

## 38 Countryside and Coastal Countryside Environment Rules

### 38.1 Introduction

This chapter contains rules governing land uses in the Countryside and Coastal Countryside Environments. The boundaries of these Environments are shown on the Planning Maps.

Some ninety percent of the District's land area is contained within the Countryside and Coastal Countryside Environments.

Within the Countryside Environment there is a wide range of traditional rural activities. Approximately two thirds of rural land is in some form of pastoral use, with beef farming being a predominant activity in much of the District. There is horticultural activity, particularly in areas such as Maungatapere, Tauraroa and Glenbervie, where there are highly versatile soils. There are also a number of quarries in the rural area, including a large aggregates quarry at Otaika and limestone quarries at Hikurangi and Portland. Special recognition has been given to the Portland Quarry and Portland Cement Works in that a special overlay map and rules are applicable to parts of their activities. Relevant provisions are contained in Chapter 49 Scheduled Activities, Schedule 14. Forestry is becoming increasingly more widespread. The rural area has a varied and interesting landscape, including bush clad hill country, volcanic cones, extensive farmed flats and pockets of indigenous vegetation.

The most distinctive feature of the District is, however, its long and varied coastline, which includes a wide range of landforms and landscapes. Most of the land within the Coastal Countryside Environment is uninhabited, but there are specific locations within the Environment, and especially in areas with access to beaches, where development and settlement has occurred in the past, or where new development is being promoted at present.

Road Transport rules and Resource Area rules also apply in these Environments. The Resource Area rules apply only to the areas indicated on the Planning Maps.

The rules in this chapter prevail over the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 in relation to plantation forestry activities.

Chapters 1 and 2 describe activities and rules and how to read the rule table. See Chapter 70.3 for a list of matters to which control is reserved. These apply to every controlled activity mentioned in the rule table, in addition to those matters given in the rule table.

### 38.2 Prohibited Activities

The following activity is a prohibited activity for which no resource consent shall be granted:

- Use, storage or disposal of radioactive material with an activity exceeding 1000 terabequerels.

### 38.3 Countryside and Coastal Countryside Environment - Activity Rule Table

#### 38.3.1 Activities Generally

<p>Any activity is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) It is not a commercial activity involving intensive livestock farming, wool scouring, rendering, motor vehicle manufacturing or dismantling, rubbish disposal or landfills, sewage collection or disposal, or septic tank sludge disposal; and</li> <li>b) It does not involve food irradiation; and</li> <li>c) It is not an activity that is classified as an offensive trade in the Health Act 1956; and</li> <li>d) It does not involve commercial or industrial activities that occupy in excess of 500m<sup>2</sup> in gross floor area; and</li> <li>e) It does not involve commercial or industrial activities that are located within 100m of:             <ul style="list-style-type: none"> <li>i. Any existing residential unit on a separate site; or</li> <li>ii. The open space environment.</li> </ul> </li> <li>f) It does not involve new plantation forestry within 30m of an existing residential building on a separate site.</li> </ul> <p>For the purposes of this rule, 'commercial activity' does not include any activity that otherwise falls within the definition of "temporary activity" and is associated with a place of assembly.</p> <p>Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then that activity will be assessed in accordance with the rules in Chapter 64.</p>	<p>Any activity that does not comply with Rules 38.3.1 (d) and/or 38.3.1 (e) but would otherwise comply with the provisions of the activity rule table for the Countryside and Coastal Countryside Environment is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Effects of dust, odour and other nuisances;</li> <li>ii. Hours of operations;</li> <li>iii. Effects on existing residences;</li> <li>iv. Effects on landscape, conservation, ecological and amenity values of the site and locality.</li> </ul> <p>Any other activity does not comply with a condition for a permitted activity and is not a restricted discretionary activity is a <b>discretionary</b> activity if:</p> <ul style="list-style-type: none"> <li>a) In the case of intensive livestock farming, wool scouring or rendering, the activity (including animal enclosures in the case of intensive livestock farming) is set back:             <ul style="list-style-type: none"> <li>i. 1000.0m from an existing church, marae, school, public hall, Living, or Open Space Environment boundary; or</li> <li>ii. 300.0m from any existing residential unit; and</li> </ul> </li> <li>b) It is not an activity that is classified as an offensive trade in the Health Act 1956; and</li> <li>c) It is not an activity that involves food irradiation.</li> </ul> <p>Any activity that does not comply with the standards for a discretionary activity is a <b>non-complying</b> activity.</p>
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#### 38.3.2 Hazardous Substances

<p>The use, storage or on-site movement of hazardous substances is a permitted activity if it complies with the conditions for <b>permitted</b> activities in Appendix 8; and</p> <p>The movement of hazardous substances between sites is a <b>permitted</b> activity if conducted by</p>	<p>The use, storage or on-site movement of hazardous substances is a <b>discretionary</b> activity if it does not comply with a condition for permitted activities in Appendix 8; and</p> <p>The movement of hazardous substances between sites is a</p>
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means of an underground pipeline.	<b>discretionary</b> activity if conducted by means of an aboveground pipeline.
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### 38.3.3 Mineral Extraction

<p>Mineral extraction is a <b>permitted</b> activity in the Countryside Environment if:</p> <ol style="list-style-type: none"> <li>Less than 500.0m<sup>3</sup> of material on the site is disturbed or removed in any 12 month period; and</li> <li>No blasting takes place; and</li> <li>Where excavations and processing are undertaken within 200.0m of a road boundary or an existing residential unit, amenity planting is undertaken along that boundary and thereafter maintained to a minimum width of 5.0m and minimum height of 3.0m.</li> </ol> <p>Mineral Extraction in the Coastal Countryside Environment is a <b>controlled</b> activity if:</p> <ol style="list-style-type: none"> <li>Less than 500.0m<sup>3</sup> of material on the site is disturbed or removed in any 12 month period; and</li> <li>No blasting takes place; and</li> <li>Where excavations and processing are undertaken within 200.0m of a road boundary or an existing residential unit, amenity planting is undertaken along that boundary and thereafter maintained to a minimum width of 5.0m and minimum height of 3.0m; and</li> <li>The extent of any excavation on any one site does not exceed 500.0m<sup>2</sup> as measured on the horizontal plane.</li> </ol> <p><b>Control is reserved over:</b></p> <ol style="list-style-type: none"> <li>Visual and landscape effects on the coastal environment;</li> <li>Effects on coastal land stability and natural coastal processes;</li> <li>Quality of storm water run off;</li> <li>The additional matters listed in Chapter 64.3.</li> </ol>	<p>Mineral extraction that does not comply with a condition for a permitted or controlled activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>Effects of noise, dust and other nuisances;</li> <li>Methods and duration of excavation or processing, and trucking activities;</li> <li>Hours of operation of the activity;</li> <li>Effects on existing residences and reserves;</li> <li>Effects of road traffic on the amenity, health and safety in the locality;</li> <li>Effects of increased traffic on road safety, maintenance and efficiency;</li> <li>Effects on landscape and conservation values of the site and locality;</li> <li>Restoration and rehabilitation of the site;</li> <li>Effects of disturbance and stockpiling of topsoil, and measures to conserve and preserve topsoil;</li> <li>Effects of excavation, mineral extraction, transport and processing (including the effects of dust) on any water body or indigenous vegetation;</li> <li>Effects on coastal land stability and natural coastal processes;</li> <li>Quality of storm runoff;</li> <li>Effects of land use on heritage sites, buildings and areas;</li> <li>Effects of land use on the relationship of tangata whenua with their ancestral lands, sites, water, waahi tapu and other taonga;</li> <li>Effects of mineral extraction, processing and transport on the natural character of the coastal environment, wetlands, lakes and rivers.</li> </ol> <p>Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>
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### 38.3.4 Network Utility Services

<p>The following activities related to network utility services, excluding electricity Infrastructure are a <b>permitted</b> activity:</p> <ul style="list-style-type: none"> <li>a) The establishment of junction boxes, substations and other equipment cabinets required as part of a utility network that have a height of no greater than 2.5m and a ground coverage not exceeding 4.5 m<sup>2</sup>; and</li> <li>b) The establishment of, or extension to, overhead telecommunication lines located on single poles with a maximum height of 12.5m in the Coastal Countryside Environment and a maximum height of 18.5m in the Countryside Environment; and</li> <li>c) The establishment of network utility operations for the purposes of wireless communication, or the measurement, collection and distribution of meteorological information, that comply with the rules for Aerials and Aerial Support Structures; and</li> <li>d) The minor upgrading, replacement, removal, and maintenance of existing network utility services facilities; and</li> <li>e) The establishment of, or extension to, underground network utility services, including gas lines with a maximum operating pressure not exceeding 2000 kilopascals.</li> </ul>	<p>Network utility services that do not comply with a condition for a permitted activity are a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Scale, bulk and form of the installation(s) above ground;</li> <li>ii. Cumulative effects of additional structures;</li> <li>iii. Shading effects;</li> <li>iv. Effects on amenity values;</li> <li>v. Effects on landscape/streetscape values;</li> <li>vi. Effects on ecological values;</li> <li>vii. Effects on heritage values;</li> <li>viii. Effects on cultural values;</li> <li>ix. Effects on public health and safety;</li> <li>x. Issues of reverse sensitivity.</li> </ul>
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### 38.3.5 Provision of Parking Spaces

<p>Any activity is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) Parking spaces are provided in accordance with Chapter 47.</li> </ul>	<p>Any activity that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Those matters listed in Chapter 47. Road Transport Rules.</li> </ul>
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### 38.3.6 Traffic Movements

<p>Any activity is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) It is a residential, temporary or seasonal activity; or</li> <li>b) It does not cause the total traffic generation from the site to be more than 30 traffic movements in any 24 hour period.</li> </ul>	<p>Any activity in the Coastal Countryside Environment that does not comply with a condition for a permitted activity is a <b>discretionary</b> activity.</p> <p>Any activity in the Countryside Environment that does not comply with a condition for a permitted activity is a</p>
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<p><b>Provided always</b> and notwithstanding the traffic movements requirements in this rule, if the activity under consideration is a mineral extraction activity and it is located within a mineral extraction area then the traffic movements requirements for that activity will be determined in accordance with the rules in Chapter 64 of the plan.</p> <p><b>Note:</b> Where access is gained to a Limited Access Section of State Highway, it may be necessary to liaise with Transit New Zealand.</p>	<p><b>restricted discretionary activity.</b></p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>i. Manoeuvring requirements;</li> <li>ii. Need for acceleration and deceleration lanes;</li> <li>iii. Type, frequency and timing of traffic;</li> <li>iv. Design of the entrance onto the public road of the vehicle accesses associated with the activity;</li> <li>v. Safety of pedestrians;</li> <li>vi. The availability of other roads for access for sites that lead onto arterial roads or State highways;</li> <li>vii. Effects on the amenity of the locality;</li> <li>viii. Effects on ecological values;</li> <li>ix. Effects of dust;</li> <li>x. Need for forming or upgrading roads in the vicinity of the site;</li> <li>xi. Need for traffic control, including signs, signals and traffic islands.</li> </ol> <p>Provided always and notwithstanding the traffic movement's requirements in this Rule if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the traffic movement's requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>
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### 38.3.7 Signs

<ol style="list-style-type: none"> <li>a) The construction or placement of a sign which is not visible from a public place or neighbouring property(s) is a <b>permitted</b> activity.</li> <li>b) The construction or placement of a sign which is visible from a public place or neighbouring property(s) is a permitted activity if:             <ol style="list-style-type: none"> <li>i. The sign is required under health and safety legislation; or</li> <li>ii. The sign is erected by a road control authority for the purposes of traffic control or public safety and it is located within the legal road reserve; or</li> <li>iii. The sign relates to goods and services available on site, or is a property name sign, or is a community sign; and</li> <li>iv. The sign does not obscure any official signs or traffic signals; and</li> <li>v. The sign is static, not flashing, and not illuminated, and</li> <li>vi. No more than 1 sign is displayed per site; and</li> <li>vii. The sign is no higher than 3.0m;</li> </ol> </li> </ol>	<p>The construction or placement of a sign that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity if:</p> <ol style="list-style-type: none"> <li>a) The sign is no larger than 3.0m<sup>2</sup>; and</li> <li>b) There are no more than 3 signs on the site; and</li> <li>c) The sign relates to goods and services available on site, or is a property name sign, or is a community sign; and</li> <li>d) The sign is static, not illuminated and not flashing.</li> </ol> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>i. The visual amenity of the locality;</li> <li>ii. The appropriateness of the sign compared to the nature of the area;</li> <li>iii. Traffic safety effects;</li> <li>iv. The number and location of other signs in the local vicinity;</li> <li>v. Effects on the preservation of natural character;</li> </ol>
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<p>and</p> <p>viii. The sign is no larger than 3.0m<sup>2</sup> in the Countryside Environment or 2.0m<sup>2</sup> in the Coastal Countryside Environment; and</p> <p>ix. Where the road has a speed limit of 70 kph or greater, the sign is located so as to provide an unrestricted view to the motorist for a minimum distance of 250.0m.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. Signs within the legal road boundary, or on road verges and road reserves are regulated by Council Bylaws.</li> <li>2. Temporary signs and signs on vehicles are regulated by Council's Bylaws.</li> <li>3. Signs located in public places are regulated by Council Bylaws.</li> </ol>	<p>vi. The cumulative effect of signs on natural character, visual amenity, and safety.</p> <p>Any activity that does not comply with a standard for a restricted discretionary activity is a non-complying activity.</p>
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**38.3.8 Stone Walls** *(Deleted – refer to Historic Heritage Chapter)*

**38.3.9 Artificial Lighting**

<p>Artificial lighting is a permitted activity if either:</p> <ol style="list-style-type: none"> <li>a) The lighting is required under health and safety legislation; or</li> <li>b) The light is a street light, navigation light, or traffic signal</li> <li>c) The following standards are complied with:             <ol style="list-style-type: none"> <li>i. The added illuminance onto any other site measured at the boundary does not exceed 10 lux at any receiving property boundary, or 15 lux at any road reserve boundary; and</li> <li>ii. The artificial light is shielded in such a manner that light emitted by the fixture is projected below a horizontal plane running through the lowest point on the fixture; and</li> <li>iii. The lower edge of the shield, as required by ii) above, is to be at or below the centreline of the light source; and</li> </ol> </li> <li>d) The light is static and is not moving; (except in the case of lighting on vehicles associated with mineral extraction and related activities, or flashing beacons in accordance with the Land Transport Road Use Rule 2004 (Plan change 42 Planners recommendation)</li> <li>e) The artificial lighting complies with AS/NZS 1158/1996.</li> </ol> <p>Notes:</p>	<p>Any activity that does not comply with a standard for a permitted activity is a restricted discretionary activity.</p> <p><b>Discretion is limited to:</b></p> <ol style="list-style-type: none"> <li>i. Orientation, strength, intensity, colour, frequency of flashing of the light;</li> <li>ii. Effects on traffic safety;</li> <li>iii. Positive effects on pedestrian safety;</li> <li>iv. Effect on amenity values.</li> </ol>
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<ol style="list-style-type: none"> <li>1. If the object or device that contains Artificial Lighting is a sign, then Rule 37.3.7 Signs is solely applicable.</li> <li>2. See Appendix 15 for illustration of c) (ii) and (iii) above.</li> </ol>	
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38.3.10 **Noise** (Deleted – refer to Noise and Vibration Chapter)

38.3.11 **Construction Noise** (Deleted – refer to Noise and Vibration Chapter)

38.3.12 **Bird Scaring Devices** (Deleted – refer to Noise and Vibration Chapter)

38.3.13 **Vibration** (Deleted – refer to Noise and Vibration Chapter)

38.3.14 **Electromagnetic Radiation**

<p>Any activity is a <b>permitted</b> activity if:</p> <ol style="list-style-type: none"> <li>a) Exposures comply with NZS 2772.1:1999, Radio Frequency Fields Part 1: Maximum Exposure Levels 3 kHz – 300 GHz.</li> </ol>	<p>Any activity that does not comply with a condition for a permitted activity is a <b>discretionary</b> activity.</p>
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38.3.15 **Electricity Transmission Lines** – (Deleted 13/01/2014 - refer to Network Utilities Chapter)

38.3.16 **Outdoor Storage**

<p>Any activity is a permitted activity if:</p> <ol style="list-style-type: none"> <li>a) Outdoor areas of storage or stockpiles of materials and equipment comply with building height, and setbacks rules; and</li> <li>b) Outdoor areas of storage or stockpiles of materials or equipment are contained or maintained to prevent the dispersal of dust or airborne contaminants beyond the site; and</li> <li>c) Open areas of storage or stockpiles of materials or equipment are screened from view from public places and surrounding sites except where such materials or equipment:             <ol style="list-style-type: none"> <li>i. are accessory to agricultural, horticultural or forestry activities; or</li> <li>ii. Include functioning machinery, stockpiles of mineral resources or construction materials; and</li> </ol> </li> <li>d) Materials are stored in a way that does not provide a food source for vermin; and</li> <li>e) The best practicable option is adopted to prevent or minimise contaminants from stockpiles entering watercourses or water bodies.</li> </ol> <p>Provided always and notwithstanding the requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the outdoor storage requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	<p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>i. Dust effects;</li> <li>ii. Smell effects;</li> <li>iii. Visual effects;</li> <li>iv. Amenity effects;</li> <li>v. Effects on amenity values;</li> <li>vi. Effects on health and safety;</li> <li>vii. Effects on land stability in the Coastal Countryside Environment;</li> <li>viii. Quality of stormwater runoff.</li> </ol>
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38.3.17 Aerials and Aerial Support Structures

<p>Aerials and/or aerial support structures are a <b>permitted</b> activity if:</p> <p>a)</p> <ul style="list-style-type: none"> <li>i. In the Countryside Environment there are no more than 5 aerials and/or aerial support structures per site, or per independent residential unit where more than one independent residential unit exists on-site ;</li> <li>ii. In the Coastal Countryside Environment there are no more than 2 aerial support structures and 5 aerials per site, or per independent residential unit where more than one independent residential unit exist on one site; and</li> </ul> <p>b)</p> <ul style="list-style-type: none"> <li>i. Aerials and/or aerial support structures in the Countryside environment have a maximum height of 14.0m, except for dish aerials which shall not exceed a height of 10.0m; and</li> <li>ii. Aerials and/or aerial support structures in the Coastal Countryside Environment have a maximum height of 12.5m except for a dish aerial which is not to exceed a height of 8.5m; and</li> </ul> <p>c)</p> <ul style="list-style-type: none"> <li>i. In the Countryside Environment there are no more than 2 dish aerials per site, or per independent residential unit where more than one independent residential unit exists on one site. However, if the dish aerial is for a use other than already specified, there shall be no more than 5 dish aerials per site; and</li> <li>ii. In the Coastal Countryside Environment there are no more than 2 dish aerials per site; and</li> </ul> <p>d)</p> <ul style="list-style-type: none"> <li>i. In the Countryside Environment no dish aerial exceeds a diameter of 2.4m; and</li> <li>ii. In the Coastal Countryside Environment no dish aerial associated with the residential unit or residential activity exceeds 1.1m in diameter, or 2.4m in diameter if for any other purpose; and</li> </ul> <p>e)</p> <ul style="list-style-type: none"> <li>i. All aerials and/or aerial support structures comply with the relevant building setback and daylight angle requirements for the Environment within which they are located; and</li> </ul> <p>f)</p> <ul style="list-style-type: none"> <li>i. In the Countryside Environment, between a height of 10.0m and 11.5m</li> </ul>	<p>Aerials and/or aerial support structures that do not comply with permitted activity condition <b>(b) (i)</b>, but are less than 20.0m in height are a <b>restricted discretionary</b> activity.</p> <ul style="list-style-type: none"> <li>i. The matters over which the Council restricts its discretion are as follows:</li> <li>ii. The design and external appearance of buildings;</li> <li>iii. Landscape treatment and screening;</li> <li>iv. Site location and layout;</li> <li>v. Visual and amenity effects;</li> <li>vi. Construction materials;</li> <li>vii. The effects on any heritage values.</li> </ul> <p>Aerials and aerial support structures that do not comply with a permitted activity or a restricted discretionary condition are a discretionary activity.</p>
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<p>any aerial or aerial support structure shall not exceed a width of 1.1m with the exception set out in v. hereunder; and</p> <p>ii. In the Countryside Environment, between a height of 11.5m, and 14.0m, the components that make up an aerial and/or aerial support structure are to be no greater than 80.0mm in diameter, or have a rectangular section with sides no greater than 80.0mm, with the exception set out in v) hereunder; and</p> <p>iii. In the Coastal Countryside Environment between a height of 8.0 and 9.5m, any aerial or aerial support structure shall not exceed a width of 1.1m, with the exception set out in v) hereunder; and</p> <p>iv. In the Coastal Countryside Environment, between a height of 9.5m and 12.0m, the components that make up an aerial and/or aerial support structure are to be no greater than 80.0mm in diameter, or have a rectangular section with sides no greater than 80.0mm, with the exception set out in v. hereunder; and</p> <p>v. Except for anemometer or similar weather measuring device (excluding a weather balloon), where such device has a cross arm dimension not exceeding 1.1m.</p>	
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**38.3.18 Indigenous Vegetation Clearance and Indigenous Wetland Disturbance**

<p>Destruction or clearance of indigenous vegetation within this Environment in:</p> <p>a) A contiguous area of 5.0ha or more of predominantly indigenous vegetation; or</p> <p>b) In any area of 1.0ha or more of predominantly indigenous vegetation over 6.0m in height; or</p> <p>c) In an indigenous wetland;</p> <p>is a <b>permitted</b> activity if it complies with the following:</p> <p>i. The removal is in accordance with an existing use right; or</p> <p>ii. The total clearance of indigenous vegetation within a site is no more than 500.0m<sup>2</sup> where the clearance is for the express purpose of providing a house site and/or access to a house site; or is to provide access to existing farming or forestry activities; or</p> <p>iii. The removal is of trees that are a danger to human life or existing structures (including network utilities); or</p>	<p>Destruction or clearance of indigenous vegetation that does not comply with a condition for a permitted activity is a <b>discretionary</b> activity.</p> <p>Any activity that will result in the destruction or clearance of indigenous vegetation within an indigenous wetland, and which may result in changes to the seasonal or annual range in water level of indigenous wetland to an extent that may adversely affect the wetland's natural ecosystem and is not required as part of normal maintenance of drains and flood ways, is a <b>discretionary</b> activity.</p>
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<ul style="list-style-type: none"> <li>iv. The removal is necessary for the maintenance of any building, structure, road or track including any telecommunication work or utility service; or</li> <li>v. The removal is for a new fence where the purpose of the fence is to exclude stock and/or pests from the area; or</li> <li>vi. The removal is beneath a canopy of a production forest; or</li> <li>vii. The removal is for the formation and maintenance of walking tracks less than 1.2 metres wide using manual methods that do not require the removal of any indigenous tree over 300mm girth; or</li> <li>viii. The removal is for the construction of a fire break by a rural fire authority; or</li> <li>ix. The removal of a tree or trees, or the gathering of plant matter is in accordance with Maori custom or values; or</li> <li>x. The removal is harvesting of indigenous timber under a Sustainable management Plan or permit under the Forests Act 1949.</li> </ul>	
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### 38.4 Countryside and Coastal Countryside Environment - Building Rule Table

#### 38.4.1 Residential Units

<p>Construction of a residential unit in the Countryside Environment is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) The residential unit, after completion, will be the only residential unit on the site; or</li> <li>b) The residential unit will be an additional residential unit on the site; and there is at least 20.0ha of net site area associated with each residential unit; and</li> <li>c) It is not within a Mineral Extraction Area as shown on the Planning Maps.</li> <li>d) It is not within 500m of a Mineral Extraction Area.</li> </ul> <p>Construction of a residential unit within 500m of Mineral Extraction Area is a controlled activity.</p> <p><b>Control is reserved over:</b></p> <ul style="list-style-type: none"> <li>i. The impact of mineral extraction on residential safety and amenity including noise, traffic, dust, vibration and visual effects.</li> </ul> <p>Construction of residential units, not</p>	<p>Construction of a residential unit in the Coastal Countryside Environment is a <b>restricted discretionary</b> activity if:</p> <ul style="list-style-type: none"> <li>a) The residential unit, after completion, will be the only residential unit on the site; or</li> <li>b) The residential unit will be an additional residential unit on the site; and there is at least 20.0ha of net site area associated with each residential unit.</li> <li>c) It is not within a Mineral Extraction Area as shown on the Planning Maps.</li> <li>d) It is not within 500m of a Mineral Extraction Area.</li> </ul> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Extent of visual intrusion from the building;</li> <li>ii. Colour and design;</li> <li>iii. Landscaping;</li> <li>iv. Effects on landscape values;</li> <li>v. Size and shape of the site;</li> <li>vi. Alternative building locations;</li> </ul>
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<p>otherwise provided for as a permitted or controlled activity is a <b>discretionary activity</b>.</p>	<p>vii. Effects on the character of the coastal environment;</p> <p>viii. Location;</p> <p>ix. Visibility from road and public places;</p> <p>x. The effect on the appearance of skylines and ridgelines;</p> <p>xi. The impact of mineral extraction on residential safety and amenity including noise, traffic, dust, vibration and visual effects.</p> <p>Construction of a residential unit, not otherwise provided for a <b>restricted discretionary activity</b> is a <b>discretionary activity</b>.</p> <p>Discretion includes, but is not limited to, the above assessment criteria for a restricted discretionary activity.</p>
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38.4.2 **Minor Residential Units**

<p>Construction of a minor residential unit is a <b>permitted activity</b> if:</p> <p>a) In the Countryside Environment the minor residential unit, after completion, will be the only minor residential unit on the site and the minimum net site area of the allotment is 8000.0m<sup>2</sup>; or</p> <p>b) In the Coastal Countryside Environment, the minor residential unit, after completion, will be the only minor residential unit on the site and the minimum net site area of the allotment is 1.2 hectares; and</p> <p>c) It is not within a Mineral Extraction Area as shown on the Planning Maps.</p> <p>d) It is not within 500m of a Mineral Extraction Area.</p>	<p>Construction of a residential unit within 500m of Mineral Extraction Area is a <b>controlled activity</b>.</p> <p><b>Control is reserved over:</b></p> <p>i. The impact of mineral extraction on residential safety and amenity including noise, traffic, dust, vibration and visual effects.</p> <p>Construction of additional residential units, not otherwise provided for as a permitted or controlled activity, is a <b>discretionary activity</b>.</p>
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### 38.4.3 Building Height

<p>Construction or alteration of a building is a <b>permitted</b> activity if the building does not exceed:</p> <ul style="list-style-type: none"> <li>a) 10.0m in height in the Countryside Environment; or</li> <li>b) 8.5m in height in the Coastal Countryside Environment;</li> </ul> <p><b>Note:</b> The rules in Chapter 57 also control the height of buildings within Notable and Outstanding Landscape Areas.</p>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The scale and bulk of the building in relation to the site;</li> <li>ii. The built characteristic of the locality;</li> <li>iii. The extent to which the effects of the height can be mitigated by setbacks, planting, design or the topography of the site;</li> <li>iv. Effects on landscape values;</li> <li>v. Effects on availability of daylight;</li> <li>vi. Effects on amenity values.</li> </ul>
<p>Provided always and notwithstanding the height requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the building height requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	

### 38.4.4 Building Coverage

<p>Construction or alteration of a building is a <b>permitted</b> activity if total building coverage on the site does not exceed:</p> <ul style="list-style-type: none"> <li>a) 500.0m<sup>2</sup>; or</li> <li>b) 5% of the net site area, whichever is the greater.</li> </ul>	<p>Construction or alteration of a building in the Countryside Environment that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The scale and bulk of the building in relation to the site;</li> <li>ii. The existing built density of the locality;</li> <li>iii. Effects on amenity values;</li> <li>iv. Effects on natural character, landscape and heritage values;</li> </ul> <p>Construction or alteration of a building in the Coastal Countryside Environment that does not comply with a condition for a permitted activity is a discretionary activity.</p>
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### 38.4.5 Building Setbacks

<p>Construction or alteration of a building is a <b>permitted</b> activity if the building is set back at least:</p> <ul style="list-style-type: none"> <li>a) 8.0m from road boundaries, or any building line restriction shown on the Planning Maps; and</li> <li>b) 3.0m from other boundaries; and</li> <li>c) 30m from the legal boundary of existing plantation forestry in the case of a new residential building on a separate site.</li> </ul>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Protection of the Countryside Environments from road frontage domination;</li> <li>ii. The outlook and privacy of adjoining and adjacent neighbours;</li> <li>iii. Effects on land stability in the</li> </ul>
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<p><b>Note:</b> The provisions of Rules 58.2.6 and 59.2.3 also apply to building setbacks.</p> <p>Provided always and notwithstanding the setback requirements in this Rule, if the activity under consideration is a mineral extraction activity and it is located within a Mineral Extraction Area then the building setback requirements for that activity will be determined in accordance with the rules in Chapter 64.</p>	<p>Coastal Countryside Environment;</p> <ul style="list-style-type: none"> <li>iv. Effects on motor vehicle driver sight-lines and traffic safety;</li> <li>v. Effects on the natural functioning of ecosystems;</li> <li>vi. Effects on landscape and heritage values.</li> </ul>
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#### 38.4.6 Building Setbacks from Water Bodies

<p>Construction or alteration of a building is a <b>permitted</b> activity if the building is set back at least:</p> <ul style="list-style-type: none"> <li>a) 27.0m from Mean High Water Springs; or</li> <li>b) From the top of the bank of any river that has a width of less than 3.0m, or a lake under 8ha in area:             <ul style="list-style-type: none"> <li>i. 5.0m where the dominant slope is less than 8 degrees;</li> <li>ii. 10.0m where the dominant slope is greater than 8 degrees but less than 15 degrees;</li> <li>iii. 20.0m where the dominant slope is more than 15 degrees; or</li> </ul> </li> <li>c) 27.0m from the top of the bank of a river equal to 3.0m or more in width, any lake over 8ha in area or any river identified in Appendix 5 as an Esplanade Priority Area; or</li> <li>d) 5.0m from the top of the bank of all other water bodies unless an esplanade reserve already exists, in which case a 5.0m setback from the edge of the landward side of the esplanade reserve shall apply.</li> </ul> <p><b>Note:</b> The provisions of Rules 58.2.6 and 59.2.3 also apply to building setbacks.</p>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. The continued availability of land in Esplanade Priority Areas;</li> <li>ii. Effects on natural character;</li> <li>iii. Effects on natural functioning of an ecosystems;</li> <li>iv. Effects on landscape values;</li> <li>v. Effects on heritage values;</li> <li>vi. Effect on public access;</li> <li>vii. Effect on river maintenance and hazards;</li> <li>viii. The protection of the conservation, ecological, recreation, access and hazard mitigation values of land in Esplanade Priority Areas and existing esplanade reserves or strips;</li> <li>ix. The suitability of the proposed location of the building on the site.</li> </ul>
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#### 38.4.7 Building to Access Setbacks

<p>Construction or alteration of a building is a <b>permitted</b> activity if:</p> <ul style="list-style-type: none"> <li>a) There is a minimum separation distance of 2.0m between the building and any right of way or common access.</li> </ul>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>i. Noise and vibration on occupants of buildings erected within 2.0m of accesses;</li> <li>ii. The use of accesses if obstructed by building overhangs or opening windows.</li> </ul>
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### 38.4.8 Landscaping

<p>Construction of a building, or site redevelopment for commercial activities, is a <b>permitted</b> activity if:</p> <ol style="list-style-type: none"> <li>All land within 6.0m of the road boundary, other than existing car parking and accesses, is planted in pasture, trees or shrubs; and</li> <li>The planting is completed within 18 months of occupation of the building and is maintained continuously thereafter.</li> </ol>	<p>Construction of a building, or site redevelopment that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>Effects on neighbours;</li> <li>Effects on the amenity of the locality;</li> <li>Alternative means of landscaping or screening.</li> </ol>
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### 38.4.9 Coastal Minimum Floor Level

<p>Construction or alteration of a building or structure is a <b>permitted</b> activity if:</p> <p>The building or structure has a minimum floor level of 2.5m above One Tree Point Datum Mean Sea Level 1964.</p>	<p>The construction or alteration of a building or structure that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>Construction or alteration of a building or structure in relation to its location;</li> <li>The avoidance, remediation or mitigation of coastal hazards;</li> <li>Floor level in relation to One Tree Point Datum Mean Sea Level 1964.</li> </ol>
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### 38.4.10 Building Daylight Angles

<p>Construction or alteration of a building is a permitted activity if:</p> <ol style="list-style-type: none"> <li>It does not penetrate the building daylight angles defined in Appendix 11.</li> </ol>	<p>Construction or alteration of a building that does not comply with a condition for a permitted activity is a <b>restricted discretionary</b> activity.</p> <p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li>The availability of daylight to adjoining properties;</li> <li>The privacy of the adjoining properties;</li> <li>Effects on shading;</li> <li>Effects on amenity values.</li> </ol>
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## 38.5 Principal Reasons for Rules / Explanations

### Prohibited Activities

The level of radioactivity stated as a prohibited activity allows for use of household smoke detectors and use of radioactive materials in medical laboratories and hospitals, but does not allow large installations such as food irradiation plants or nuclear power stations.

### Activities Generally

This rule states activities that require a resource consent. The listed activities are all associated with effects that are unacceptable in these Environments, including adverse visual effects. Commercial activities sensitive to agrichemicals are required to obtain a resource consent, to allow potential

conflicts between land uses to be avoided, remedied or mitigated from the outset.

#### **Hazardous Substances**

See Appendix 8.

#### **Network Utilities**

The visual effects of network utilities are sought to be mitigated by this rule.

#### **Provision of Parking Spaces**

See Chapter 47.

#### **Traffic Movements**

Traffic can result in adverse effects due to loss of amenity, noise, pedestrian safety, road safety and efficiency, dust, odour and parking. This is particularly the case in Countryside Environments due to high speed limits, and the traffic volumes and standard of many roads. The rule seeks to control activities that will result in significant increases in traffic to any area (including traffic that parks on or off the site or drives through the site), while allowing those that are at a similar scale to the typical use of a rural property.

#### **Signs**

Signs have the potential to severely affect the visual amenity of a Countryside Environment. They are therefore controlled, with limited provision made for signs associated with activities occurring on-site. Due to the open nature and greater vehicular speeds of the Countryside Environments, there is allowance for larger signs than in the Living Environments.

#### **Artificial Lighting**

This rule is intended to ensure that, where artificial lighting is established, this does not result in unacceptable light spill onto neighbouring properties.

#### **Electromagnetic Radiation**

Certain utilities and other activities emit electromagnetic radiation or create electric fields, which are a health concern to some people living near them. Radio Frequency Fields (RF) are produced by broadcasting and microwave transmission activity. It is the antennae used for sending the signal which produce the Electromagnetic Radiation (EMR), which is within the 3 kHz to 300 GHz range of non-ionising radiation. This Plan is taking a cautious approach to the location of such activities within the Countryside and Coastal Countryside Environments. An acceptable public level of exposure for EMR has been adopted from the New Zealand Standard, which has been thoroughly researched and based upon scientific evidence.

The second part of the rule recognises the visual effect that telecommunications masts and lines can have upon the amenity of the Countryside and Coastal Countryside Environments, and requires a minimum distance between the centre of any telecommunications mast, and any residential activity, or childcare, healthcare or education facility.

#### **Outdoor Storage**

The storage of materials outside can have an adverse visual effect, as well as contributing to air emissions. The rule aims to lessen the effects of this and thus reduce the effect on the amenity of the Countryside Environments. Storage of houses for relocation will require a resource consent under this rule. Storage of large hay bales will not.

#### **Aerials and Aerial Support Structures**

The number of aerials and aerial support structures in the Countryside and Coastal Countryside Environments is limited to prevent a proliferation of aerials and aerial support structures upon any one site, while allowing for the needs of the community to receive television and radio signals. The size of dish aerials

is limited, as these tend to be more visually intrusive than other aerials. Due to the visual intrusion or dominance that aerials and aerial support structures can have, their location is also controlled. The Plan recognises that many parts of the District have poor television and radio reception and therefore makes allowance for aerials and aerial support structures, other than dish aerials, to be higher than the maximum height of buildings in the Countryside and Coastal Countryside Environments. Chapter HH of the Plan also seeks to control the visual impact that aerials and aerial support structures have on Built Heritage.

#### **Residential Units**

The number of residential units permitted on allotments is limited, to assist in maintaining the open character and low density of development. The location of residential units within Mineral Extraction Areas is restricted in order to avoid potential conflicts.

#### **Building Height**

The height of buildings is an important factor in maintaining the countryside amenity. As such, height is limited to a scale generally considered acceptable in a countryside area. Higher buildings require more assessment as to their suitability, and a resource consent application is required.

#### **Building Coverage**

The amount of building coverage permitted can dramatically affect the open character of the Countryside Environment. Building coverage has an important input into the overall amenity of an area.

#### **Building Setbacks**

Front yards play an important role in maintaining an open landscape character not dominated by buildings. For this reason front yard setbacks are greater than in Living Environments. Due to larger allotment sizes than in Living Environments, there is also a greater rear and side yard requirement, which serves to add to the open character and to provide better privacy between properties. Setbacks from water bodies and the coast will preserve future availability of esplanade reserves, providing access space for water body maintenance, and maintain stream efficiency.

#### **Building to Access Setbacks**

The required setback serves to protect occupants of buildings from unnecessary noise and vibration. The rule also ensures that the access does not become less usable due to opening windows or other obstructions.

#### **Landscaping**

This rule is to ensure activities maintain a high standard of amenity, and to mitigate the adverse visual effects of expanses of tarmac, parking spaces, yards and storage areas.

#### **Coastal Minimum Floor Level**

Coastal flooding is a hazard that needs to be addressed and this hazard is not restricted to those areas covered by the Coastal Hazard Areas. By ensuring that the floor level of structures and buildings is at least 2.5m above One Tree Point Datum Mean Sea Level 1964 this risk will be significantly reduced. The 2.5m will take into account a rise in sea level of 0.5m, plus the instances of a spring tide and the surges associated with coastal storms.

#### **Building Daylight Angles**

The daylight angles are set to provide reasonable daylight to a site, unobstructed by buildings on an adjacent site.



## Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
27 June 2007	FP	38.3.5 i	Deletion of unnecessary reference to sections of chapters		PW
13 July 2007	FP	38.3.3	Typo relating to : 500.0m <sup>2</sup> The extent of any excavation on any one site does not exceed 500.0m <sup>2</sup> as measured on the horizontal plane.	CO 20 August 2004	PW
2 October 2007	FP	38.4.10; and 38.5	Plan Change 47: Addition of daylight Angles Rules and explanation of Building daylight Angles.	Council decision ES 20 September 2007	PW
1 November 2007	FP	various	Additions of hyperlinks to Plan change 41, 42, 47.		PW
1 November 2007	FP	38.4.10	Relocation of Daylight Angles Rules to 38.4.10 where it belongs.		PW
19 February 2008	FP	38.1/38.3.6 a	Plan Changes 47 After council decision	13 February 2008	PW
11 July 2008	JL	38.3.7	Plan Change 41 Signs, after Council decision	9 July 2008	PW
11 July 2008	JL	38.3.9	Plan Change 42 Artificial Lighting, after Council decision	9 July 2008	NW
16 March 2009	FP	38.3.7 b vi	Type from PC47 above amendments - should read 'site' not 'side'	9 July 2008	NW
11 December 2009	FP	38.4.6	Plan change 98 Setbacks from Water Bodies	Operative 12 January 2010	NW
17 December 2009	FP	38.4.3	Cross reference to Chapter 56 now reads Chapter 57 Notable and Outstanding..		NW
14 June 2010	FP	38.3.1	Plan change 97 Consequential changes from PC45 Intensive Livestock Farming	ES 9 June 2010 Operative 22 June 2010	NW
9 September 2010	FP	Reference to Chapter 2.3.3	Plan Change 106 consequential changes, this provision no longer exist.	Record 10/96471	NW
11 December 2013	MD	38.3.4 38.3.15 38.5	Plan Change 123A consequential changes 'Electricity Infrastructure'	Operative 13 January 2014 TRIM 14/4071	NW
11 May 2016	TB	38.3.10 38.3.11 38.3.12 38.3.13	Deletion of Rules as a result of Plan Change 110 becoming operative.	Operative Date 24 May 2016 TRIM 16/52692	MM
14 September 2016	JM	38.3.8 38.3.17 38.5	Plan Change 124 becoming operative	Operative date 28 September 2016 TRIM 16/106480	MM

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
27 April 2017	AM	38.3	Plan Change 97 becoming operative consequential changes Activity Rule Table 38.3.1	Clause 20A Minor Amendment - Scheduled Activities. DSTPLN-659943184-68	MM
6 June 2018	AM	Added 38.1.6 “The rules in this chapter prevail over...”	Decision of the Planning and Development Committee under Delegation from Council to approve amendments in accordance with s44A (4), (5) and (6) of the RMA to give effect to the NESPF	17 May 2018	MM

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