hours in a day or a limited number of days in a week or month.
7. Guidance for the preparation of a Traffic Management Plan can be found in New Zealand Transport Agencies Code of Practice for Temporary Traffic Management (COPTTM).

Discretionary Activities – Activities and Vehicle Movements

- 9.13.23 Any activity which does not comply with Rule 9.13.1 shall be a discretionary activity. The Council’s discretion may include but shall not be limited to:
- 9.13.23.1 Any works required to the road to upgrade it to the standards set out in the Council’s Engineering Code of Practice;
 - 9.13.23.2 Any potential adverse effects of traffic on the amenity values of surrounding residents and on other uses of the road, including (but not limited to) stock driving;
 - 9.13.23.3 In respect to the integration of land use and transport, the appropriateness of the location within the existing and planned road network.
 - 9.13.23.4 The position and design of any vehicle crossing or vehicle access and egress;
 - 9.13.23.5 Any positive effects which may offset any adverse effects; and
 - 9.13.23.6 Any other relevant matters including relevant objectives and policies.
 - 9.13.23.7 Any monitoring or review conditions.

CROSS REFERENCING

The table below cross-references the rules in this section with objectives and policies in the Plan. The cross-referencing is to assist plan users by indicating the objectives and policies which are likely to relate to each rule. There may be other objectives or policies in the Plan (which are not listed in the cross-reference table) which will apply in some cases. The cross-reference table does not limit the application of any objective and policy in the Plan to the rules with which it is cross-referenced; and it does not preclude the consent authority from considering any other relevant objective or policy in the Plan, when making a decision on a resource consent application. Any person making a resource consent application is advised to read all the objectives and policies in Part B of the Plan.

Rule Numbers	Topic	Part B, Section	Objectives	Policies
9.2	Listed Activities	1.1, 1.3, 2.1, 2.3, 3.4	1.1.1 and 1.1.2, 1.3.1, 2.1.1, 2.3.2, 3.4.1 and 3.4.2	1.1.1, 1.3.4, 2.1.1 to 2.1.7, 2.1.5 to 2.1.8, 3.4.1 to 3.4.4, 3.4.18 to 3.4.20
9.3	Activities in the Port Hills, Malvern Hills and High Country	3.4	3.4.1 and 3.4.2	3.4.2 and 3.4.3
9.4	Scale of Non-residential and Non-rural Activities	3.4	3.4.1 and 3.4.2	3.4.2 to 3.4.4
9.5	Rural Based Industrial Activities	3.4	3.4.1 and 3.4.2	3.4.3 and 3.4.4
9.6	Contaminated Land	1.1	1.1.1 and 1.1.2	1.1.1 to 1.1.3
9.7	Activities on the Surface of Waterbodies	1.3, 2.3, 3.4	1.3.2, 2.3.2, 3.4.1	1.3.12, 2.3.4, 3.4.3
9.8, 9.9, 9.10	Animals (Keeping of Animals, Boarding of Animals and Intensive Livestock Farming)	2.1, 3.4	2.1.1, 3.4.1 and 3.4.2	2.1.1 to 2.1.8, 3.4.1 to 3.4.3, 3.4.11, 3.4.12, 3.4.14, 3.4.18 to 3.4.20
9.12	Carparking, Vehicle Crossings, Access and Egress		See Part C - Rule 4 - Roading	
9.13	Vehicle Movements	2.1, 3.4	2.1.1, 3.4.1 and 3.4.2	2.1.1 to 2.1.3, 3.4.1, 3.4.3, 3.4.18 to 3.4.20, <u>3.4.21</u>
9.14	Aircraft Movement	2.1, 3.4	2.1.1 and 2.1.2, 3.4.1 and 3.4.2	2.1.17, 3.4.1, 3.4.3, 3.4.9, 3.4.11, 3.4.13
9.15	Audible Bird Scaring Devices	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.11, 3.4.12
9.16	Noise	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.11

Rule Numbers	Topic	Part B, Section	Objectives	Policies
9.17	Blasting and Vibration	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.13
9.18	Glare	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.9, 3.4.10
9.19	Dust	3.4	3.4.1 and 3.4.2	3.4.1, 3.4.3, 3.4.4

DEFINITIONS

.....

N

Noise Limit: means a L_{10} , L_{eq} or L_{max} sound level in A-frequency-weighted decibels that is not to be exceeded during a measurement sample time in a specific time-frame. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound and the 'Noise Measurement and Assessment' section within Part C - Introduction to Rules.

Noticeboard: means a structure or device upon which notices can be placed or attached that are of community interest, which are intended to be read by people stopping at the notice board rather than by people passing by.

Notional Boundary: means a line 20m from any side of a rural dwelling or the legal boundary where this is closer to the dwelling.

NZTA: the New Zealand Transport Agency.

.....

T

Telecommunication Facility: means any telecommunication line, telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication.

Telecommunication Line: means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor and also includes any part of a line.

Temporary Accommodation: includes the use of any building to house any person for residential or business activities on a site, while construction work is being undertaken on the site. Temporary accommodation maybe provided for persons occupying the site on which construction work occurs, or for persons involved in the construction work.

Temporary Activity: ~~includes any activity which occurs on any site for a period of not more than 15 consecutive hours in any one time and occurs on no more than 12 times in any 12 month period; or any activity which does not last longer than a total of 7 consecutive days in any one time and occurs on not more than 3 times at any one site in any 12 month period. For the purposes of Rule 9.13.1 a temporary activity includes casual labour for seasonal activities such as crop harvesting and fruit picking, provided it complies with one of the time periods specified in the definition.~~

(including any associated buildings) includes:

- Buildings, structures and activities ancillary to a construction project for a period of up to 12 months or the duration of the construction project, whichever is the lesser.
- Sporting events, educational activities, public meetings, private functions, galas, shows, field days, displays, markets, garage sales, festivals, concerts; and non commercial activities/events; provided that for they do not occur:
 - on any site for a period of not more than 15 consecutive hours in any 24 hour period and no more than once per month; or
 - on any site for a period which does not last longer than a total of 7 consecutive days at any one time and occurs on not more than 3 times at any one site in any 12 month period.

Temporary Military Training Activity: means a temporary activity undertaken for Defence Purposes. Defence purposes are those in accordance with the Defence Act 1990.

Temporary Sign: includes any sign erected to advertise an upcoming event of interest to the community, or any sign which advertises the products or services of a business or organisation which is associated with an activity on the site on which the sign is erected. Any temporary sign shall not be erected on any site for more than 6 consecutive calendar months at any one time, or for a collective period of more than 6 calendar months in any 2 year period, except that for any school or church anniversary event the temporary sign maybe displayed for up to 12 months prior to the event.

Tertiary Education: means the use of land and buildings for the purpose of facilitating tertiary education, training, development and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, communal, conferencing, accommodation, retail and recreation facilities.

Township: means an urban area within the District which comprises a Living zone(s) and in some situations a Business zone(s).

Track: includes any area of land which is formed or used principally to traverse an area of land by foot, animals, or vehicles and includes any road. A track will have access to or from a formed road, or access to another track which has access to a formed road. For the purpose of Rule 1 - Earthworks, a track does not include multiple strips of land of up to 10m in width which run parallel to one another over a site.

Travelling Accommodation: means the use of land and buildings for temporary residential accommodation offered for a daily tariff which may involve the sale of liquor to in-house guests and the sale of food and liquor in conjunction with food to both the public and in-house guests. Travelling accommodation includes motels, holiday flats, motor and tourist lodges and hostels.

Tree: any woody perennial plant, typically with a distinct trunk (but sometimes multi-stemmed) from which branches arise well above ground level to form a crown, and includes other plants of a tree-like size and form such as palms.