

6.5 Rural Zone - Rules

Rule 6.5.1 Prohibited Activities

The following are prohibited activities in the Rural Zone within the area bounded by the Air Noise Boundary identified on District Plan Maps 6 and 54, and shown in its entirety on District Plan Map 71, in the vicinity of Dunedin Airport at Momona, for which no resource consent application may be lodged: *[Amended by Consent Order 5/5/05]*

- (i) New Residential Activity *[Amended by Consent Order 5/5/05]*
- (ii) Commercial Residential Activity *[Inserted by Consent Order 5/5/05]*
- (iii) Community Support Activity *[Inserted by Consent Order 5/5/05]*

Rule 6.5.2 Permitted Activities

The following activities are permitted activities provided that they comply with the conditions in Rule 6.5.3 (also see Rules 16.6.1 & 16.6.2): *[Amended by Consent Order 4/5/04]*

- (i) Farming Activity.
- (ii) Forestry Activity.
- (iii) Residential activity at a density of one residential unit per site, provided that the minimum area of the site is not less than 15 ha. *[Amended by Decision No. C128/2005]*
- (iv) Recreational Activity:
 - (a) Recreational Activity on land except for:
 - (i) structures in excess of 25m²
 - (ii) organised motorised recreational activities
 - (b) Recreational Activity on the surface of water except that the only structures permitted are maimai and whitebait stands.
- (v) Scheduled activities as listed in Rule 6.5.8 provided they comply with the relevant conditions in Rules 6.5.3 and 6.5.8. *[Inserted by C175/2001]*
- (vi) Repair and maintenance of the Aramoana Mole and any ancillary works and structures. *[Inserted by Consent Order, 9/4/02]*
- (vii) Mineral Prospecting Activity and Mineral Exploration Activity.
- (viii) Signs permitted in this zone are specified in the Signs Section.
- (ix) Accessory buildings for permitted activities, excluding structures for recreational activities in excess of 25m².
- (x) Rural Processing Activity. *[Inserted by Consent Order 18/2/05]*
- (xi) Additions and/or alterations to existing buildings located closer than the yards specified in Rule 6.5.3(i) provided the additions and/or alterations do not further reduce the relevant yard/s. *[Inserted by Decision No. C58/2005]*

Rule 6.5.3 Conditions Attaching to Permitted Activities

(i) Yard Requirements - Buildings

The minimum yard requirements (excluding maimai and whitebait stands on the surface of water or post and wire fences which are accessory to farming activity) are:

(a) Front Yards

- | | |
|-------------------|------|
| (i) All buildings | 20 m |
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(b) Side and Rear Yards

- | | |
|--|------|
| (i) Residential Unit [<i>Amended by Decision No. C58/2005</i>] | 40 m |
| (ii) Buildings other than those for the housing of animals | 6 m |
| (iii) Buildings designed or used for the housing of animals | 12 m |

(ii) Height

- (a) The maximum height of all buildings and structures (excluding maimai and whitebait stands on the surface of water) shall be 10 m.

- (b) Taieri Aerodrome Take-Off and Approach Fans - Height Restrictions:

Notwithstanding (a) above, no structures shall impinge on the height restriction for Taieri Aerodrome shown on District Plan Maps 28 and 29.

(iii) Residential Buildings within the Airport Outer Control Boundary

On any site within the Airport Outer Control Boundary as shown on District Plan Maps 6 and 54, and shown in its entirety on District Plan Map 71, any new building, or new additions and alterations to an existing building to be used for Residential activities shall be acoustically insulated from external noise so as to meet an indoor design standard of 40 dBA Ldn within any kitchen, dining area, living room, study or bedroom. Such insulation shall be certified by a registered acoustic engineer as adequate to achieve the design standard. [*Amended by Consent Order 5/5/05*]

(iv) Car Parking, Loading and Access

Parking

On-site car parking shall comply with the performance standards of Section 20 (Transportation) and shall be provided on the following basis:

(a) Farming and Forestry

- (i) No requirement for on-site car parking.

(b) Residential Activity

For sites that do not front a State highway, there is no requirement for on-site car parking.

For sites that front a State highway the parking requirements are:

- | |
|---|
| (i) 1 car park per residential unit up to and including 150m ² gross floor area (excluding garaging areas) |
| (ii) 2 car parks per residential unit greater than 150 m ² gross floor area (excluding garaging areas) |
| (iii) 1 visitor car park per 5 residential units |
| (iv) 2 additional car parks for a residential unit where staff provide for between 13 and 18 residents inclusive. |

(c) **Recreational Activity**

For sites that do not front a State highway there is no requirement for on-site car parking.

For sites that front a State highway the car parking requirements are:

- (i) 1 car park per 750m² of site area.

Loading and Access

- (d) For the following activities there are no loading requirements. Access requirements shall comply with the performance standards in Section 20 (Transportation):

- (i) Residential Activity.
- (ii) Recreational Activity.
- (iii) Scheduled Activities.
- (iv) Mineral Prospecting/ Exploration.

- (e) For the following activities loading and access shall comply with the performance standards in Section 20 (Transportation):

- (i) Farming Activity and Forestry Activity.
Loading shall be provided for on the following basis:

Minimum Size: 20 m long x 3.5 m wide x 4.4 m high.

Manoeuvre Area: To accommodate a B Train truck as shown in Appendix 20E.

[Inserted by Consent Order, 20/12/01]

(v) **Trees Associated with Forestry Activity and Shelterbelts**

- (a) Trees associated with forestry activities shall not be planted within 20 m of the boundary of any Residential Zone or Rural Residential Zone.
- (b) Trees associated with forestry activities and shelterbelts shall not be planted so that the trees:
 - (i) Shade a national, regional, district or collector road as identified in the road hierarchy on District Plan Maps 73 and 74, with the result that the road will be affected by ice.
 - (ii) Shade the residential building and its curtilage on an adjoining site existing at the time of planting.
- (c) Trees associated with forestry activities and shelterbelts shall not include the following species: Scotts pine (*Pinus sylvestris*), Douglas fir (*Pseudotsuga menziesii*), larch (*Larix decidua*).

(vi) **Riparian Protection**

Vegetation removal and the erection of buildings and structures (excluding maimai and whitebait stands on the surface of water and post and wire fences required for farming activity) shall not occur within 5m of: *[Amended by Plan Change 11, 11/10/10]*

- (a) any natural water body with a clearly defined bed, or
- (b) any wetland identified in Schedule 25.4.

Notwithstanding (a) and (b) above, removal of vegetation is permitted if it is:

- (i) pest plant clearance,
- (ii) vegetation removal by the act of normal grazing,

- (iii) production forestry provided that all vegetation that is felled within 5m of a natural water body with a defined bed shall be felled away from the water body, except edge vegetation, or vegetation leaning over a water body, which if necessary may be felled in accordance with safety practices. All production forestry activities that are undertaken within 5m of a natural water body shall be in accordance with the Otago Regional Council “Riparian Management” September 1996 document,
 - (iv) Otago Regional Council approved river control works, or
 - (v) harvesting of crops that does not disturb the soil. *[Inserted by Consent Order 28/09/04]*
- (vii) **Mineral Prospecting and Exploration**
Areas disturbed by mineral prospecting activity and mineral exploration activity are to be restored to a standard not less than that previously existing with respect to landform, vegetation cover, productive potential and ecological values. *[Amended by Plan Change 11, 11/10/10]*
- (viii) **High Class Soils**
No activity shall involve the removal from the site of any topsoil or subsoil on any area shown on District Plan Maps 75, 76 and 77 as ‘High Class Soils’. *[Amended by Plan Change 11, 11/10/10]*
- (ix) **Noise, Glare, Lighting and Electrical Interference**
Refer to the performance standards of the Environmental Issues Section.
- (x) **Signs**
Refer to the Signs Section.
- (xi) **Concept Plan**
There shall be no building on land zoned Rural contained in the Concept Plan in Appendix 8.1 (Residential 6 Wakari). *[Inserted by C68/2002]*

Rule 6.5.4 Controlled Activities

The following activities are controlled activities (also see Rules 16.6.1 & 16.6.2): *[Amended by Consent Order 4/5/04]*

- (i) Rural Retail Sale Activity, other than those with access from a State highway, which are controlled in respect of the following matters:
 - (a) The scale of the activity.
 - (b) Vehicle access and parking. *[Continued over page]*

- (c) Signs.
 - (d) The size and location of structures.
 - (e) The location of the retail area.
 - (f) The performance standards of the Environmental Issues Section.
- (ii) Rural Tourist Activity, other than those with access from a State highway, which are controlled in respect of the following matters:
 - (a) The scale of the activity.
 - (b) Vehicle access and parking.
 - (c) Signs.
 - (d) The size and location of structures.
 - (e) The performance standards of the Environmental Issues Section.
- (iii) Papakaika Housing which is controlled in respect of the following matters:
 - (a) The density of housing.
 - (b) Effluent disposal.
 - (c) The size and location of structures.
 - (d) The staging of the development.
 - (e) Vehicle access and parking.
 - (f) The performance standards of the Environmental Issues Section.
- (iv) Marae and Marae-related activities on land subject to Te Ture Whenua Maori Act 1993 which are controlled in respect of the following matters:
 - (a) Effluent disposal.
 - (b) The size and location of structures.
 - (c) Vehicle access and parking.
 - (d) The performance standards of the Environmental Issues Section.
- (v) A second residential unit on a site equal to or greater than 30 ha, which is controlled in respect of the following matters: *[Amended by Decision No. C128/2005]*
 - (a) The effect on open space and amenity values.
 - (b) Vehicle access.
 - (c) The size and location of structures.
 - (d) The performance standards of the Environmental Issues Section.
 - (e) For any site located within the Airport Outer Control boundary as shown on District Plan Maps 6 and 54, and shown in its entirety on District Plan Map 71, the provision of acoustic insulation to meet an indoor design standard of 40 dBA Ldn within any kitchen, dining area, living room, study, or bedroom. Such insulation shall be certified by a registered acoustic engineer as adequate to achieve the design standard. *[Inserted by Consent Order 5/5/05]*

- (vi) Any permitted activity which does not comply with the conditions in Rule 6.5.3(v)(c) Trees Associated with Forestry Activity and Shelterbelts is controlled in respect of location and management to prevent wilding tree spread.

Assessment Matters:

In assessing any application the Council will have regard to:

- (a) The location of plantings, particularly in respect to the dispersal of seed.
 - (b) The adequacy of methods in management plans to address wilding tree spread.
 - (c) Surrounding land use and vegetation cover.
 - (d) Proximity to identified Areas of Significant Conservation Value.
- (vii) *[Deleted by Plan Change 11, 11/10/10]*

Rule 6.5.5 Discretionary Activities (Restricted)

The following activities are discretionary activities (restricted) (also see Rules 16.6.1 & 16.6.2): *[Amended by Consent Order 4/5/04]*

- (i) Any permitted activity which does not comply with the relevant conditions in Rule 6.5.3 or Rule 6.5.8, except as specified at Rule 6.5.4(vi). The Council's discretion is restricted to the condition or conditions with which the activity fails to comply under Rule 6.5.3 or Rule 6.5.8. *[Amended by Plan Change 11, 11/10/10]*
- (ii) Rural Retail Sale Activity with access from a State highway. The Council's discretion is restricted to the following matters:
 - (a) The scale of the activity.
 - (b) Vehicle access and parking.
 - (c) Signs.
 - (d) The size and location of structures.
 - (e) The location of the retail area.
 - (f) The safe and efficient functioning of the State highway.
 - (g) The performance standards of the Environmental Issues Section.

- (iii) Rural Tourist Activity with access from a State highway. The Council's discretion is restricted to the following matters:
 - (a) The scale of the activity.
 - (b) Vehicle access and parking.
 - (c) Signs.
 - (d) The size and location of structures.
 - (e) The safe and efficient functioning of the State highway.
 - (f) The performance standards of the Environmental Issues Section.
- (iv) Organised Motorised Recreational Activities. The Council's discretion is restricted to the following matters:
 - (a) The scale of the activity.
 - (b) Vehicle access and parking.
 - (c) Signs.
 - (d) Hours of operation and the frequency of the activity.
 - (e) Proximity to residential activities.
 - (f) The size and location of structures.
 - (g) The safe and efficient functioning of the State highway.
 - (h) The performance standards of the Environmental Issues Section.
 - (i) The effects of the activity on soils, indigenous vegetation and wetlands.

Rule 6.5.6 Discretionary Activities (Unrestricted)

The following activities are discretionary activities (unrestricted). In assessing an application for discretionary activities (unrestricted), Council shall have regard but not be limited to the matters identified in Section 6.7:

- (i) Any residential activity on a site created pursuant to Rule 18.5.1 (A). *[Inserted by Decision No. C128/2005]*
- (ii) Community Support Activity.
- (iii) Commercial Residential Activity.
- (iv) Industrial Activity - for the purpose of the processing and storage of mineral resources and aggregate. *[Previous Rule 6.5.6 (v) deleted by Consent Order 18/2/05]*
- (v) Mining Activity.
- (vi) Factory Farming Activity.
- (vii) Structures for recreational activities with a floor area greater than 25 m².

Rule 6.5.7 Non-Complying Activities

- (i) Any residential activity that fails to comply with the requirements of Rules 6.5.2, 6.5.4 or 6.5.6. *[Amended by Decision No. C128/2005]*
- (ii) Any activity not specifically identified as permitted, controlled, discretionary or prohibited by the rules in this zone or in the rules of Sections 17 to 22 of this Plan is non-complying. This rule does not apply to activities identified as permitted, controlled or discretionary in the rules of Sections 13 to 16 of the Plan, regardless of where in the zone those activities are undertaken.

Rule 6.5.8 Scheduled Permitted Activities

In addition to the activities in Rule 6.5.2, the following activities are permitted on the specific sites listed below:

- (i)
 - Farming and forestry research activities
 - Commercial activities deriving directly from farming and forestry research activities
 - Residential activities for the accommodation of staff employed on the site
 - Farm field days and conferences
 - General storage and office activities accessory to farming and forestry research activities

situated at

- (a) Crown Research Institute – Invermay Agricultural Centre – Lots 1-7 DP23060 (CT 15A/310).

There are no conditions additional to Rule 6.5.3 for this Scheduled Permitted Activity

[Inserted by C140/2001]

- (ii) Quarrying and aggregate processing situated at:
 - (a) Port Otago Ltd Quarry, Aramoana, as defined by Pt Secs 46 to 49 Blk V North Harbour Survey District (CT 13C/755), provided that the rock shall only be obtained for the purpose of maintaining and repairing of the Aramoana Mole. *[Inserted by Consent Order, 9/4/02]*
 - (b) Blackhead Quarry, as defined by Sec 3 Blk XIV Dunedin & East Taieri SD and Secs 153-155 Green Island Bush SD (CTs 255/200 & 255/278), except the area as defined by Conservation Covenant 779741/2.
 - (c) Fairfield Sand Pit No 3, as defined by Pt Sec 11 -13 Green Island West SD and Pt Sec 60 Blk VII Dunedin & East Taieri SD (part of CT 9B/1427).
 - (d) Mt Kettle Quarry, Mt Cargill, as defined by Secs 57/58 Blk VII North Harbour & Blueskin SD.
 - (e) Waldronville Gun Club Sand Pit, part of the Island Park Recreation Reserve as defined by Mining Licence No 32/2111, provided that there shall be no aggregate processing at this site.

In addition to the conditions in Rule 6.5.3, the following conditions apply to Quarrying and Aggregate Processing Activities

- (i) For quarrying and aggregate processing the zone noise levels in the Environmental Issues Section apply but are subject to an adjustment of minus 5 dBA for noise emissions having special audible characteristics. Noise level readings are to be provided by the quarry operator, for two hours at times representative of the operation and at which maximum noise

levels can be assessed, for the purpose of determining compliance with the noise conditions. These readings shall initially be provided within 1 week of the quarry being operated following the date on which this plan becomes operative. Thereafter, for intermittent operations readings shall be provided at the time of every subsequent operation of the site. For continuous operations, readings shall be provided at 12 monthly intervals.

- (ii) Hours of operation: Monday to Saturday 6am to 10pm, except for the Fairfield Sandpit No 3 which shall be Monday to Friday 6am to 8pm and Saturday 7am to 5pm and for the Port Otago Ltd Quarry which shall be Monday to Saturday 7am to 7pm. At Mt Kettle Quarry, quarrying shall take place for no longer than 40 days each calendar year.
- (iii) Airblast over-pressure from a blasting event on the site, when assessed at any point within the notional boundary of any residence, shall not exceed a peak non-frequency-weighted (linear or flat) level of 115 dB (Peak) at any time. Blasting shall not occur at Fairfield Sandpit No 3 or the Waldronville Gun Club Sand Pit.
- (iv) For all quarries (including Fairfield Sand Pit No 3 and Port Otago Ltd Quarry) a programme of landscaping to encourage the revegetation of areas no longer quarried shall be commenced within one month of this plan becoming operative. All planting shall be in accordance with a landscape plan prepared by a qualified landscape architect and all vegetation established as part of this programme shall be maintained in a healthy state at all times. For sand pits the sites shall be rehabilitated to an appearance and character similar to that of the surrounding environment. For rock quarries the landscaping shall include creating areas of loose scree on any benching for the colonisation of rock plants.
- (v) At Port Otago Ltd quarry, the overburden and the stockpiling of fines that are retained on the site shall be used to recontour the area adjacent to Aramoana Road on sections 46 and 47 Blk V, North Harbour and Blueskin Survey District and shall be progressively regrassed. *[Inserted by Consent Order, 9/4/02]*
- (vi) Transportation of rock from the Port Otago Ltd Quarry to the Aramoana Mole shall only be undertaken on the Aramoana Road/Moana Street route and is limited to the hours of 7 am to 7pm Monday to Saturday. *[Inserted by Consent Order, 9/4/02]*
- (vii) At Fairfield Sand Pit No 3 a programme of screen planting designed to mitigate adverse visual effects as viewed from the adjacent residential areas, road and other viewing areas shall be commenced within one month of this plan becoming operative. All planting shall be in accordance with a landscape plan prepared by a qualified landscape architect and all vegetation established as part of this programme shall be maintained in a healthy state at all times.
- (viii) At Fairfield Sand Pit No 3 the edge of the quarried area shall be designed and certified by a suitably qualified geotechnical engineer to ensure that the edge is stable and will not adversely affect any adjoining property boundary.
- (ix) At Fairfield Sand Pit No 3, extraction of material shall not occur on Pt Sec 11 -13 Green Island West SD. However, these areas may be used for quarry activities not involving extraction such as stockpiling overburden.
- (x) At the Waldronville Gun Club Sand Pit, prior to removing sand from undisturbed areas, the DCC will be contacted to allow the removal of any pingao growing in the area.

- (xi) At Blackhead Quarry, extraction of material shall not occur on Sec 153 Green Island Bush SD and shall not occur within 100 metres of Blackhead Road on Secs 154 and 155 Green Island Bush SD. However, these areas may be used for quarry activities not involving extraction such as stock piling overburden.
- (xii) At Mt Kettle Quarry, quarrying shall not alter the skyline as viewed from Portobello Road or from State Highway No 1 and shall not occur closer than 50m to adjoining properties. Existing native vegetation on areas not quarried is to be retained.
- (xiii) No earthworks shall be located:
 - (a) Within 12m of the closest visible edge of the foundation of a high voltage transmission line of support structure as shown on District Plan Maps 4-6, 8-10, 16-19, 29-32, 45-47, 49 & 53; or
 - (b) Within 12m of the centreline of a high voltage transmission line as shown on District Plan Maps 4-6, 8-10, 16-19, 29-32, 45-47, 49 & 53, if the earthworks result in an increase in the ground level.

[Inserted by Plan Change 11, 11/10/10]

Note that where the quarry is on reserve land, the lease agreement may require additional conditions.

[Inserted by C175/2001]

- (iii) Marine education and research as the primary activity on site, with associated activities being:
 - Commercial activities deriving directly from and accessory to marine education and research
 - Residential activities for the accommodation of staff and visiting researchers working on the site
 - Open days and conferences for the purpose of education and informing and advising on research activities
 - General storage and office activities accessory to the marine education and research activities situated at
- (a) The University of Otago, Portobello Marine Laboratory and New Zealand Marine Studies Centre - Part Section 23 (SO 7232), Section 24 (SO 11431) and Section 28 (SO 11431), Block VI Portobello Survey District and that Part of Section 29 Block VI Portobello Survey District marked "A" on SO 22930.

Conditions in addition to or replacing parts of Rule 6.5.3 for this Scheduled Permitted Activity

For this Scheduled Permitted Activity Rule 6.5.3(i) is replaced with:

- (i) Yard Requirements – Buildings
All buildings - No minimum.

For this Scheduled Permitted Activity, in addition to Rule 6.5.3, the following Rule applies:

All buildings and structures to be finished in recessive and non-reflective colours which blend with the colours of the landscape setting.

[Inserted by Consent Order, 12/04/02]

- (iv) Animal breeding, including related bio-medical research and education, as the primary activity on site, with associated activities being:

- Residential activities for the accommodation of staff working on the site
- General storage and office activities accessory to animal breeding

situated at

- (a) The University of Otago, Hercus Taieri Resource Unit - Lot 1 D.P. 6164 (CT 323/16).

There are no conditions additional to Rule 6.5.3 for this Scheduled Permitted Activity.

[Inserted by Consent Order, 12/04/02]

- (v) Landfill and activities associated with the operation of the landfill situated at:

- (a) EnviroWaste Fairfield Landfill confined to those areas marked "Landfill" and "Storage" in Appendix 6A on land known as Pt Lots B and C, DP 1685 (CTs 13B/390 and 8D/1045) and Lot 215 DP 16795 (CT328/116).

In addition to the conditions in Rule 6.5.3, the following conditions apply to the landfill and activities associated with the operation of the landfill

- (i) The noise levels in the Environmental Issues Section apply but are subject to an adjustment of minus 5 dBA for noise emissions having special audible characteristics.
- (ii) Hours of operation: Monday to Saturday 6am to 7pm, with the site closed on Sundays and Public Holidays.
- (iii) Existing screen planting identified in Appendix I of "EnviroWaste Fairfield Landfill, Dunedin Management Plan, December 1999" shall be maintained, which includes the replacement of any tree/shrub that has died or been removed. Within two years of this District Plan becoming operative additional planting in the buffer area along the northern edge of the landfill (shown in Appendix 6A) shall be undertaken and maintained to provide screening of the landfill viewed from the adjacent Residential 1 Zone.
- (iv) Relocatable barrier-type fences shall always be placed immediately adjacent to the active working area in order to capture any windblown litter. A daily visual inspection for any windblown litter, including the wetland areas of the Kaikorai Stream and the Stream itself, shall be undertaken. Any observed litter shall be collected that day. The landfill operator, on a daily basis, shall record that the inspection has taken place and whether any litter was collected.

[Inserted by Consent Order, September 2002]