



OPERATIVE DISTRICT PLAN REVIEW NO. 1

September 2012

Incorporating Plan Change 1 (Operative August 2019) and
Designations (new and uplifts) and changes directed by the
National Policy Statement on Urban Development 2020 (June 2021)

PO Box 115
Gordon Street
Dannevirke, New Zealand

Telephone 06-374 4080
Fax 06-374 4137
Email info@tararuadc.govt.nz

TARARUA DISTRICT PLAN REVIEW NO. 1

This plan was approved by resolution of the Council on the 25th July 2012 to become operative on the 1st September 2012.

The Common Seal of the Tararua District Council was affixed hereto in the presence of: -


.....
Mayor


.....
Chief Executive



Plan Change No.1 was approved by resolution of the Council on the 31st July 2019 to become operative on the 19th August 2019.

The Common Seal of the Tararua District Council was affixed hereto in the presence of: -


.....
Mayor


.....
Chief Executive



CONTENTS

Guide to using the Plan

1	INTRODUCTION PART 1	
1.1	Background to the Resource Management Act	1-1
1.1.1	BEFORE THE RESOURCE MANAGEMENT ACT 1991	1-1
1.1.2	INTERNATIONAL ENVIRONMENTAL CONCERNS	1-1
1.1.3	THE RESOURCE MANAGEMENT ACT 1991	1-2
1.1.4	AN EMPHASIS ON NATURAL AND PHYSICAL RESOURCES	1-2
1.1.5	AN "EFFECTS-BASED" APPROACH TO RESOURCE MANAGEMENT	1-2
1.2	Purpose of District Plan	1-3
1.3	The Relationship between the Tararua District Plan and other Policy Statements and Plans	1-4
1.3.1	NATIONAL POLICY STATEMENTS	1-4
1.3.2	REGIONAL POLICY STATEMENTS AND PLANS	1-6
1.3.3	THE MWRC ONE PLAN	1-6
1.3.4	THE COUNCIL'S LONG-TERM PLAN AND ANNUAL PLAN	1-6
1.4	Introduction to the Tararua District	1-8
1.4.1	LOCATION	1-8
1.4.2	HISTORY	1-8
1.4.3	LAND RESOURCES	1-9
1.4.4	WATER RESOURCES	1-12
1.4.5	POPULATION	1-13
1.4.6	SERVICING AND INFRASTRUCTURE	1-14
1.4.7	ECONOMIC BASE	1-15
2	RESOURCE MANAGEMENT POLICY SECTION PART 2	
2.1	Introduction to Resource Management Policy Section	2-1
2.2	Urban Land Use Management	2-2
2.2.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-2
2.2.2	GROWTH AND VITALITY OF URBAN AREAS	2-3
2.2.3	EFFICIENT AND SUSTAINABLE URBAN AREAS	2-6
2.2.4	ENVIRONMENTAL QUALITY AND AMENITY	2-8

2.3	Rural Land Use Management	2-12
2.3.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-12
2.3.2	SUSTAINABLE AND EFFICIENT RURAL LAND USE	2-16
2.3.3	ACTIVITIES IN RURAL AREAS	2-19
2.3.4	ENVIRONMENTAL QUALITY AND AMENITY	2-22
2.4	Subdivision and Development	2-25
2.4.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-25
2.4.2	ASSESSMENT PROCESS FOR SUBDIVISIONS	2-27
2.4.3	SUSTAINABLE SUBDIVISION AND DEVELOPMENT	2-28
2.4.4	SUITABILITY FOR DEVELOPMENT	2-32
2.4.5	RESERVES AND RECREATIONAL FACILITIES	2-34
2.5	Natural Hazards	2-37
2.5.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-37
2.5.2	MINIMISING RISKS FROM NATURAL HAZARDS	2-38
2.6	Amenity and Environmental Quality	2-41
2.6.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-41
2.6.2	MAINTENANCE AND ENHANCEMENT OF ENVIRONMENTAL QUALITY AND AMENITY	2-46
2.6.3	PROTECTION OF HERITAGE RESOURCES	2-47
2.6.4	PROTECTION OF NATURAL FEATURES AND LANDSCAPES, SIGNIFICANT TREES AND SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA	2-51
2.6.5	THE COASTAL ENVIRONMENT	2-58
2.6.6	WATERBODIES AND THEIR MARGINS	2-61
2.7	Activities on the Surface of Water in Rivers and Lakes	2-65
2.7.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-65
2.7.2	PROTECTION OF ENVIRONMENTAL QUALITY AND AMENITY	2-66
2.8	Infrastructure	2-68
2.8.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-68
2.8.2	NETWORK UTILITY AND INFRASTRUCTURE OPERATIONS	2-70
2.8.3	TRANSPORTATION NETWORK AND ADJACENT ACTIVITIES	2-73
2.8.4	ELECTRICITY GENERATION FROM RENEWABLE SOURCES INCLUDING WIND FARMS	2-78
2.9	Waste Management and Hazardous Substances	2-81
2.9.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-81
2.9.2	WASTE MINIMISATION	2-83
2.9.3	SOLID WASTE DISPOSAL	2-84

2.9.4	HAZARDOUS SUBSTANCES	2-85
2.9.5	CONTAMINATED SITES	2-87
2.9.6	LIQUID WASTES	2-88
2.10	Treaty of Waitangi and Maori Resource Management Values	2-91
2.10.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-91
2.10.2	PARTICIPATION OF TANGATA WHENUA	2-92
2.10.3	MAORI RESOURCE MANAGEMENT VALUES	2-93
2.11	CROSS-BOUNDARY ISSUES	2-96
2.11.1	SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-96
2.11.2	CROSS BOUNDARY ISSUES	2-97
3	MANAGEMENT AREAS PART 3	
3.1	Introduction to Management Areas Section	3-1
3.1.1	MANAGEMENT AREAS IN THE TARARUA DISTRICT	3-1
3.2	Desired Characteristics	3-3
3.2.1	RURAL MANAGEMENT AREAS	3-3
3.2.2	RESIDENTIAL MANAGEMENT AREAS	3-4
3.2.3	COMMERCIAL MANAGEMENT AREAS	3-6
3.2.4	INDUSTRIAL MANAGEMENT AREAS	3-7
3.2.5	SETTLEMENT MANAGEMENT AREAS	3-8
4	RULES - LISTING OF ACTIVITIES PART 4	
4.1	Rural Management Area	4-1
4.1.1	INTRODUCTION	4-1
4.1.2	PERMITTED ACTIVITIES	4-1
4.1.3	CONTROLLED ACTIVITIES	4-5
4.1.4	ENVIRONMENTAL STANDARDS	4-7
4.1.5	RESTRICTED DISCRETIONARY ACTIVITIES	4-8
4.1.6	DISCRETIONARY ACTIVITIES	4-9
4.2	Residential Management Area	4-11
4.2.1	INTRODUCTION	4-11
4.2.2	PERMITTED ACTIVITIES	4-11
4.2.3	CONTROLLED ACTIVITIES	4-12
4.2.4	ENVIRONMENTAL STANDARDS	4-13
4.2.5	DISCRETIONARY ACTIVITIES	4-14

4.3	Commercial Management Area	4-16
4.3.1	INTRODUCTION	4-16
4.3.2	PERMITTED ACTIVITIES	4-16
4.3.3	CONTROLLED ACTIVITIES	4-17
4.3.4	ENVIRONMENTAL STANDARDS	4-18
4.3.5	DISCRETIONARY ACTIVITIES	4-19
4.4	Industrial Management Area	4-21
4.4.1	INTRODUCTION	4-21
4.4.2	PERMITTED ACTIVITIES	4-21
4.4.3	CONTROLLED ACTIVITIES	4-22
4.4.4	ENVIRONMENTAL STANDARDS	4-23
4.4.5	DISCRETIONARY ACTIVITIES	4-24
4.5	Settlement Management Area	4-26
4.5.1	INTRODUCTION	4-26
4.5.2	PERMITTED ACTIVITIES	4-27
4.5.3	CONTROLLED ACTIVITIES	4-28
4.5.4	ENVIRONMENTAL STANDARDS	4-28
4.5.5	DISCRETIONARY ACTIVITIES	4-30
5	ENVIRONMENTAL STANDARDS PART 5	
5.1	General Development Rules	5-1
5.1.1	INTRODUCTION TO PART 5	5-1
5.1.2	EFFLUENT DISPOSAL	5-1
5.1.3	WATER SUPPLY	5-5
5.1.4	STORMWATER DRAINAGE	5-7
5.1.5	LAND DISTURBANCE AND EXCAVATION	5-8
5.1.6	DEVELOPMENT CONTRIBUTIONS	5-12
5.1.7	NATURAL HAZARDS	5-20
5.1.8	HAZARDOUS SUBSTANCES	5-24
5.2	Land Subdivision Rules	5-26
5.2.1	INTRODUCTION	5-26
5.2.2	GENERAL RULES FOR SUBDIVISION	5-26
5.2.3	SUBDIVISION STANDARDS	5-29
5.2.4	CLASSIFICATION OF ACTIVITIES	5-35
5.3	Infrastructure	5-41
5.3.1	MANAGEMENT OF ROADS (ROAD HIERARCHY)	5-41
5.3.2	PARKING	5-45
5.3.3	ACCESS AND INTERSECTIONS	5-47

5.3.4	DANNEVIRKE AERODROME PROTECTION AREA	5-55
5.3.5	RAIL CORRIDOR	5-56
5.3.6	NETWORK UTILITIES	5-57
5.3.7	RENEWABLE ELECTRICITY GENERATION FACILITIES	5-63
5.4	Amenity	5-66
5.4.1	NOISE AND VIBRATION	5-66
5.4.2	DUST, SMOKE AND ODOUR	5-70
5.4.3	SIGNS	5-73
5.4.4	HEIGHT AND RECESSION PLANE CONTROLS	5-80
5.4.5	OUTDOOR LIVING COURT	5-83
5.4.6	OUTDOOR SERVICE COURT	5-85
5.4.7	GLARE / ARTIFICIAL LIGHTING	5-86
5.4.8	LANDSCAPE TREATMENT/SCREENING	5-87
5.4.9	PEDESTRIAN AMENITY (VERANDAHS)	5-90
5.4.10	SETBACKS	5-91
5.4.11	ENERGY EFFICIENCY AND CONSERVATION	5-94
5.5	Heritage and Natural Features	5-99
5.5.1	INTRODUCTION	5-99
5.5.2	CLASSIFICATION OF SCHEDULED FEATURES	5-100
5.5.3	RULES APPLYING TO ACTIVITIES AFFECTING, OR WITHIN, ANY AREA IDENTIFIED IN APPENDIX 2, 3 OR 14 OF THIS PLAN	5-100
6	INTERPRETATION PART 6	
6.1	Definitions	6-1
6.2	Explanation of Maori Terms used in the Plan	6-12
7	PROCEDURES AND INFORMATION REQUIREMENTS PART 7	
7.1	Introduction	7-1
7.2	Resource Consents	7-2
7.2.1	CATEGORIES OF ACTIVITY	7-2
7.2.2	TYPES OF CONSENT	7-3
7.3	Resource Consent Process	7-5
7.3.1	LODGING A RESOURCE CONSENT APPLICATION	7-5
7.3.2	INFORMATION REQUIREMENTS FOR RESOURCE CONSENT APPLICATIONS	7-5
7.3.3	ADDITIONAL INFORMATION FOR SUBDIVISION CONSENT APPLICATIONS	7-6
7.3.4	FURTHER INFORMATION	7-8
7.3.5	NOTIFICATION	7-9

7.3.6	TIME FRAMES	7-10
7.3.7	SUBMISSIONS ON NOTIFIED RESOURCE CONSENT APPLICATIONS	7-10
7.3.8	HEARING PROCEDURES	7-10
7.3.9	DECISIONS	7-12
7.3.10	RESOURCE CONSENT PROCEDURES	7-12
7.3.11	CHANGES TO OR CANCELLATIONS OF CONDITIONS	7-14
7.3.12	OBJECTIONS TO THE COUNCIL AND APPEALS TO THE ENVIRONMENT COURT	7-14
7.4	Miscellaneous Provisions	7-15
7.4.1	CHANGES TO THE DISTRICT PLAN	7-15
7.4.2	EXISTING USE RIGHTS	7-15
7.4.3	DESIGNATIONS	7-16
7.4.4	HERITAGE PROTECTION ORDERS	7-19
7.4.5	CERTIFICATE OF COMPLIANCE	7-20
7.4.6	ENFORCEMENT MEASURES	7-21
7.4.7	EMERGENCY WORKS (SECTIONS 330 - 331)	7-22
7.4.8	MONITORING (SECTION 35)	7-22
7.4.9	COUNCIL CHARGES FOR DISTRICT PLAN ADMINISTRATION	7-22
8	MONITORING AND REVIEW PART 8	
8.1	Introduction	8-1
8.2	Monitoring Strategy	8-2
8.2.1	OBJECTIVE	8-2
8.2.2	POLICIES	8-2
8.2.3	METHODS	8-2
8.2.4	EXPLANATION	8-3
8.2.5	ANTICIPATED ENVIRONMENTAL RESULTS:	8-4
9	APPENDICES – PART 9	

GUIDE TO USING THIS DISTRICT PLAN

1.0 WHAT IS THE DISTRICT PLAN?

This District Plan has been prepared in accordance with the requirements of the Resource Management Act 1991 (RMA or 'the Act'). The purpose of the RMA is to achieve the sustainable management of natural and physical resources throughout the country.

It is generally the case, under the RMA, that Regional Councils have primary responsibility for water and air resources and soil conservation, while District Councils have primary responsibility for managing land resources. The specific functions and powers of the respective Councils are set out in the Act and they are inter-related and, in some cases overlapping.

The District Plan sets out the significant resource management issues in the Tararua District and it explains the objectives, policies and methods of implementation that the Council is proposing to adopt to ensure that the District's land and associated natural and physical resources are sustainably managed.

The Plan contains rules, which have the force and effect of regulations in law, relating to the use, development and protection of all land in the Tararua District. The Plan specifies what can and cannot be done in different parts of the District and the environmental standards that must be met. It is, therefore, an important document for all involved in current or proposed land use activities or land subdivision and development.

2.0 STRUCTURE OF THE DISTRICT PLAN

The District Plan comprises 10 Parts. The following brief explanation of Parts 1 to 10 of the Plan is intended to assist readers to find their way around the Plan. Reference should also be made to the Table of Contents for further details of the Plan's structure.

Part 1: Introduction - This part of the plan provides an introduction to the RMA and outlines the purpose of the District Plan and its relationship with other plans produced by the Council and other authorities. A brief description of the Tararua District provides the context within which the District Plan has been prepared.

Part 2: Resource Management Policy Section - This part of the Plan sets out the significant resource management issues in the Tararua District, the Council's objectives and policies in relation to these issues, and the range of implementation

methods that will be used to give effect to the policies. This section is important as it "sets the scene" for the rules which follow in later Parts.

Part 3: Management Areas - For the purposes of this District Plan, the District has been divided up into five categories of "Management Area" on the basis of the differing environmental qualities and community expectations with respect to amenity in different areas of the District. Part 3 of the Plan introduces the Residential, Commercial, Industrial, Settlement and Rural Management Areas, and the environmental outcomes sought for each area as a result of the implementation of the District Plan.

Part 4: Rules - Listing of Activities - This part of the Plan must be read in conjunction with Parts 5 and 6. Part 4 lists the broad categories of activity that are permitted in each Management Area, subject to meeting the environmental standards in Part 5. All activities which are not permitted activities in the Management Area concerned require a resource consent.

Part 5: Rules - Environmental Standards - The RMA places an emphasis on controlling the "effects" of land use activities rather than the activities themselves. This part of the Plan specifies the environmental standards that have to be met by permitted activities in order for them to establish and operate as of right. The environmental standards include both fixed physical standards (development standards) and also performance standards to control the ongoing operational effects of activities. Where environmental standards are not met, a resource consent application is required and this part of the Plan specifies the criteria to be used by Council to assess applications.

Part 6: Interpretation - This part of the Plan contains the definitions of terms used in the Plan. In addition there is an explanation of Maori terms used in the Plan. The definitions section forms part of the Plan rules but the explanation of Maori terms does not. It is intended only as a guide for readers unfamiliar with the few Maori terms which are used.

Part 7: District Plan Administration, Resource Consent Procedure and Information Requirements - This part of the plan explains the different categories of activity, and types of consent, that are referred to in the Plan and the RMA. It then explains the procedure for lodging a resource consent application, the information to be provided and the process by which an application will be considered and determined.

Part 8: Monitoring and Review - The District Plan should not be seen as a static document which, once adopted, is "set in stone" for the next 10 years. On the contrary, there is a need (and legislative duty) to regularly monitor the effectiveness of the Plan's policies and methods in achieving the environmental results sought. This part of the Plan sets out the Council's monitoring strategy.

Part 9: Schedules and Appendices - This part of the Plan contains various schedules, lists, diagrams and so on that are referred to in different parts of the Plan.

Part 10: District Plan Maps - The District Plan maps are a very important part of the Plan as these identify the Management Area (Residential, Commercial, Industrial, Settlement or Rural) which applies to each parcel of land in the District. This in turn identifies the activities which can be carried out "as of right" on that land, those which require a resource consent and the environmental standards which apply in any particular case. The maps also identify the District's roading hierarchy, designations, heritage and natural features in the District.

3.0 HOW TO USE THIS DISTRICT PLAN

- (a) The first step is to establish the Management Area in which the subject property is located, from the District Plan maps (Part 10).
- (b) If you want to know the range of activities which can be undertaken on that particular piece of land, or if you have a particular activity in mind, refer to Part 4 "Listing of Activities". This specifies the activities which are permitted as of right in each Management Area, providing that all environmental standards are met. Turn to Part 6 for the definitions of terms used, and to Part 5 to determine the applicable environmental standards.
- (c) If the proposed activity is a permitted activity in the Management Area concerned, and it meets all the applicable environmental standards, then it can be carried out "as-of-right" without the need for a resource consent.
- (d) If the proposed activity is a permitted activity in the Management Area concerned, but does not meet one or more of the applicable environmental standards, then a resource consent must be obtained before it can proceed. Refer to Part 2 (Policy Section), Part 3 (desired characteristics in each Management Area) and then Part 7 for details on how to lodge an application and the process that will be followed.
- (e) If the proposed activity is specifically listed as a controlled, restricted discretionary or discretionary activity, or is deemed in the Plan to be a discretionary activity because it is not otherwise specifically provided for, a resource consent must be obtained before it can proceed. Refer to comments in (d) above.
- (f) If the District Plan maps show that the property is subject to a "designation" for a specific purpose, or it contains or is close to a heritage feature or natural feature, then reference should be made to the Schedules in Part 9 to determine the nature of that feature and any controls imposed.

- (g) Finally, if you have any questions or require further information or clarification, please contact:

The Manager Environmental Services
Taranua District Council
Gordon Street
PO Box 115
DANNEVIRKE

Tel: (06) 374 4080
Fax: (06) 374 4137
Email: info@tararuadc.govt.nz

1 INTRODUCTION

PART 1

1.1	Background to the Resource Management Act	1-1
1.1.1	BEFORE THE RESOURCE MANAGEMENT ACT 1991	1-1
1.1.2	INTERNATIONAL ENVIRONMENTAL CONCERNS	1-1
1.1.3	THE RESOURCE MANAGEMENT ACT 1991	1-2
1.1.4	AN EMPHASIS ON NATURAL AND PHYSICAL RESOURCES	1-2
1.1.5	AN "EFFECTS-BASED" APPROACH TO RESOURCE MANAGEMENT	1-2
1.2	Purpose of District Plan	1-3
1.3	The Relationship between the Tararua District Plan and other Policy Statements and Plans	1-4
1.3.1	NATIONAL POLICY STATEMENTS	1-4
1.3.2	REGIONAL POLICY STATEMENTS AND PLANS	1-6
1.3.3	PROPOSED ONE PLAN	1-6
1.3.4	THE COUNCIL'S LONG-TERM PLAN AND ANNUAL PLAN	1-6
1.4	Introduction to the Tararua District	1-8
1.4.1	LOCATION	1-8
1.4.2	HISTORY	1-8
1.4.3	LAND RESOURCES	1-9
1.4.4	WATER RESOURCES	1-12
1.4.5	POPULATION	1-13
1.4.6	SERVICING AND INFRASTRUCTURE	1-14
1.4.7	ECONOMIC BASE	1-15

Part One outlines the context within which the District Plan has been prepared. The legislative background to the Plan is introduced in sections 1.1 - 1.3 and the geographical, demographic and economic features of the Tararua District are summarised in section 1.4.

1.1 Background to the Resource Management Act

1.1.1 BEFORE THE RESOURCE MANAGEMENT ACT 1991

Prior to 1991, New Zealand's environmental laws were characterised by numerous uncoordinated statutes which had been enacted over the years to deal with the many different aspects of the natural and built environment. There were many different approaches and procedures in place for the management of various natural and physical resources (land, water, air, soils, minerals and the built environment) and responsibilities were equally fragmented. Recognition of the need for a more integrated approach to resource management was a significant factor behind the development of the RMA.

1.1.2 INTERNATIONAL ENVIRONMENTAL CONCERNS

There has also been increasing international concern about global environmental issues. The conclusion from the "Earth Summit" in Rio de Janeiro, Brazil 1992, was for action from Governments worldwide to move towards sustainable development of the earth's resources by the 21st century. The concept of "sustainable development" means development that meets present day needs without compromising the ability of future generations to meet their own needs. The New Zealand Government was a signatory to "Agenda 21", thereby accepting the concept of global sustainable management. This concept had already been accepted as a central tenet of the RMA.

More recently, the Kyoto Protocol (a protocol to the international Framework Convention on Climate Change) was ratified by New Zealand in December 2002 and took effect in February 2005. The objective of the protocol is to reduce overall greenhouse gas emissions of developed countries to 5 percent below 1990 levels by 2012.

1.1.3 THE RESOURCE MANAGEMENT ACT 1991

The RMA has resulted in the consolidation of New Zealand's environmental laws and provides a framework for the management of our natural resources in an integrated manner. It assigns resource management responsibilities and functions to central and local government, and duties and restrictions upon us all.

1.1.4 AN EMPHASIS ON NATURAL AND PHYSICAL RESOURCES

The RMA recognises that the natural environment operates within a social, economic, cultural and political context and that these are matters to be taken into consideration. They remain secondary, however, to the primary purpose of the RMA which is the "sustainable management of natural and physical resources" (section 5 of the RMA).

1.1.5 AN "EFFECTS-BASED" APPROACH TO RESOURCE MANAGEMENT

The introduction of the RMA has seen a philosophical shift from controlling activities to controlling the adverse effects of activities. This means that "market forces" and "individual choice" may generally play a larger role in the location of activities, provided that their effects are not incompatible with the environmental outcomes sought for the area concerned.

1.2 Purpose of District Plan

Section 73 of the RMA requires that a District Plan must be prepared for each district. The District Plan provides the framework for managing the use, development and protection of the land resources of the District, and its rules have the effect of regulations in law. Water and air resources are amongst the responsibilities of Regional Councils. There are a few exceptions to this general rule. For example, controlling the effects of activities on the surface of water is a function of the District Council. Similarly, the Regional Council is responsible for activities on land in some instances, as well as soil conservation and discharges to land that may affect water quality.

The District Plan sets out the significant resource management issues of the Tararua District and explains the objectives, policies and methods that the Council has adopted to achieve the sustainable management of the District's natural and physical resources.

Rules in the District Plan are not the only means of achieving the sustainable management of resources. Desired environmental outcomes may also be achieved by such measures as:

- the provision of information and education;
- the provision of works or services by the Council or other public authority (for example, refer to the Council's Annual Plan);
- financial incentives and disincentives (such as rates);
- negotiation;
- legal and economic instruments;
- encouraging voluntary approaches and recognising good stewardship
- taking no action

In preparing the District Plan, the Council has considered these alternative methods. It has only adopted District Plan rules where these are necessary to achieve the purpose of the RMA and are the most appropriate means of exercising the function.

1.3 The Relationship between the Tararua District Plan and other Policy Statements and Plans

The District Plan does not stand on its own as an isolated Plan for resource management. The RMA requires that the District Plan must give effect to any national policy statement, any New Zealand coastal policy statement and any regional policy statement. It must also not be inconsistent with any regional plan for any matter specified in Section 30(1) of the RMA or a water conservation order. Other plans (such as those prepared under the Local Government Act 2002), the statutory plans of adjoining territorial authorities, and regulations, all have the potential to influence and affect the District Plan. It is possible that changes could be required in the future having regard to:

- National Environmental Standards (regulations).
- National Policy Statements on matters of national significance.
- New Zealand Coastal Policy statements.
- Water Conservation Orders.
- Regional Policy Statements and Regional Plans including Regional Coastal Plans.
- District Plans for adjacent areas.
- Planning documents recognised by the iwi authority affected by the District Plan.
- Regulations relating to the conservation or management of taiapure or fisheries.
- Management Plans and strategies prepared under other legislation.

1.3.1 NATIONAL POLICY STATEMENTS

Under Section 45 of the RMA, the Minister for the Environment may prepare national policy statements where these are considered desirable. The purpose of a national policy statement, other than a New Zealand coastal policy statement, as set out in Section 45(1) of the RMA, is *"to state objectives and policies for matters of national significance that are relevant to achieving the purpose of this Act"*. Additionally, Section 57 of the RMA requires that at all times there must be at least

one New Zealand coastal policy statement (NZCPS) prepared and recommended by the Minister of Conservation. The purpose of an NZCPS as stated in Section 56 of the RMA, is *“to state policies in order to achieve the purpose of this Act in relation to the coastal environment of New Zealand”*.

Section 75 of the RMA sets out the requirements for the contents of District Plans and Sections 75(3)(a) and (b) of the Act stipulate that a district plan must give effect to any national policy statement and any New Zealand coastal policy statement.

The National Policy Statement on Electricity Transmission (NPSET) came into force in April 2008. The matter of national significance to which the NPSET applies is *“the need to operate, maintain, develop and upgrade the electricity transmission network”*, and the objective stated in the NPSET is:

“To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse effects of the network; and*
- *managing the adverse effects of other activities on the network”*.

The objectives, policies and methods set out in this Plan in Section 2.8.2 relating to network utilities and infrastructure are considered to give effect to the NPSET.

The Proposed National Policy Statement for Renewable Electricity Generation (NPSREG) was notified in September 2008 and came into force in May 2011.

The NPSREG was developed in accordance with the New Zealand Energy Strategy which was released by central government in October 2007. The Energy Strategy states that the major energy challenges facing New Zealand are the need to respond to the risks of climate change by reducing greenhouse gas emissions caused by the production and use of energy, and the need to deliver clean, secure, affordable energy while treating the environment responsibly. The Strategy also sets out central government's goal that 90% of electricity generated in New Zealand should be derived from renewable energy sources by the year 2025.

It is considered that this Plan gives effect to the NPSREG.

The first New Zealand Coastal Policy Statement, prepared by the Minister of Conservation, came into force in 1994. An independent review of the NZCPS was conducted between 2002 - 2004 and subsequently, the Minister notified the Proposed New Zealand Coastal Policy Statement 2008. It became operative in 2010. The objectives, policies and methods set out in this Plan relating to the coastal environment are designed to give effect to the NZCPS.

1.3.2 REGIONAL POLICY STATEMENTS AND PLANS

Under the RMA, Regional Councils are required to prepare a Regional Policy Statement (RPS) for their region. The District Plan must give effect to any Regional Policy Statement and not be inconsistent with a regional plan for any matter specified in Section 30(1) of the RMA. The purpose of a RPS is to provide an overview of the significant resource management issues of the Region, and to achieve the integrated management of natural and physical resources between district and regional councils. Most of the Tararua District lies within the Manawatu-Wanganui Region and, therefore, the objectives, policies and methods of the Regional Policy Statement section of the One Plan (made operative in 2014) are applicable. In the south east of the District, a small area of land (south of the Owahanga River) lies within the Wellington Region and, in this area, the objectives, rules, and methods of the Regional Policy Statement (made operative in May 1995) for the Wellington Region are applicable. The RPS for each region is a key document in the framework for resource management and provides policy guidance for the content and scope of the Tararua District Plan.

In addition to Regional Policy Statements, Regional Councils are required to prepare a Regional Coastal Plan and may prepare other Regional Plans relating to any of their functions under the RMA.

Regional Plans provide detailed provisions relating to specific issues. They are necessary where there are resource use conflicts, a high demand for the use of a resource, or for any other significant resource issues.

Regional Plans may be "region wide", or they may relate to a specific geographical area or resource.

1.3.3 THE MWRC ONE PLAN [OPERATIVE AS OF 19 DECEMBER 2014]

1.3.4 THE COUNCIL'S LONG-TERM PLAN AND ANNUAL PLAN

Under the Local Government Act 2002 (LGA) local authorities must show that they are efficient, accountable, and responsive to the community. Section 93 of the LGA requires that each local authority produce a Long-Term Plan (LTP). The LTP must provide a long-term focus for decision making and cover a period of no less than ten years. The LTP must (amongst other things):

- Describe the Community outcomes for the district;
- Provide integrated decision-making and co-ordination of the Council's resources;
- Provide details of the activities and services to be provided by the local authority;
- Provide information on indicative costs of each activity and sources of funding; and
- Provide a long-term focus and a basis of accountability of the Council to its Community.

In addition to the LTP, under Section 95 of the LGA local authorities must adopt an Annual Plan every financial year. The Annual Plan must (amongst other things) support the LTP by:

- Providing details of the annual budget and funding impact statement for the year to which the annual plan relates; and
- Identifying any variation from the financial and funding impact statements in the LTP.

The reason for preparing the LTP and the Annual Plan is to keep the community informed and involved in decision making and to ensure integrated decision making and co-ordination of resources and activities.

The matters and issues that may be included in the LTP and Annual Plan are very broad and relate to all the activities of the Council. In contrast, the District Plan is limited in terms of its scope to the matters set out in the RMA.

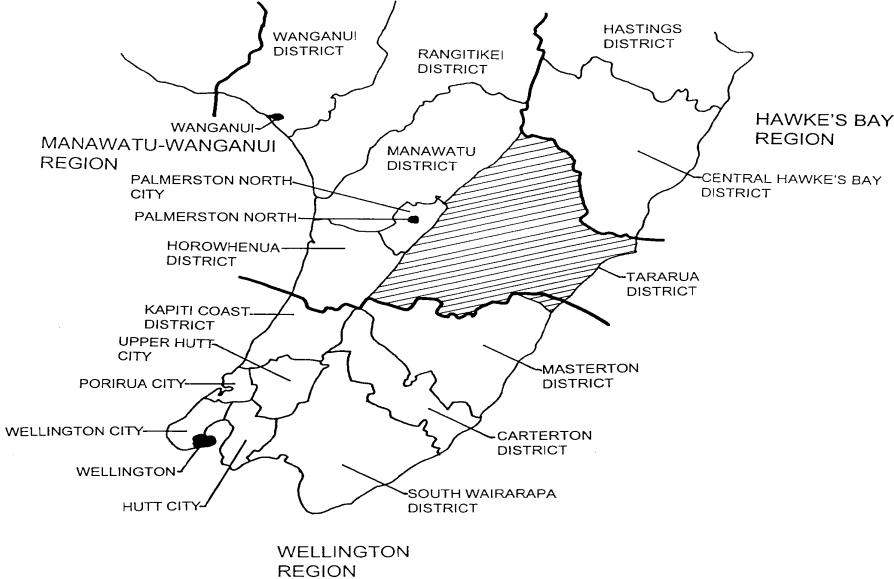
The District Plan is not a "stand alone" document. Mechanisms proposed in the District Plan to achieve resource management objectives and policies that require District Council resources or commitment to take certain actions, may need to be given effect to through the LTP and Annual Plan. The LTP and Annual Plan is the mechanism through which the Council's overall goals and objectives (c.f. environmental goals and objectives) are achieved.

1.4 Introduction to the Tararua District

1.4.1 LOCATION

The Tararua District is bounded to the north by the Central Hawkes Bay District, to the south by Masterton District and, on the western side of the Tararua and Ruahine Ranges, by Manawatu District, Palmerston North City and Horowhenua District. It covers an area of approximately 436,500 hectares (refer Figure One below).

Figure One: Location Map showing the Tararua District



1.4.2 HISTORY

Prior to European settlement, the general area now encompassed by the Tararua District was known to Maori as Tamaki-nui-a-rua. Areas and places of cultural significance to Maori include waahi tapu, urupa, battle sites, and traditional moorings in particular areas associated with the traditional use of the Manawatu River and what later became known as Seventy Mile Bush.

Places and sites of historic heritage value associated with European settlement in the District include buildings and monuments. They include, in particular, places

and sites associated with the arrival of Scandinavian immigrants to the area. Many of these immigrants originally came to New Zealand as part of the Vogel national development scheme to enable the construction of roads and railways.

In more recent years, the Mangatainoka Brew Tower has been registered as a Category 1 Historic Place by Heritage New Zealand. The tower has become the focus of a nationwide advertising campaign for 'Tui Beer'.

1.4.3 LAND RESOURCES

The Tararua District is dominated by landscapes which have developed from tectonic (earth movement) and fluvial (river) activity. Significant landscape features within the District include mountain ranges and hill country, interspersed with alluvial plains and fans, and river terraces. Refer to Figure 2 (overleaf) for a diagram of the main geographical features of the Tararua District.

To the west, the District is bordered by the Tararua and Ruahine Ranges, separated from each other by the Manawatu Gorge. These ranges form part of New Zealand's axial mountain ranges, which run in a south-west to north-west direction.

Immediately east of the Ranges lies a fertile alluvial plain, which has developed over the years from deposits from the Mangatainoka, Mangahao, Tiraumea and Manawatu Rivers and their tributaries. This alluvial plain forms a 'corridor' of high quality land intensively used for farming and horticulture. The District's main urban settlements are located within this vicinity. This corridor spans the entire length of the District, from Eketahuna in the south, to Norsewood in the north.

To the east of this corridor the landscape comprises rolling to steep hill country, further dissected by tectonic movement. The Puketoi Range runs parallel to the Tararua and Ruahine Ranges, creating a physical barrier between the coastal environment and the remainder of the District. The District is bordered on the east by the Pacific Ocean.

A wide range of soil types exist within the District, which are generally suited to pastoral farming. Changes in land use over the past ten years, however, have seen a decrease in pastoral farming in the District and an increase in more intensive dairy farming. While sheep numbers have steadied, beef cattle numbers have declined from 177,697 in 2002 to 149,505 in 2007. The amount of land used for production forestry increased from 8,568 hectares in 1995 (Statistics NZ 30 June, 1995) to 16,206 hectares in 2002 (Statistics NZ 30 June, 2002) before reducing to 12,994 in 2007. Relatively small remnants of indigenous vegetation also exist throughout the District, in addition to that found within the Ruahine and Tararua Forest Parks.

Introduction

Within this geographical setting are a number of different landscapes. There are large tracts of sparsely settled, extensive grazing land, usually in hill country areas. In these areas, the original vegetation has been highly modified from a forest landscape of high biodiversity to open grassland populated almost entirely by exotic species. This type of landscape is dominant in the eastern part of the district where vast tracts of land are managed as stations. Portions of the District's landscape remain natural, with very little evidence of human activity. Examples of this landscape within the Tararua District include the Tararua and Ruahine Forest Parks.

Since the first District Plan became operative in 1998, the development of wind farms has arisen as a significant resource management issue for the District. The wind resource in New Zealand is recognised as one of the best in the world because of the country's location within the area of prevailing westerly winds known as "the roaring forties". The Tararua District is recognised as having a particularly good wind resource because of its topographical characteristics. These characteristics have led to the development of several wind farms either side of the Manawatu Gorge on Te Apiti and the Tararua Ranges.

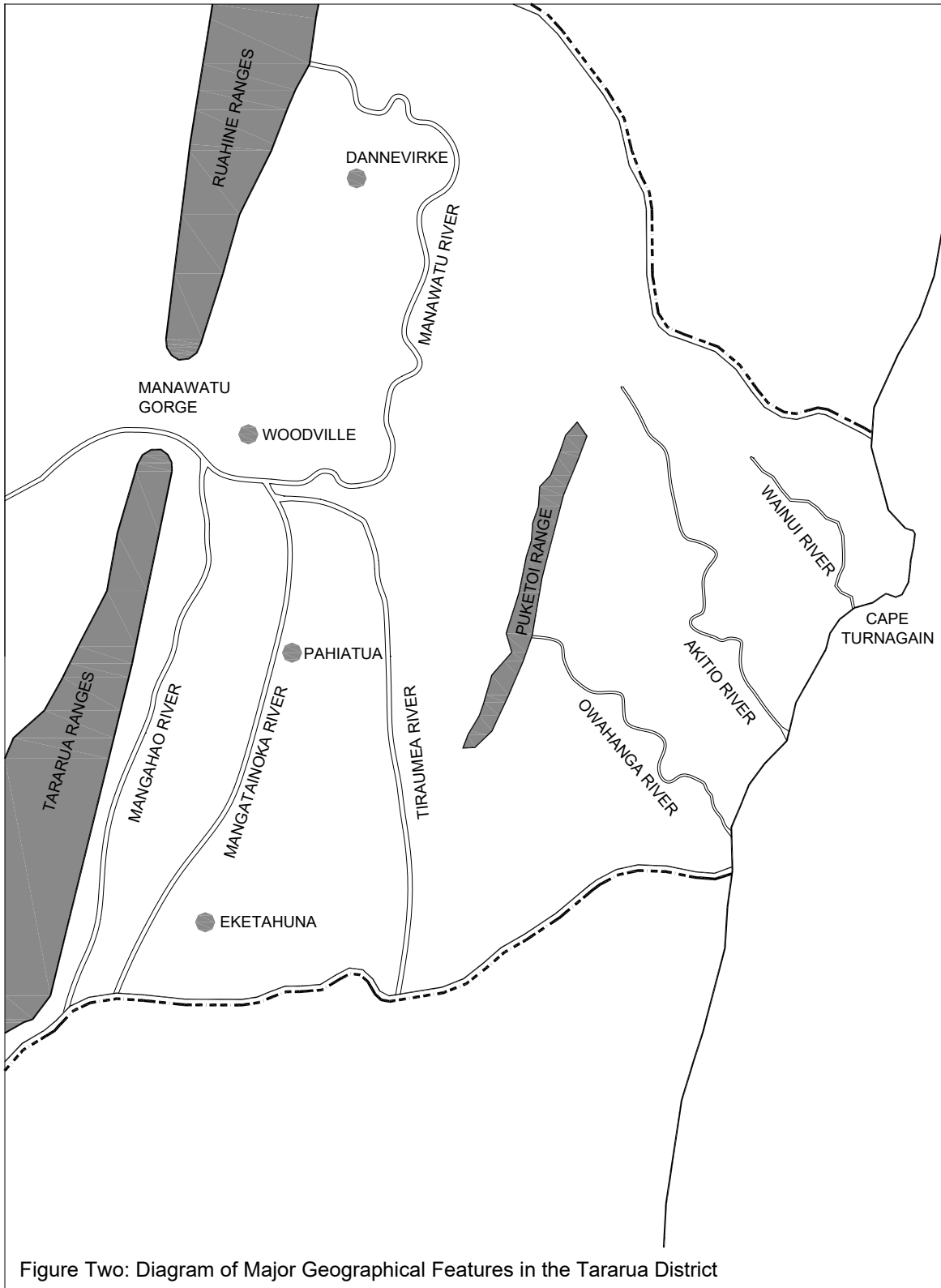


Figure Two: Diagram of Major Geographical Features in the Tararua District

1.4.4 WATER RESOURCES

Unique within New Zealand is the Manawatu Catchment, the headwaters of which are located within the Tararua District. The headwaters originate on the eastern side of the Ruahine Ranges northwest of Dannevirke. Tributaries to the Manawatu River, prior to it entering the Manawatu Gorge, include the:

- Tiraumea River and Makuri River;
- Makakahi River and Mangatainoka River; and
- Mangahao River.

The Manawatu River leaves the Tararua District through the Gorge and then flows through the Manawatu and Horowhenua Districts. The river mouth is located at Foxton. The entire catchment covers an area of 594,400 hectares. The upper catchment, i.e. the catchment area east of the Gorge, within the Tararua District, comprises 323,100 hectares.

The Manawatu River is unique as it flows through the axial ranges to the west coast.

Other significant river catchments located within the Tararua District are those associated with the Akitio and Owahanga Rivers. These catchments drain the land area east of the Puketoi Ranges and reach the east coast at the settlements of Akitio and Owahanga. Tributaries of these rivers include:

- Mangatiti Stream;
- Pongaroa River;
- Waihi Stream;
- Mangaone Stream;
- Rakauphipuhi Stream.

A significant feature of the rivers of the Manawatu Catchment is the trout fishery within the Mangatainoka and Makuri Rivers. Many rivers and streams within the Tararua District provide important habitat for trout and native fish.

The Pacific Ocean forms the eastern boundary of the Tararua District.

1.4.5 POPULATION

The Tararua District, at the time of the March 2013 Census, had a “usually resident” population of 16,854 (Statistics NZ 2013). This was a decline in population of 4.4% during the period between 2006 and 2013, with the population in the main urban centres varying from 0% to 8.6%. Table One shows the populations of the four main towns and the rural areas in the District and the percentage change in population between 2006 and 2013.

Urban Centre	1996	2001	2006	2013	Population change between 2001 and 2006 as a %
Dannevirke	5511	5376	5517	5043	8.6 loss
Woodville	1567	1476	1401	1401	no change
Pahiatua	2721	2610	2562	2412	5.9 loss
Eketahuna	642	579	456	441	3.3 loss
Rural Areas	8598	7815	7698	7557	1.8 loss

Within the Tararua District the population is older than the New Zealand average, with those aged over 65 years increasing rapidly. There is an average proportion of young people aged up to 19 years old, but a low proportion of residents aged 20 – 45 years (compared to New Zealand). This indicates that an increasing range of amenities and facilities need to be provided throughout the District for older people, but facilities for families are also still required.

The 2013 Census population estimates from Statistics New Zealand show a modest increase, driven by positive international migration trends. These recent statistics point to more positive long-term projections than those released after the 2013 Census.

The projected resident population of the District for the year 2038, using June 2013 figures as a base, varies from a 3.2% increase (if the high growth scenario were to occur from 2013 to 2033) to a loss of 6.3% for a medium growth scenario and a 16.0% loss for a low growth scenario (Statistics NZ, 2015). This Plan is consistent with the 2015 LTP and assumes the population of the District as a whole will show a modest growth of 3% over the next decade. However, some townships may continue to experience slow growth in population but necessitate increased development as a consequence of decreasing occupancy rates. The number of occupied households is forecast to increase at a faster rate than overall population due to this trend.

The Tararua District has a proud Scandinavian heritage. Scandinavian immigrants arrived at the port of Napier and moved south into the area that is

now the Tararua District, from 1872 onwards. The Scandinavian settlers had been encouraged to migrate to New Zealand under the Public Works and Immigration Act 1870 to clear the bush to enable the land to be farmed, and roads and railways to be built. The Scandinavian settlers earned a reputation for being extremely hard working and they cleared the “seventy mile bush” starting at Norsewood in the north of the District, and (just south of) Eketahuna in the south of the District, and working towards the middle. The town of Norsewood was formed in September 1872 by Norse settlers, and the town of Dannevirke was formed in October 1872 by Danish settlers. In return for their work, the settlers were given title to blocks of land generally varying from 20 to 40 acres. The settlers worked on the land and in the sawmills that flourished throughout the District at the time and until the early 1900’s. Many of the inhabitants of the District today are descendants of those pioneering Scandinavian settlers.

1.4.6 SERVICING AND INFRASTRUCTURE

The road network within the Tararua District is a particularly important physical resource. Parallel to the Tararua and Ruahine Ranges is State Highway 2, which travels from the Wellington Region in the South to the Hawkes Bay Region in the northeast. Woodville, in the middle of this transportation corridor, has an important function as a transport node. Links are made at Woodville between State Highway 2 and State Highway 3, which leads to the west of the Ranges through the Manawatu Gorge. Within the District there is 116.96 kilometres of sealed state highway. State Highway 2 accounts for 107.96 kilometres, and State Highway 3 for 9 kilometres of this total. Woodville is also the junction of the Wairarapa to Hawkes Bay railway line, and the Palmerston North to Woodville railway line.

Tararua District Council is responsible for the development and maintenance of all roads except state highways. Funding for a proportion of the costs associated with constructing and maintaining district roads is available from the New Zealand Transport Agency (NZTA). The balance is raised through rates. Table Two shows the length of both sealed and unsealed roads in the District.

Table Two: District Roads						
Community Board		Sealed (kms)		Unsealed (kms)		Total
		Rural	Urban	Rural	Urban	
Dannevirke Community Board	Dannevirke Area	165.507	35.582	20.619	0.154	221.862
	Akitio Area	154.776	4.972	232.070	0.042	391.860
	Norsewood Area	186.063	2.358	124.614	0.085	313.120
Subtotal Northern Ward		506.346	42.912	377.303	0.281	926.842
Woodville Area		196.495	12.932	27.477	0.00	236.904
Pahiatua Area		230.064	22.034	175.082	0.00	427.180
Eketahuna Community Board		166.455	6.253	193.440	0.264	366.412
Subtotal Southern Ward		593.014	41.219	395.999	0.264	1030.496
TOTAL DISTRICT		1099.360	84.131	773.302	0.545	1957.338

Reticulated water and sewerage services are provided in Dannevirke, Pahiatua, Woodville, Eketahuna, Pongaroa and Norsewood. A reticulated water supply is provided in Akitio, and a sewerage system in Ormondville.

Various utility networks are also located within, and serve the community of, the Tararua District. These network utilities include gas and electricity transmission and distribution networks, and communication and transport networks, amongst others. They play an important role in the efficient functioning and well-being of the District.

Existing infrastructure in the District includes over 200 operational wind turbines, as discussed in Section 1.4.3, and the transmission lines that connect these turbines to the local network and national grid.

1.4.7 ECONOMIC BASE

Tararua District is a rural district with the economy based largely on primary production. Agriculture is the predominant land use. In the eastern rolling to steep hill country, sheep meat and beef production are the main sources of income, while on the better classes of land in the central valley dairy farming is increasing.

Data from Statistics NZ's Agricultural Census 2012 shows that between 1996 and 2012 there was a significant swing to dairy cattle at the expense of sheep, beef and deer numbers, following a national trend. Numbers of dairy cows increased by 26% while sheep numbers dropped by 25%. Livestock numbers change in response to droughts and export prices. For example, in the period 2012 to 2015, regional survey data shows that stock numbers in the Manawatu-Wanganui Region fell 5.1% for dairy cattle, 2.1% for beef cattle and 1.7% for sheep. In terms of stock units, sheep farming remains the predominant land use. The number of farms has dropped by 15% since 1996 as farms are becoming larger in order to gain economies of scale. This has impacted adversely on rural population numbers.

Forestry is a viable land use, but after a busy planting period in the early 1990s very little expansion has taken place. There are many small plantings on farms and few large forestry plantings. In 2012 there was 16,442 hectares of exotic forest in the District. Increasingly, indigenous vegetation such as manuka, is being considered for retention, regeneration and utilisation as a source for honey production on marginal production land throughout the District.

The four main towns of Dannevirke, Woodville, Pahiatua and Eketahuna are service centres for the agricultural sector. In addition, they service other categories of economic activity such as manufacturing and tourism.

A small number of larger industries include meat processing and steel fabrication, and small-scale industries including cottage industries and home occupations are common. Tourism currently makes a small but growing contribution to the District's economy. Tourist attractions include Pukaha Mount Bruce, the Tararua and Ruahine State Forest Parks and an increasing number of owner-operated ventures.

District employment is currently at a moderate level. In recent years there has been growth in manufacturing and servicing and health sector employment. After a long period of stagnation in the agricultural sector, commodity prices recovered from 1999 with the downstream benefits accruing to the wider community. Record prices for milkfat over the last decade have stimulated expansion in the dairy farming sector. More recent declines in the milkfat prices is likely to slow or halt the number of dairy conversions, while beef prices are strong.

The value of Tararua properties, both residential and farming, has risen with the largest increases in value being on dairy farms.

Wind farms have also arisen as an important land use in Tararua that has added value to the District's economic base.

2 RESOURCE MANAGEMENT POLICY SECTION

PART 2

2.1 Introduction to Resource Management Policy Section	2-1
2.2 Urban Land Use Management	2-2
2.2.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-2
2.2.2 GROWTH AND VITALITY OF URBAN AREAS	2-3
2.2.3 EFFICIENT AND SUSTAINABLE URBAN AREAS	2-6
2.2.4 ENVIRONMENTAL QUALITY AND AMENITY	2-8
2.3 Rural Land Use Management	2-12
2.3.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-12
2.3.2 SUSTAINABLE AND EFFICIENT RURAL LAND USE	2-16
2.3.3 ACTIVITIES IN RURAL AREAS	2-19
2.3.4 ENVIRONMENTAL QUALITY AND AMENITY	2-22
2.4 Subdivision and Development	2-25
2.4.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-25
2.4.2 ASSESSMENT PROCESS FOR SUBDIVISIONS	2-27
2.4.3 SUSTAINABLE SUBDIVISION AND DEVELOPMENT	2-28
2.4.4 SUITABILITY FOR DEVELOPMENT	2-32
2.4.5 RESERVES AND RECREATIONAL FACILITIES	2-34
2.5 Natural Hazards	2-37
2.5.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-37
2.5.2 MINIMISING RISKS FROM NATURAL HAZARDS	2-38
2.6 Amenity and Environmental Quality	2-41
2.6.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-41
2.6.2 MAINTENANCE AND ENHANCEMENT OF ENVIRONMENTAL QUALITY AND AMENITY	2-46
2.6.3 PROTECTION OF HERITAGE RESOURCES	2-47
2.6.4 PROTECTION OF NATURAL FEATURES AND LANDSCAPES, SIGNIFICANT TREES AND SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA	2-51
2.6.5 THE COASTAL ENVIRONMENT	2-58
2.6.6 WATERBODIES AND THEIR MARGINS	2-61

2.7 Activities on the Surface of Water in Rivers and Lakes	2-65
2.7.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-65
2.7.2 PROTECTION OF ENVIRONMENTAL QUALITY AND AMENITY	2-66
2.8 Infrastructure	2-68
2.8.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-68
2.8.2 NETWORK UTILITY AND INFRASTRUCTURE OPERATIONS	2-70
2.8.3 TRANSPORTATION NETWORK AND ADJACENT ACTIVITIES	2-73
2.8.4 ELECTRICITY GENERATION FROM RENEWABLE SOURCES INCLUDING WIND FARMS	2-78
2.9 Waste Management and Hazardous Substances	2-81
2.9.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-81
2.9.2 WASTE MINIMISATION	2-83
2.9.3 SOLID WASTE DISPOSAL	2-84
2.9.4 HAZARDOUS SUBSTANCES	2-85
2.9.5 CONTAMINATED SITES	2-87
2.9.6 LIQUID WASTES	2-88
2.10 Treaty of Waitangi and Maori Resource Management Values	2-91
2.10.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-91
2.10.2 PARTICIPATION OF TANGATA WHENUA	2-92
2.10.3 MAORI RESOURCE MANAGEMENT VALUES	2-93
2.11 CROSS-BOUNDARY ISSUES	2-96
2.11.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES	2-96
2.11.2 CROSS BOUNDARY ISSUES	2-97

2.1 Introduction to Resource Management Policy Section

This part of the Plan (Part 2) outlines the significant resource management issues of the Tararua District and the Council's objectives and policies in respect of these issues. This part of the District Plan is divided into the following sections for ease of reference, although it is important that each section is not considered in isolation from the others, as the policies are complementary and interconnected. The policy sections are:

- 2.2 Urban Land Use Management
- 2.3 Rural Land Use Management
- 2.4 Subdivision
- 2.5 Natural Hazards
- 2.6 Amenity and Environmental Quality
- 2.7 Activities on the Surface of Water in Rivers and Lakes
- 2.8 Infrastructure (Utility Services and Transportation)
- 2.9 Waste Management and Hazardous Substances
- 2.10 Treaty of Waitangi and Maori Resource Management Values
- 2.11 Cross-Boundary Issues

In accordance with section 75 of the RMA, each policy section sets out the following:

- **Significant resource management issues;**
- **Objective(s)** in relation to the issues concerned;
- **Policies** to be used to achieve the objectives;
- **Explanation** of the policies;
- **Methods** to be used to implement the policies (i.e. District Plan rules and/or other non-regulatory methods);
- **Principal reasons** for adopting the objectives, policies and methods of implementation;
- **Anticipated environmental results** from implementation of these policies and methods

2.2 Urban Land Use Management

2.2.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

While the Tararua District does not contain any cities or large urban centres, the four main towns of Dannevirke, Woodville, Pahiatua and Eketahuna, as well as the numerous small rural settlements in the District, present a variety of resource management issues. The significant resource management issues are outlined below.

2.2.1.1 Growth and vitality of urban areas

The purpose of the RMA, as set out in Section 5 of the Act, is the "*sustainable management of natural and physical resources*". This means managing resources in a way which "*enables people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety*" while sustaining the potential of resources for future generations, safeguarding the life-supporting capacity of resources, and avoiding, remedying or mitigating adverse effects on the environment. The primary emphasis of the RMA is clearly on environmental considerations, but it is significant that the RMA recognises the need for communities to meet their economic and social objectives. In the Tararua District, it is important that there be a resource management framework which enables the continued vitality of the district's urban areas and allows communities to evolve and develop in a flexible manner, while ensuring that there is sustainable management of resources and the environment. The issue is one of striking the appropriate balance.

2.2.1.2 Efficient and sustainable urban areas

An issue which is at the heart of sustainable management of resources, and which is particularly relevant for the Tararua District, is that of ensuring an efficient pattern of urban land use. This involves maintaining control over the shape and form of the district's urban areas. Uncontrolled development of urban activities would lead to inefficient use of the existing urban infrastructure and services which have been provided, and which continue to be maintained, at considerable cost to the community. The cost of servicing scattered, low density development around the periphery of towns is considerably higher than for consolidated urban areas, and represents inefficient and unsustainable resource use. This applies not only to services provided by the Council (and therefore funded by the community) such as roads, waste collection, sewerage and stormwater systems, but also to gas, electricity, telephone and other utilities, where costs are also passed on to consumers. Tararua's urban areas have a relatively small rating base which has to bear the increasing costs of maintaining and upgrading services to meet required standards and, in many cases, new legislative and environmental requirements. For the district's urban

areas to be sustainable in the long term, it is important that urban areas have a consolidated urban form. In addition, the encouragement of consolidated urban areas maintains the productive capacity of high quality soils around the periphery of the towns, and also helps to reduce dependence on motor vehicles, with resulting environmental and efficiency benefits.

2.2.1.3 Protection of urban environmental quality and amenity

A key element of sustainable management is ensuring that any adverse effects of activities are avoided, remedied or mitigated. Different activities may give rise to different environmental effects, and the acceptability of those effects may vary from area to area depending on existing levels of environmental quality and amenity. The "effects-based" philosophy of the RMA encourages flexibility of location for urban activities, subject to any adverse environmental effects being avoided, remedied or mitigated. The issue is one of defining (and quantifying where possible) acceptable levels of environmental quality and amenity in different areas. Furthermore, different individuals have different perspectives as to the levels of effects which are acceptable. The issue, once again, is about striking an appropriate balance which ensures that the high levels of environmental quality and amenity currently enjoyed in the district's urban areas are maintained or enhanced.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

[Note: In addition to the objectives and policies below, relevant objectives and policies for urban areas are also contained in other policy sections, particularly:

- *Subdivision (section 2.4)*
- *Natural Hazards (section 2.5)*
- *Amenity and Environmental Quality (section 2.6)*
- *Infrastructure (section 2.8)]*

2.2.2 GROWTH AND VITALITY OF URBAN AREAS

The following objective, policies and methods are derived from issue 2.2.1.1 above.

2.2.2.1 Objective:

To encourage the District's urban areas to develop to meet communities' needs in a sustainable manner.

2.2.2.2 Policies

- (a) To ensure that there is sufficient land within urban boundaries (having regard to the Plan's urban consolidation policy) to cater for the foreseeable demands for industrial, commercial and residential land.
- (b) To facilitate community initiatives to promote the development of the District in a sustainable manner.
- (c) To enable the establishment of activities and facilities which meet the environmental, economic, social, recreational, educational, and cultural needs of the District's inhabitants, in locations where their effects are compatible with the surrounding area.

2.2.2.3 Explanation:

Policy 2.2.2.2(a) recognises that significant "lead" times are required for subdivision, development and the provision of services and, therefore, it is important to plan ahead to ensure that there is sufficient vacant land available to cater for the foreseeable expansion of industrial, commercial and residential activities in the District. The potential for infill development and consolidation of urban areas will be realised before extensions to urban boundaries are contemplated and it may therefore be necessary to identify "future management areas" to ensure the provision of sufficient vacant land within urban areas for foreseeable growth. The Plan's urban consolidation policy is stated in Policy 2.2.3.2(a). Policy 2.2.2.2(b) recognises that community initiatives can be a valuable way of improving amenity levels and the economic and social environment of the district's urban areas, and they should be supported. Policy 2.2.2.2(c) aims to provide flexibility of location for activities provided that their effects are compatible with the surrounding area. Reference should be made to Parts 3, 4 and 5 of this Plan to determine whether effects are compatible and, therefore, acceptable in a particular area.

2.2.2.4 Methods:

The Council shall implement Policies 2.2.2.2 (a) to (c) by the following methods:

- (a) *District Plan rules* - The Council has defined the boundaries of the "Management Areas" on the District Plan maps, in a manner which allows sufficient scope for expansion of activities and for economic growth. The District Plan rules enable activities and facilities which meet the community's needs to be established where they will not give rise to significant adverse environmental effects. The Council has also identified a number of "Future Industrial Management Areas" and "Future Residential Management Areas" that are denoted on the District Plan maps. The intention of these areas is to indicate to plan users that they

will be re-zoned at some point in the future (via a Plan Change) and that industrial or residential development (as the case may be) will be given due recognition when considering resource consent applications. **[Refer to Parts 4 and 5 of the Plan]**

- (b) *Service delivery/research and provision of information* - The Council shall continue to provide essential services to the inhabitants of the District in accordance with its LTP and Annual Plans. The Council shall, within one year of this Plan becoming operative and in consultation with Community Boards and Committees, investigate the location and need for further industrial land in the District, including the feasibility of establishing a serviced industrial park in an appropriate location in the District to promote economic growth.
- (c) Community *"self-help"* - The Council shall support community initiatives such as "Mainstreet" Committees, organisations promoting heritage conservation in the District (including, particularly in the north of the District, the Scandinavian heritage) and other community and business groups which aim to promote the enhancement of the District in a sustainable manner, to the extent specified in the Annual Plan.

2.2.2.5 Reasons:

It is important for the economic development of the District, and therefore the economic and social welfare of the District's inhabitants, that adequate land is identified for future expansion of industrial, commercial and residential activities. In many cases, there are vacant serviced lots available for use within the urban areas of the District. To ensure the efficient and sustainable use of natural and physical resources, consolidation and "infill" development is a priority of the Council before any further extensions to urban (Residential, Commercial, Industrial and Settlement) Management Areas will be contemplated.

The possibility of establishing a serviced industrial park in an appropriate location within the District is a concept which first requires detailed research in order to adequately define the concept, and to assess the likely demand for such industrial land and facilities and the costs and benefits of establishing it. This research and subsequent analysis will consider other alternative or complementary measures such as temporary rate relief which could be used as an incentive to new industries to locate in the District.

Examples of community initiatives which have the support of the Council are the "Mainstreet" Committees of Dannevirke, Woodville and Pahiatua, and the Development Committee of Eketahuna. Through the Annual Plan process, the Council will consider proposals from such community groups for streetscape improvements and financial grants.

2.2.2.6 Anticipated environmental results:

- (a) There will be sufficient land available for the development of new industrial, commercial and residential activities within the district's urban areas.
- (b) There will be active involvement of the community in the development of attractive and sustainable urban areas.
- (c) Activities which meet the environmental, economic, social, recreational, educational and cultural needs of the community will be located and operated in a manner which does not give rise to adverse environmental effects.

2.2.3 EFFICIENT AND SUSTAINABLE URBAN AREAS

The following objective, policies and methods are derived from issue 2.2.1.2 above.

2.2.3.1 Objective:

To ensure efficient and sustainable urban areas.

2.2.3.2 Policies

- (a) **To encourage the consolidation of urban activities within defined urban areas and settlements so as to:**
 - **maximise the efficient use of existing infrastructure and services; and**
 - **retain the options for the future use of Class I and II land**
- (b) **To promote energy conservation in the design and construction of subdivisions and buildings, and in the operation of activities.**
- (c) **To promote energy efficiency and conservation by undertaking energy use audits and implementing measures to conserve energy or improve energy efficiency in the Council's own activities where practicable and economically viable.**

2.2.3.3 Explanation:

Policy 2.2.3.2(a) seeks to achieve sustainable and efficient urban areas. Infrastructure refers to the network of transportation, communication and public service facilities which support the functioning of the District. It includes road, rail, air and water transport networks, and television, radio, telecommunications, electricity, gas, sewerage systems, waste disposal, water

supply and stormwater facilities. The consolidation of urban areas will also serve to retain options for the future use of the District's highest quality soils (Class I and II soils) where these are located around the perimeter of towns. Refer also to Policy 2.3.2.2(b) in the Rural Land Use Management policy section with respect to Class I and II land.

Policy 2.2.3.2(b) recognises that the size, shape and form of towns and individual lots and subdivisions in the District has important implications (cumulatively) for energy consumption and efficiency and, therefore, energy efficient design principles should be promoted.

Policy 2.2.3.2(c) recognises the important role the Council can play by 'leading by example' and promoting and implementing energy efficiency and conservation measures in respect of its own activities.

2.2.3.4 Methods:

The Council shall implement Policies 2.2.3.2(a) and (b) by the following methods:

- (a) *District Plan rules* - The District Plan maps define the urban/rural boundaries of the District's urban areas and settlements within the Rural Management Area. The District Plan rules seek to encourage urban activities to locate within consolidated urban areas. The Plan also defines an "urban buffer area" around the margins of the District's four main towns in which a minimum subdivision size of 8000m² applies in addition to the normal rules of the "Rural Management Area". In respect of energy conservation, the general assessment criteria for subdivisions in Section 5.2 include consideration of subdivision design and orientation for solar gain. **[Refer to Part 4 and 5 of the Plan]**
- (b) *Financial incentives* - The Council shall require developers to pay the actual costs (rather than ratepayer subsidised costs) of extending service networks to the extent that these are directly related to the development.
- (c) *Information and education* - The Council shall provide information to developers about energy efficiency relating to subdivision and building design.
- (d) *Budgeting* – Where practicable and economically viable, the Council will make provisions for the promotion and implementation of energy efficiency and conservation measures in respect of its own activities in the Long Term Plan and the Annual Plan.

2.2.3.5 Reasons:

Considerable resources have been invested in infrastructure/service networks and the ongoing operation, maintenance and upgrading of these networks

continues to be a significant financial commitment for the District. The proposed District Plan controls are designed to achieve economies of scale with respect to existing service networks, through infill development and consolidation of towns. The "unit costs" of providing urban services will be reduced by increasing the density of development. In the longer term, a strategy of urban consolidation is essential to sustainably manage the District's urban resources. Inefficient resource use is simply not a viable option in the longer term. The "efficient use" of these resources means maximising use of the existing infrastructure before any extensions are contemplated. Where the existing infrastructure becomes outdated or there is a demand for a better service, existing infrastructure may be upgraded.

The District Plan's urban/rural boundaries have been defined having regard to existing land use patterns and the need for future development to be in areas which are, or can be, efficiently serviced. The Plan seeks to consolidate urban activities within defined urban areas. One method of encouraging this is to require any developers who wish to extend service networks to pay the actual cost of so doing. The minimum subdivision size control (min. 8000m²) in the "special rural policy zones" serves as a density control to encourage activities which do not require a rural location but which desire to be close to towns, to locate within towns rather than the urban-rural fringe areas. It also serves as an additional control to avoid groundwater contamination effects as a result of effluent disposal from small subdivisions. Pressure for small rural "lifestyle" subdivisions is greatest in the urban-rural fringe areas.

Striving for energy efficiency makes sense in terms of both reducing the rate of depletion of non-renewable resources, and in reducing pollution. The design of buildings, subdivisions and urban areas has implications in terms of the amount of energy used for transportation and for the heating, cooling and lighting of houses and buildings. The Council shall consider the considerable amount of work that has already been carried out on energy efficient design in New Zealand and overseas, and consider providing information in the form of energy efficient design guidelines.

2.2.3.6 Anticipated environmental results:

- (a) The District's towns and settlements will have a consolidated urban form and will operate effectively and efficiently.
- (b) Buildings and subdivisions will have been designed to maximise the efficient use of energy and resources.

2.2.4 ENVIRONMENTAL QUALITY AND AMENITY

The following objective, policies and methods are derived from issue 2.2.1.3 above.

2.2.4.1 Objective:

To ensure a high level of environmental quality and amenity in the urban areas of the district.

2.2.4.2 Policies

- (a) **To provide flexibility of location for activities in urban areas where their environmental effects are compatible with the surrounding area.**
- (b) **To ensure that any actual or potential adverse environmental effects of activities are avoided, remedied or mitigated.**
- (c) **To ensure that there is adequate provision and maintenance of public open space in urban areas to meet the community's active and passive recreational and amenity needs.**
- (d) **To ensure adequate access for people with disabilities to buildings and places that are available for use by the public.**

2.2.4.3 Explanation:

Policies 2.2.4.2(a) and (b) reflect the emphasis of the RMA on controlling the effects of activities rather than the activities per se. The Plan attempts to achieve a balance between maintaining and enhancing the amenity of an area in the interest of the public good, and not unduly constraining the property rights of individuals to develop their own sites in an environmentally acceptable manner. Policy 2.2.4.2(c) recognises the importance of maintaining adequate open space in urban areas for recreational and amenity purposes. Policy 2.2.4.2(d) aims to ensure that all people in the community have adequate access to public buildings and facilities as this is an important amenity factor, particularly for people with disabilities.

2.2.4.4 Methods:

The Council shall implement Policies 2.2.4.2(a) to (d) by the following methods:

- (a) *District Plan Rules* - The Council has included environmental standards in this Plan which are related to existing and desired characteristics in different urban Management Areas. This provides flexibility of location while ensuring that amenity and environmental quality is maintained. [Refer to Parts 4 and 5]
- (b) *Abatement and enforcement procedures* - The Council shall, where appropriate, take enforcement action in respect of activities which contravene the District Plan rules or conditions of resource consents. In respect of activities which create a general nuisance or environmental quality problem which is not specifically covered by way of a rule in the

Plan, the Council shall, where appropriate, use the abatement provisions of the RMA.

- (c) *Service delivery* - In respect of public open spaces, public facilities and public works which are the responsibility of the Council, action shall be taken as necessary to avoid, remedy or mitigate any adverse environmental effects from their use or operation. Management plans and operational plans shall be implemented as appropriate.
- (d) *Financial instruments* - In respect of significant new developments and subdivisions which will generate increased demand for reserves and community facilities, the Council will require developers to pay a financial contribution towards the provision of such reserves and facilities, as a condition of consent pursuant to sections 108 and 220 of the RMA.
- (e) *Building Consent procedures* - The Council shall ensure compliance with the provisions of the Building Act 2004 and the Disabled Persons Community Welfare Act 1975.

2.2.4.5 Reasons:

This Plan recognises that the significance of the environmental effects of an activity will vary depending on the nature and character of the area in which it is located. Community expectations will also vary. For this reason, the District has been divided up into five categories of Management Area on the basis of differing characteristics and acceptable environmental standards. The reason for defining different Management Areas and the environmental results sought for each Management Area are outlined in Part 3 of this Plan. The District's urban areas consist of Residential, Commercial and Industrial Management Areas. Broad categories of activity, which are generally acceptable provided they meet specified environmental standards, are listed for each Management Area. Provided that a resource consent is obtained, there is flexibility for any activity to be located anywhere provided it meets the specified environmental standards and is compatible with the desired environmental results for the area concerned.

The Council shall ensure that public confidence in this Plan is maintained by enforcing the provisions of the Plan and the conditions of all resource consents. On occasions, nuisances or problems may arise which do not strictly contravene the provisions of the District Plan or a resource consent. In such cases, the Council shall attempt to negotiate with those concerned in an effort to achieve a satisfactory outcome. In addition, sections 16 and 17 of the RMA place a general duty on all persons to avoid unreasonable noise and a duty to avoid, remedy or mitigate adverse effects. Section 322 of the RMA provides for abatement notices to be issued by enforcement officers (Council Officers) in respect of noise and other nuisances.

The Council operates a wide range of facilities for the benefit of the community. The Council will lead by example by taking either proactive or reactive measures as necessary to avoid, remedy or mitigate adverse environmental effects that may arise as a result of the use of community spaces or facilities. The preparation of management plans and operational plans is proposed for facilities such as sewage treatment plants, landfills and transfer stations to ensure that adverse environmental effects are avoided, remedied or mitigated.

The District's urban areas are presently well endowed with reserves and open spaces. The Council will not, therefore, impose financial conditions (development levies and reserves contributions) on all new developments and subdivisions as a matter of course, as has happened in the past under the provisions of the Local Government Act 1974. However, in the event of any new development or subdivision which will, in the opinion of the Council, generate a significant increase in demand for such facilities, a financial contribution will normally be required as a condition of consent under sections 108 and 220 of the RMA, to help mitigate the effect of the development on the amenity of the area concerned. **[Refer to Section 5.1.6]**

Many people in the community have disabilities of some kind. It is a statutory requirement to provide adequate disabled access to buildings that are, or will be, open to use by the public. The Council intends to ensure compliance through the building consent process. In addition, public places should also be readily accessible by all people.

2.2.4.6 Anticipated environmental results:

- (a) Each defined "management area" within an urban area will comprise a mixture of land use activities which have environmental effects compatible with the predominant character and amenity of the management area concerned.
- (b) Activities will be located and operated in a manner which protects or enhances the amenity levels of the area concerned.
- (c) There will be adequate open space and reserves in urban areas to meet the needs of the community.
- (d) There will be adequate access to all public buildings and places for people with disabilities.

2.3 Rural Land Use Management

2.3.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

The Tararua District is primarily a rural District, as outlined in the introduction to this District Plan. The economy of the District is dependant on primary production and secondary processing and the District's towns and settlements have, as their main role, an important rural service function for the surrounding rural areas. The sustainable management of the District's rural land resources, and the protection of environmental quality, makes good economic, as well as environmental, sense. Typical rural land uses include activities such as farming, factory farming, forestry, mining and excavation, as well as a range of rural housing, industries and services. Wind farms are also emerging as a resource management issue in some rural areas of the District due to the abundance of a world class wind resource in these areas. The significant resource management issues in the Rural Management Area are outlined below.

2.3.1.1 Sustainable and efficient rural land use

Those people whose livelihoods depend on production from the land usually need no reminding as to the importance of sustainable land management practices. In fact, many examples of good practice can be observed on farms throughout the District. This Plan complements these practices and other methods that are used to achieve sustainable resource management. Regional Councils play an important resource management role, particularly with respect to issues such as soil conservation, land and vegetation clearance, river and erosion control, excavation and mining, natural hazards and discharges to air, water and land. In some areas, the statutory responsibilities of Regional and District Councils can overlap. Refer also to section 2.11 "Cross-Boundary Issues". Sustainable land management issues in the District relate to:

- (i) *Community awareness and attitudes* - there is a need to further enhance community awareness and attitudes towards sustainable land management practices. For example, some people still do not appreciate the significance of the adverse effects of clearing vegetation from steep hill country, and of continuing to cultivate fragile land so that erosion and slipping occur.
- (ii) *Loss of the productive capability of the land (soil erosion)* - In steep hill country areas of the District, soils are vulnerable to accelerated erosion as a result of activities such as vegetation clearance, road/track construction, overcropping and overstocking. Downstream effects of accelerated soil erosion include increased sedimentation and siltation of waterways. Regional Councils have the primary statutory responsibility for soil

conservation. The MWRC's One Plan addresses soil conservation issues in the Region, using a land suite classification approach focussed on 'accelerated erosion' areas. It contains rules, for example, which control the steepness of land on which access roads may be constructed and from which commercial forestry may be harvested. The issue for the District Plan is how to encourage sustainable rural land use in a manner which is consistent with regional policies but avoids duplication or unnecessary rules.

- (iii) *Loss of the productive capability of the land (urban expansion)* - Urban expansion into rural areas may lead to a loss of the productive capacity of land. Given the low to medium level of urban development in the Tararua District, this issue is not as significant as in other parts of the region. However, it is nonetheless important that the urban consolidation policies used to achieve the Plan's urban efficiency objective also serve to protect productive rural soils in the rural-urban fringe. The townships of Pahiatua and Eketahuna and the settlements of Ormondville, Makotuku, Mangatainoka and Mangamutu are all sited on "elite" Class I and II soils, and Woodville, Norsewood and Mangamaire have significant areas of very good soils, some of which are "elite", in their environs. The town of Dannevirke has few areas of elite soils in its environs, those at Piripiri being most significant.
- (iv) *Degradation of water quality* - This issue arises as a result of the run-off of contaminants and sediments from rural land. This is primarily a Regional Council responsibility, but the District Plan can include complementary policies. In some areas, for example, riparian planting (planting along water margins) can be beneficial for water quality. The issue is whether, how, and where to encourage and/or enforce such planting. (Refer to section 2.6 of this Plan)
- (v) *Loss of indigenous vegetation* - the rural area is characterised by important ecological values including indigenous vegetation. This vegetation contributes to the natural character of the rural area but can be degraded or lost by non-rural activities or by rural activities such as grazing, clearance, invasion of weed species and pests.

2.3.1.2 Nature of activities in rural areas

A significant issue is how to achieve the appropriate balance between rural and non-rural activities in the Rural Management Area, and in different parts of the Rural Management Area. It is recognised that the vitality of the District's rural area depends on the ability to maintain and enhance its population base, and to establish and retain essential services and facilities which serve the rural community. Furthermore, market forces play a critical role in the economy of the rural sector, and therefore of the District. The Council considers it is important that the District Plan does not inhibit the ability of people to adjust to

changing land use practices and emerging economic trends any more than is necessary to achieve the sustainable management of our natural and physical resources.

In this regard, a good example is the emergence of wind farms as a viable and legitimate land use of national significance and benefit. The District includes a number of large-scale wind farms. The Council acknowledges the benefits of the generation of electricity from renewable sources and also acknowledges that wind farms have particular characteristics in terms of their potential adverse effects on the environment (e.g. potential noise and visual effects) and amenity values. It also recognises that the benefits of wind farms accrue nationally whilst adverse effects manifest themselves locally. For this reason, it is considered appropriate to consider wind farms as a discretionary activity so that their benefits both in terms of the national interest and in terms of renewable electricity generation can be considered with regard to local adverse effects and amenity values.

Around the edges of the District's urban areas, however, the issue is somewhat different, largely due to increased development pressures. The issue of urban consolidation has been addressed in section 2.2, "Urban Land Use Management" in terms of the need to improve the efficiency of urban areas with respect to urban services and infrastructure. This is necessary to ensure the long-term sustainability of the District's urban areas and the efficient use of urban resources. This "urban consolidation" policy, however, gives rise to a significant issue in those parts of the Rural Management Area which are in proximity to urban areas, i.e. the "rural-urban fringe" areas. The issue is to what extent should "urban" activities be permitted to locate in the rural-urban fringe area when they could locate within the urban area and contribute to the sustainability of the district's urban areas?

With respect to rural subdivision and housing, the issue is whether or not there should be a minimum subdivision size throughout the District (or parts of it) in order to protect the character and productivity of the rural area. In the past, many Councils have adopted minimum subdivision size controls and new houses have only been allowed where they were accessory to farming activities and the farming unit could be demonstrated to be an "economic unit" or similar. Such rules are often inflexible, do not reflect market forces and individual preferences and, if people are forced to have more land than they want or need, this may lead to the inefficient use of the land. Notwithstanding this, in parts of the District such as around the margins of the main towns, there are greater rural development pressures, coupled with the need to promote urban consolidation and sustainability (see above) and avoid adverse environmental effects such as groundwater contamination. The issue is to determine the most appropriate way to manage the potential adverse effects of rural subdivision.

2.3.1.3 Protection of environmental quality and amenity

A key element of sustainable management is ensuring that any adverse effects of activities, including those arising from new subdivision and development on existing, lawfully established activities, are avoided, remedied or mitigated. The issue is one of defining (and quantifying where possible) acceptable levels of environmental quality and amenity in rural areas. Section 6 of the RMA states a number of matters of national importance which are relevant to environmental quality and amenity issues in rural areas. In summary, these relate to:

- preservation of the natural character of the coastal environment and other water bodies and their margins;
- protection of outstanding natural features and landscapes;
- protection of significant indigenous vegetation and habitats of indigenous fauna;
- maintenance and enhancement of public access to the coastal environment and lakes and rivers; and
- relationship of Maori and their culture and traditions with the environment and taonga;
- the protection of historic heritage from inappropriate subdivision, use and development;
- the protection of recognised customary activities.

These important matters are addressed in separate policy sections in this Plan, as they apply to the whole District, i.e. to urban areas, as well as to rural areas. Section 2.6 sets out the issues, objectives, policies and methods in relation to water margins (including the coastal environment) and public access, and important heritage and natural features. Section 2.10 sets out Treaty of Waitangi and Maori resource management issues.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

[Note: In addition to the objectives and policies below, relevant objectives and policies for rural areas are also contained in other policy sections, particularly:

- *Subdivision (section 2.4)*
- *Natural Hazards (section 2.5)*
- *Amenity and Environmental Quality (section 2.6)*
- *Infrastructure (section 2.8)]*

2.3.2 SUSTAINABLE AND EFFICIENT RURAL LAND USE

The following objective, policies and methods are derived from issue 2.3.1.1 above.

2.3.2.1 Objective

To achieve sustainable rural land use and efficient use of resources

2.3.2.2 Policies

(a) To promote sustainable land management community programmes in order to achieve sustainable land use practices which:

- **are compatible with the inherent productive capabilities of the land;**
- **do not result in any on or off-site adverse environmental effects in areas vulnerable to erosion, subsidence or landslip;**
- **retain existing vegetation where steep slopes or erosion prone soils indicate a risk of accelerated erosion;**
- **protect water quality (this may include riparian management practices);**
- **do not result in any on and off-site adverse environmental effects from the discharge of contaminants to land;**
- **protect soil structure**

(b) To avoid, remedy or mitigate significant irreversible losses of the productive capability of the District's Class I and II soils.

2.3.2.3 Explanation:

Policy 2.3.2.2(a) recognises that many farmers and rural landowners adopt a stewardship ethic in respect of their land and recognise that it is in their interests to implement programmes to sustainably manage their land. The Council supports the recent trend to establish sustainable land management community programmes. These are groups of landowners who share a concern and who get together to address an aspect of sustainable land use in a local area. The Council wishes to encourage the widespread adoption of sustainable land management community programmes throughout the District's rural areas. The policy provides guidance as to what constitutes sustainable land use. The guidance is adapted from the Regional Policy Statement for the

Manawatu-Wanganui Region. This Plan does not contain specific rules regulating vegetation clearance or soil disturbance in vulnerable areas (such as steep hill country), as such rules are contained in the MWRC's One Plan. It is unnecessary and inappropriate to duplicate the rules in this District Plan. Instead, this Plan is intended to complement and reinforce the One Plan.

Policies 2.3.2.2(b) recognises that Class I and II soils are the highest quality soils in the District and the Council seeks to maintain their versatility and productive capacity for the future. This does not necessarily mean that high quality land should be in current productive use, but the potential of the soil should be protected.

2.3.2.4 Methods:

The Council shall implement policies 2.3.2.2 (a) and (b) by the following methods:

- (a) *Community programmes/action* - The Council shall liaise with Regional Councils to facilitate and co-ordinate community involvement in programmes to promote sustainable land management. Specific assistance, including requests for rates relief and/or rebates, shall be a matter for consideration through the Annual Plan process.
- (b) *Provision of information and advice* - The Council shall, in liaison with other relevant agencies and within its areas of expertise, provide information and advice to user groups and the wider community about sustainable land management. The Council shall also refer enquirers to others who can provide information and advice.
- (c) *District Plan rules* - The District Plan defines the boundaries of rural and urban management areas and it contains rules which ensure that non-rural activities are generally located within urban management areas.

2.3.2.5 Reasons:

Most farmers and rural property owners adopt a stewardship ethic in respect of their land. These custodians of rural land have the greatest incentive and responsibility to ensure that their land is sustainably managed, as poor land management leads to declining farm incomes and property values as a result of which the farmers/property owners themselves, or their successors, suffer. In hill country areas, for example, many farmers and groups of farmers already recognise the value of planting farm woodlots, space-planting with trees, and retaining indigenous vegetation in order to reduce soil erosion and loss of productive potential. The Council wishes to encourage the wider adoption of these practices by other landowners and it supports the development of sustainable land management community programmes whereby farmer/community groups implement programmes to help themselves.

The Council considers that Class I and II land (i.e. elite soils) should be managed to minimise loss of versatility for productive use. It is noted that small rural holdings used for residential purposes do not necessarily represent a loss of good agricultural land as the land remains and could be used for productive purposes in the future, if required. Productive potential may, in some cases, be compromised if several new dwelling houses are developed in a rural locality resulting in over-capitalisation of the land. In most cases, however, under the effects-based philosophy of the Resource Management Act, the level of current production is a matter best left to market forces than the dictates of this Plan. In respect of rural-urban fringe areas, this Plan's urban consolidation policy also serves to maintain the availability, versatility and capacity of the District's high-quality soils for primary production.

2.3.2.6 Anticipated environmental results:

- (a) Rural land use activities in the District will be managed in a sustainable manner which avoids, remedies or mitigates soil erosion, subsidence, sedimentation and other adverse effects.
- (b) The productive potential of the District's elite soils (Class I and II land, as defined by Land Resource Inventory maps) will be maintained and enhanced.

2.3.3 ACTIVITIES IN RURAL AREAS

The following objective, policies and methods are derived from issue 2.3.1.2 above.

2.3.3.1 Objective

To maintain the vitality and character of the District's rural areas.

2.3.3.2 Policies

- (a) **To provide for a range of rural subdivision and housing in rural areas, subject to meeting specified environmental standards and being consistent with the environmental results sought for the Rural Management Area.**
- (b) **To provide, in rural areas, for activities which require a rural location or which specifically serve or support the rural community, where their effects are compatible with the surrounding rural area and the environmental results sought for Rural Management Areas.**
- (c) **To encourage non-rural activities to locate within urban management areas, rather than rural areas.**

2.3.3.3 Explanation

In adopting Policy 2.3.3.2(a), the Council has (for the most part) moved away from specifying minimum lot sizes for rural subdivisions (as it has done in the past) towards assessing proposed subdivisions against specified environmental standards and the desired environmental results for the Rural Management Area. (Refer also to section 2.4 of this Plan for objectives and policies in relation to subdivision.) In most rural areas of the District, there is no minimum subdivision size specified. The minimum area required is defined by the area needed to meet the Plan's effluent disposal standards in Part 5. The minimum area necessary to prevent cross-boundary effects of effluent disposal will vary from case to case, depending on site characteristics and the effluent disposal technology to be used. Each case will, therefore, be considered on its merits having regard to the relevant standards in Part 5 of this Plan (including effluent disposal and water supply standards).

The only rural areas where this Plan imposes minimum subdivision size controls (in addition to the normal environmental standards) are in the "urban buffer areas" around the District's four main towns. The establishment of new settlements in rural areas and the growth of existing settlement areas will be

controlled through the environmental standards in Part 5 of this Plan applying to permitted activities, and the desired characteristics or environmental outcomes in Part 3 of this Plan which will be used as a baseline against which to assess all activities requiring a resource consent.

Policy 2.3.3.3(b) aims to provide greater flexibility of location for activities which need to be located in rural areas and where the rural community benefits from the provision of the service/facility. For guidance as to the compatibility or acceptability of effects, refer to section 2.3.3.5 (Reasons) below. However, to achieve the sustainable management of both urban and rural areas, policy 2.3.3.3(c) requires activities which are primarily of an urban nature to locate in urban management areas.

2.3.3.4 Methods

The Council shall implement policies 2.3.3.2(a) to (c) by the following methods:

- (a) *District Plan rules* - The Council has included rules in this District Plan which allow a wide range of housing and subdivision types and sizes in the rural area. This District Plan also provides for a range of activities to locate in rural areas where they have characteristics which require a rural location or they serve and support the rural community, providing environmental standards are met and they are not contrary to achieving the desired characteristics or outcomes for the Rural Management Area. Other non-rural activities are provided for in urban management areas. **[Refer to Part 4 and 5 of this Plan]**
- (b) *Financial methods* - The Council shall encourage the consolidation of urban activities in urban areas by requiring developers to install adequate on-site systems for effluent disposal and water supply or, particularly in rural-urban fringe areas, to pay the actual costs (rather than ratepayer subsidised costs) of extending any trunk service networks. Furthermore, if necessary, the Council may consider using differential rating techniques to correct the common perception that living just outside the urban-zoned (and urban-rated) area is a cheaper option than living in town.

2.3.3.5 Reasons

Achieving sustainable management and controlling the adverse environmental effects of activities is the primary purpose of the Plan which is why subdivision, housing and other activities must meet environmental standards specified in Part 5 of this Plan. Where standards are not met but it can be demonstrated through the resource consent procedure that the effects of the activity are not contrary to the desired characteristics or environmental outcomes for the area (as specified in Part 3 of this Plan), then consent to a discretionary activity may be granted.

Arbitrary minimum subdivision size standards throughout rural areas have often led to people being forced to have more land than they actually want or need, and this often results in a lack of stewardship of the land. Small rural holdings can be full-time farming units, part time farms, "stepping-stone" units, homes for retired farmers, or bases for rural contractors and workers. They are all legitimate rural activities and this District Plan enables attention to be focused on the actual and potential adverse environmental effects of such activities. Minimum subdivision size controls have only been retained in the "urban buffer areas" around the District's four main towns as an additional mechanism to promote urban consolidation.

In the past, houses have tended to be permitted in rural areas only where they were accessory to farming activities. Some planning schemes insisted that farming units be "economic units" before a building permit for a house could be issued, and this led to much debate as to what amounted to an economic unit. With development pressures at low levels throughout much of the District's rural area and with rural communities in need of maintaining a minimum population base in order to retain essential services, the need to restrict housing in Tararua's rural areas is questionable. Subject to meeting the Plan's environmental standards, marae, kaumatua flats, and associated marae activities (i.e. kohanga reo - Kura Kaupapa Maori) are permitted activities.

The Council wishes to encourage the continued vitality of rural areas and the sustainability of rural communities. The main priority is, however, the sustainable use of natural and physical resources.

There is a need to ensure that urban dwellers do not, in significant numbers, decide to build their houses in rural areas around the edge of the District's towns because of a perception of cheaper land prices and rates, while still enjoying all the facilities of the towns. A clear demarcation is required between urban and rural areas, with urban boundaries being based on the extent of existing service networks (particularly sewerage and water reticulation). There is a fundamental economic reason why the shape and size of the District's main towns should be controlled, and this is the need to ensure the long-term economic viability of the towns. In rural-urban fringe areas (the "urban buffer areas") where the cumulative effects of close housing would be a matter of environmental and economic concern, this Plan controls minimum subdivision size and, through that mechanism, controls housing density. The advantages of having consolidated urban areas and the efficient use of existing infrastructure and services are outlined in the urban and subdivision policy sections.

Outside of the "urban buffer areas", the District Plan's performance standards and specified environmental results for the Rural Management Area are considered to be sufficient to ensure that potential adverse effects are avoided.

2.3.3.6 Anticipated Environmental Results

- (a) There will be a range and choice of rural living environments and community facilities which recognises the different lifestyle, social and cultural requirements of the people of the District.
- (b) Activities which serve or support the rural community or require a rural location will be located and operated so that adverse environmental effects are avoided, remedied or mitigated.
- (c) Urban activities which do not require a rural location will generally be located within consolidated, efficient urban areas.

2.3.4 ENVIRONMENTAL QUALITY AND AMENITY

The following objective, policies and methods are derived from issue 2.3.1.3 above.

2.3.4.1 Objective

To ensure a high level of environmental quality and amenity throughout the rural areas of the District.

2.3.4.2 Policies

- (a) **To ensure that any actual or potential adverse environmental effects of activities are avoided, remedied or mitigated.**
- (b) **To maintain and/or enhance the character, level of amenity and environmental quality of the District's rural areas.**
- (c) **To reduce the potential for conflict between incompatible activities in rural areas, particularly in the rural-urban fringe, and between existing, lawfully established activities and new subdivision and development.**

2.3.4.3 Explanation:

Policies 2.3.4.2(a) to (c) reflect the emphasis of the RMA on managing the effects of activities rather than the activities per se. Consideration of the effects of activities in rural areas requires that regard be had to the location and sensitivity of adjacent land use activities and to the character and amenity of the rural area. For guidance as to the compatibility or acceptability of effects, refer to section 2.3.4.5 (Reasons) below and also to earlier sections 2.3.3.3 and 2.3.3.5.

2.3.4.4 Methods:

The Council shall implement policies 2.3.4.2 (a) to (c) by the following methods:

- (a) *District Plan rules* - The Council has specified environmental standards in this District Plan and included rules, including a permitted activity rule for some existing industries, which will ensure that activities contribute to, or are consistent with, the anticipated environmental results for the District's Rural Management Areas. These standards, including the ability to use no-complaints covenants in relation to subdivision consents, also aim to manage the potential adverse effects of subdivision and development where there may be a potential conflict between incompatible activities in rural areas. Additionally, the Plan includes setback standards, acoustic insulation requirements, as well as the registration of no-complaints covenants as methods that can be used in order to protect existing activities from adverse effects arising from new subdivision and development **[Refer to Parts 4 and 5 of the Plan and to rule 4.1.2.2 and standards 5.2.4.3, 5.2.4.6 and 5.4.10.2 in particular]**
- (b) *Abatement and enforcement procedures* - The Council shall, where appropriate, take action in respect of activities which contravene the District Plan rules. Where appropriate, it shall also use the provisions of the RMA in respect of other nuisances or environmental quality problems.
- (c) *Provision of information* - The Council shall, within its areas of expertise, provide information and advice to owners/operators of activities to avoid, remedy or mitigate adverse effects on the environment.

2.3.4.5 Reasons:

The significance of the effects of an activity will vary depending on the nature of the area and so, for the purposes of this Plan, the District has been divided up into Management Areas on the basis of their existing characteristics and the environmental results sought for the area. The District's rural areas are contained within the Rural Management Area. Broad categories of activity are listed in section 4.1 which are generally acceptable in rural areas providing they meet the specified environmental standards. The relevant standards are also listed in Part 4 of this Plan. There is scope, through the resource consent process, for any other activity to locate in the rural area where it meets the specified standards and is compatible with the desired characteristics of the Rural Management Area as listed in Part 3 of this Plan. The desired characteristics in Part 3 have been formulated to protect rural amenity, character and environmental quality while providing increased flexibility of location for legitimate rural activities.

Some existing industries located in the Rural Management Area have been in operation for many years and have particular characteristics that need to be provided for and effects that need to be managed. There is the potential for

new subdivision and development to have adverse effects on these industries and other existing activities. This Plan therefore identifies such existing industries and includes a permitted activity rule for them. The Plan also provides for the use of no-complaints covenants and acoustic insulation requirements, where appropriate, as methods to avoid conflicts between new and existing activities. Other standards, such as setback requirements from existing activities, are also used to manage potential conflicts.

Many rural activities such as farming, factory farming, mining and excavation, forestry, rural industries and services have the potential to have an adverse effect on the amenity or environmental quality of an area if not properly managed or located. This Plan includes environmental standards (rules) which aim to avoid, remedy or mitigate adverse effects on amenity values and environmental quality. These environmental standards relate to noise, dust, odour, visual effects, pollution, significant natural features, indigenous habitats and species, heritage items, historic sites and waahi tapu and impact on roads and infrastructure.

The Council will ensure that public confidence in the District Plan is maintained by enforcing the provisions of the Plan and the conditions of all resource consents. On occasions, nuisances or problems may arise which do not strictly contravene the provisions of the District Plan or a resource consent. In such cases, the Council shall attempt to negotiate with those concerned in an effort to achieve a satisfactory outcome. In addition, sections 16 and 17 of the RMA place a general duty on all persons to avoid unreasonable noise and a duty to avoid, remedy or mitigate adverse effects. Section 322 of the RMA provides for abatement notices to be issued by enforcement officers (Council Officers) in respect of noise and other nuisances.

2.3.4.6 Anticipated environmental results:

- (a) Activities in rural areas will be undertaken and managed so as to avoid, remedy or mitigate adverse environmental effects.
- (b) Rural amenity values and character will be protected and enhanced.
- (c) Conflict between activities is avoided as far as practicable.

2.4 Subdivision and Development

2.4.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Section 31(2) of the RMA stipulates that the control of subdivisions is one of the methods that may be used by the Council in carrying out its functions under Section 31 of the Act. Subdivision is the legal and administrative process which defines and assigns property rights to parcels of land. It generally precedes the use of the land for an activity or development. While the legal process of land subdivision does not itself generate adverse environmental effects, the activities which follow can have important resource management implications which need to be considered in the District Plan. The significant resource management issues for subdivision in the District are:

2.4.1.1 Assessment process for subdivisions

Subdivisions vary widely from proposal to proposal in terms of the locality, natural and physical characteristics and legal tenure of the sites concerned. In many cases, subdivision is followed by physical works such as site clearance and preparation of land for development. Such works can potentially have significant environmental effects, particularly where important natural or cultural features are involved. The issue is how to achieve a degree of flexibility in the subdivision process so that the infinite variety of circumstances that may arise can be handled in a fair, balanced and practical manner, having regard to their varying environmental effects.

2.4.1.2 Sustainable land use pattern

The overall pattern of subdivision and development in the District has important implications for the efficiency with which the District's natural and physical resources are used, and this is central to the principle of sustainable management. One of the major potential effects of subdivision is the cumulative impact on the District's network utilities and infrastructure, as subdivision and development incrementally adds to the demands on the services and road networks, and has the potential to adversely affect the operation and maintenance of network utilities and infrastructure within the District. The issue is how to ensure an efficient land use pattern through controls on subdivision. Section 6 of the RMA identifies a number of matters of national importance which are relevant to subdivisions. In summary, these relate to:

- preservation of the natural character of the coastal environment and other water bodies and their margins;
- protection of outstanding natural features and landscapes;
- protection of significant indigenous vegetation and significant habitats of indigenous fauna;
- maintenance and enhancement of public access to the coastal environment and lakes and rivers; and
- relationship of Maori and their culture and traditions with the environment and taonga;
- the protection of historic heritage from inappropriate subdivision, use and development; and
- the protection of recognised customary activities.

These important matters are addressed in separate policy sections in this Plan. Refer to section 2.6 for the issues, objectives, policies and methods in relation to water margins (including the coastal environment) and public access, and important heritage and natural features. Refer also to section 2.10 for Treaty of Waitangi and Maori resource management issues.

2.4.1.3 Suitability for development

Subdivision is generally a precursor to development and it is important to ensure that the lots created are suitable for the intended use. This is particularly important given that the person creating the subdivision is often not the same person who ultimately buys the land with the intention of building on it. Lots should generally be of a size and shape to enable diversity of design for subsequent developments. It is also important, for example, that all lots have frontage to a formed legal road so that legal access can be gained to the site, and that all lots have a stable building platform to avoid later problems such as subsidence and damage to properties. Additionally, subdivision and development should not have adverse effects on the operation of, or prevent the maintenance of, network utilities or other infrastructure.

2.4.1.4 Reserves and recreational facilities

It has been a common past practice of Councils to impose a "reserves contribution" on subdividers on the basis that subdivision leads to development and increased pressure on existing public open spaces, reserves and recreational facilities, and demands for new facilities. Under the RMA, financial contributions such as "reserves contributions" on subdivisions may only be imposed where they can be justified on the basis of offsetting the additional (cumulative) effects of the subdivision. It is necessary to determine whether the District has sufficient reserves and recreational facilities at present and, if

not, in which areas are additional facilities required. The issue is to ensure that there is an appropriate distribution of reserves and recreational facilities and to establish a fair and equitable system for any financial contributions required at the time of subdivision.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.4.2 ASSESSMENT PROCESS FOR SUBDIVISIONS

The following objective, policy and methods are derived from issue 2.4.1.1 above.

2.4.2.1 Objective

To provide a flexible and reliable subdivision process which ensures the maintenance and enhancement of environmental quality in the District.

2.4.2.2 Policy

(a) To assess proposed subdivisions against specified environmental standards and assessment criteria in order to avoid, remedy or mitigate adverse environmental effects.

2.4.2.3 Explanation:

This policy establishes a subdivision process which enables assessment of proposed subdivisions against the environmental standards specified in Part 5 of this Plan. It is a process which enables flexibility of application while still providing developers with the degree of certainty that they require to make investment and development decisions.

2.4.2.4 Methods:

The Council shall implement Policy 2.4.2.2(a) by the following methods:

(a) *District Plan Rules* - The Council has included Rules in this District Plan which classify most subdivisions as a controlled activity, where environmental standards are met. The Plan also specifies subdivisions as a permitted activity (subject to meeting standards) in a few limited circumstances. Where environmental standards are not met, the Plan specifies subdivisions as a discretionary activity where the Council has the discretion to either grant or refuse consent. **[Refer to section 5.2 of the Plan]**

2.4.2.5 Reasons:

With the introduction of the RMA came the repeal of Part XX of the Local Government Act 1974 which had provided a separate statutory code for the approval of subdivisions. The control of subdivision is now a function of territorial local authorities and one which is appropriately implemented through District Plan Rules. It is not possible or desirable to have a subdivision process which attempts to prescribe detailed rules for all of the infinite number of different subdivision scenarios that could arise. Subdivisions will vary from proposal to proposal in terms of topography and natural features on the site, existing structures and services, form of land ownership or tenure, legal restrictions, and so on.

The "controlled activity" category is generally suitable for urban areas which are serviced or serviceable as it gives certainty as to approval "in principle" but enables appropriate conditions to be imposed to deal with the effects of the subdivision. In areas where reticulated services do not exist, environmental standards relate, inter alia, to the adequacy of effluent and stormwater disposal, and access.

2.4.2.6 Anticipated environmental result:

- (a) There will be a flexible and reliable subdivision process which enables the potential adverse environmental effects of any subsequent land clearance, use and development to be avoided or mitigated.

2.4.3 SUSTAINABLE SUBDIVISION AND DEVELOPMENT

The following objective, policy and methods are derived from issue 2.4.1.2 above.

2.4.3.1 Objective

To promote a pattern of subdivision and land use in the District which results in the efficient use and development of natural and physical resources.

2.4.3.2 Policies

- (a) **To encourage a pattern of subdivision which maximises the efficient use of existing infrastructure networks (roads and service mains).**
- (b) **To require developers to pay for any extension or upgrading of infrastructure (e.g. roads and service mains) required to meet the needs of a proposed subdivision. Where the Council requires**

additional capacity to be provided, in order to meet future service demands and development requirements, the Council shall meet the costs of providing the additional capacity (for Council supplied services).

- (c) To protect network utilities and infrastructure from adverse effects associated with subdivision and land use activities.**
- (d) To provide for boundary adjustments and the subdivision of sites which do not meet subdivision standards where required for the activities of network utility operators or heritage protection authorities (as defined in the RMA) or public works.**
- (e) To require developers to take into account principles of energy efficiency and energy conservation in the design and development of subdivisions (shape, size and orientation of lots, and urban form).**

2.4.3.3 Explanation:

Policies 2.4.3.2(a) and (b) recognise that there has been considerable investment of natural, physical and financial resources in the District's infrastructure (services and road networks) and that there are considerable ongoing maintenance costs associated with these services. A consolidated and compact urban subdivision and land use pattern is a desired outcome in order to achieve sustainable management of these resources.

Policy 2.4.3.2(c) recognises the potential for subdivision and development to have adverse effects on network utilities and infrastructure, and creating a pattern of sustainable subdivision includes ensuring that such effects are avoided, remedied or mitigated.

Policy 2.4.3.2(c) will provide flexibility to enable the subdivision of sites which do not meet the subdivision standards in Part 5.2 of this Plan, for activities such as electricity substations and kiosks, transformer sites, pumping station sites and roadworks. This policy will also enable the subdivision (from a parent block) of significant heritage and environmental features in order to assist in the protection of such features. This allows for the transfer of that allotment and feature to the organisation or individual responsible for its protection. Appropriate legal instruments relating to protection of the significant feature may be attached to the title (e.g. covenants, sale agreements). A heritage resource should be recognised as a complete entity whose surrounds/setting may have an important relationship with the values of the resource. This shall be a factor to be taken into account when assessing proposed subdivisions. Refer also to section 2.6.3 "Protection of Heritage Resources".

Policy 2.4.3.2(d) recognises that the size, shape and form of towns and individual lots and subdivisions in the District has important implications (cumulatively) for energy consumption and efficiency.

2.4.3.4 Methods:

The Council shall implement policies 2.4.3.2 (a) to (e) by the following methods:

- (a) *District Plan Rules* - The Council has included Rules in the District Plan (including environmental standards, information requirements and the definition of urban boundaries and "urban buffer areas" around main towns) which aim to maximise the efficient use of existing infrastructure and servicing networks. Within urban areas and most of the Rural Management Area, the Plan does not contain minimum subdivision size standards but a minimum size standard of 8000m² is imposed in "urban buffer areas" around the margins of the main towns, to give effect to the Plan's urban consolidation policies. Rules also provide for subdivisions of special lots for network utilities, heritage protection authorities and public works, to enable efficient and effective operations while controlling potential adverse environmental effects. Setback standards, no complaints covenants, as well as information requirements for resource consents are also included in the Plan in order to manage the potential adverse effects of subdivision and subsequent development on the operation and maintenance of network utilities and infrastructure. **[Refer to section 5.2 of this Plan]**
- (b) *Financial mechanisms* - The Council shall require developers to pay the actual costs (rather than ratepayer subsidised costs) of extending service networks.
- (c) *Information and Education* - The Council shall provide information and reference material to developers about how to achieve energy efficient subdivision and building design.

2.4.3.5 Reasons:

One of the major potential effects of subdivision is the cumulative impact on the District's infrastructure, as subdivision and development incrementally adds to the demands on the services and road networks. The most cost-effective and efficient use of resources is to maximise the use of existing service networks to utilise spare capacity before extending or upgrading networks further. A combination of District Plan rules and financial mechanisms is the Council's method of achieving these policies.

As explained in the Urban Land Use Management Policy Section, the urban boundaries of the District's major towns have been defined in this Plan having regard to the need to efficiently use natural and physical resources, including existing roads, water and sewerage networks. All subdivisions in areas with no

reticulated services (urban fringe and rural areas) will be required to be "self-sufficient" in terms of services (e.g. on-site effluent disposal and potable water supply). Close subdivision in such areas will be restricted due to the potential for cumulative adverse environmental effects such as the contamination of groundwater. Refer to Policy 2.4.4.2(a).

As a general rule, the Council will use financial mechanisms to ensure that ratepayers do not subsidise land developers who are seeking to extend service networks to serve their subdivisions and developments while there is still spare capacity in the existing network. Requiring developers to pay the actual costs of extending services is considered to be an appropriate method of encouraging an efficient, consolidated, compact pattern of land use. The Council intends to investigate further how best to require the "true" costs to be paid in relation to the extension of service networks. It is recognised, for example, that the "true" costs of service provision for an extended network would include not only the actual cost of the extension (i.e. the marginal cost), but also a share of the costs that have been invested by the community in the establishment of the existing service network. These latter costs can be recovered through financial mechanisms such as differential rates for new developments or through the imposition of a "service main connection fee", or similar. Until such time as a fair and reasonable charging regime can be established, the Council will require developers to pay all the actual costs (marginal costs) involved in any extension of services (refer to rules in section 5.1.6 of this Plan).

Network utility operators (as defined in the Resource Management Act) provide services which are essential to the effective functioning of the district, and for the economic, social and cultural wellbeing of the community. It is, therefore, in the public interest that they be permitted to operate effectively and without undue restrictions where they can do so without causing adverse environmental effects. It is also appropriate, therefore, to ensure that subdivision and development do not result in adverse effects on the operation and/or maintenance of network utilities and other infrastructure.

Urban form affects the amount of energy used for transportation and for the heating, cooling and lighting of houses and buildings. The Council shall research the considerable amount of work that has been done on energy efficient design in New Zealand and overseas, and consider providing information in the form of energy efficiency design guidelines.

2.4.3.6 Anticipated environmental result:

- (a) There will be a pattern of subdivision which results in the efficient and sustainable use of existing infrastructure.

- (b) There will be an equitable system for paying for all upgrading or extensions to existing infrastructure networks, whereby the costs are met by those who stand to benefit.
- (c) The subdivision process will cater for the needs of network utility operators and heritage protection authorities in an efficient manner.
- (d) New lots in the District will be of a size and shape that enables subsequent developments to maximise solar gain and energy conservation.

2.4.4 SUITABILITY FOR DEVELOPMENT

The following objective, policy and methods are derived from issue 2.4.1.3 above.

2.4.4.1 Objective

To ensure that all lots created are suitable for the intended development or use.

2.4.4.2 Policies

- (a) **To encourage a pattern of subdivision which enables a diversity of activities to be carried out throughout the District (now and in the future), while avoiding, remedying or mitigating adverse environmental effects.**
- (b) **To ensure that all lots created contain a stable building platform suitable for the intended use.**
- (c) **To ensure that all lots created have legal frontage and access to a formed legal road other than a State Highway, wherever possible.**
- (d) **To avoid subdivision in identified natural hazard areas unless the proposed activity is expressly permitted in such areas or adequate mitigation measures can be put in place by the subdivider and/or the developer.**

2.4.4.3 Explanation:

In Policy 2.4.4.2(a), the Council has taken the approach that subdivisions should be assessed on the basis of the suitability of the lots for the intended use of the land, having regard to the objectives and policies for development in the area, rather than by specifying minimum lot sizes and other arbitrary

standards (except in the "urban buffer areas" where there is a minimum subdivision size standard).

Policies 2.4.4.2(b) to (d) also recognise that subdivision is generally a precursor to development and that an integrated approach is required which links the subdivision process to the suitability of the land for its intended purpose. Refer also to section 2.5 in relation to natural hazard areas.

2.4.4.4 Methods:

The Council shall implement policies 2.4.4.2 (a) to (d) by the following methods:

- (a) *District Plan Rules* - The Council has included environmental standards in this District Plan which aim to ensure that proposed lots will be suitable for the intended use of the land and that there will be a range of lot sizes dictated by the demands of the marketplace. Rules are also included which have the effect of restricting subdivision in locations which would be unsuitable for the intended development, such as hazard prone areas and areas of land instability. **[Refer to section 5.2 of the Plan]**
- (b) *Information and Education* - The Council shall provide advice to potential subdividers on different effluent disposal methods and where to find further information and technical advice on these options

2.4.4.5 Reasons:

Arbitrary size standards, whether in urban areas or rural areas, often lead to people being forced to have more land than they actually want or need for their intended purpose, and often results in a lack of stewardship of the land. By adopting performance standards, the District Plan is able to cater for new trends, innovations and technologies in a flexible manner, by concentrating on the potential environmental effects and the desired outcomes for the area concerned. For most of the District, therefore, this Plan does not specify minimum lot sizes. However, in the "urban buffer areas" around the margins of the main towns, a minimum subdivision size of 8000m² has been adopted as a minimum to reflect the additional development pressures in such areas. While 8000m² is the "bottom-line" minimum size standard in these areas, subdivisions still have to meet the Plan's effluent disposal standards. It may be that, in order to meet these effluent disposal standards, a larger area will be required to prevent cross-boundary effects of effluent disposal. Each case will, therefore, be considered on its merits having regard to the relevant standards in Part 5 of this Plan. The type of effluent disposal system to be used may influence the area of land required to comply with the Plan's effluent disposal standards. New technologies are developing all the time and Council staff will, to the best of their knowledge, advise potential subdividers as to the different effluent disposal options available, and where to seek further advice and information. It is important for the Council to ensure that opportunities for a diversity of land use activities in the future are maintained throughout the District. It is

concerned that the versatility of the District's most productive soils should be maintained by avoiding land being too closely subdivided (and later built upon). Opportunities to make productive use of the land in the future should be preserved. At the present time, however (and for the foreseeable future), this is not likely to be a significant issue in the District due to the relatively low level of development pressure which exists. The Council wishes to encourage development where it will not lead to significant adverse environmental effects, and it has introduced policies and rules only to the extent necessary to avoid or reduce adverse effects and achieve desired environmental outcomes. The Council shall monitor the results of these policies closely.

It is important for all subdivisions, where the lots are intended to be built upon, that each lot contains a stable building platform that is suitable for the proposed use. This is necessary to avoid any potential problems (including threats to human safety) and costs associated with subsidence or erosion. It is necessary also that all lots must have access to a formed legal road in order to ensure ongoing rights of access to all parcels of land.

2.4.4.6 Anticipated environmental results:

- (a) The creation of lots that do not preclude alternative land use options in the future.
- (b) All new lots intended for development will be able to be developed in a safe and efficient manner.
- (c) There will be legal and physical access to all lots in the District.
- (d) In hazard-prone areas, risks to life and property will be minimised during natural hazard events.

2.4.5 RESERVES AND RECREATIONAL FACILITIES

The following objective, policy and methods are derived from issue 2.4.1.4 above.

2.4.5.1 Objective:

To ensure that there is an adequate distribution and standard of reserves and recreational facilities throughout the District.

2.4.5.2 Policies

- (a) **To develop a Reserves and Recreational Facilities Strategy for the Tararua District.**

- (b) **To require financial contributions for the purpose of providing and maintaining reserves and public recreation facilities only where subdivisions and developments will generate a significant increase in demand for facilities in areas which are identified as being in need of such facilities in the Council's Reserves and Recreational Facilities Strategy.**

2.4.5.3 Explanation:

Policy 2.4.5.2(a) reflects the need to have accurate and up-to-date information about the current distribution of, and demand for, reserves and recreational facilities in the District. Policy 2.4.5.2(b) accepts that most parts of the District are already well endowed with reserves and recreational facilities, and accordingly, "reserves contributions" and other financial conditions will not be imposed on subdivisions simply as a matter of course. On the other hand, the District Plan contains rules enabling financial conditions to be imposed where large developments or large new subdivisions will generate significant increased demands for facilities in areas where these are lacking, as identified in the Reserves and Recreational Facilities Strategy. This strategy (which will be prepared in consultation with relevant organisations) will also identify priority areas for riparian management, as esplanade reserves and strips often have a public access function (i.e. recreation function) as well. Refer also to Policy 2.6.6.2(c).

2.4.5.4 Methods:

The Council shall implement policies 2.4.5.2 (a) and (b) by the following methods:

- (a) *Service delivery and provision of information* - The Council shall carry out research into the distribution of existing reserves and recreational facilities and develop a strategy for future provision and maintenance. The main method of financing the provision and maintenance of reserves and recreational facilities will be through the collection of rates and user charges where appropriate.
- (b) *Co-operation and liaison with relevant organisations* - In preparing the "Reserves and Recreational Facilities Strategy" referred to in (a), the Council shall liaise with the relevant Regional Councils, the Department of Conservation, tangata whenua and other relevant organisations to identify priority areas for the provision of reserves and recreational facilities. Refer also to method 2.6.6.4(a).
- (c) *District Plan Rules/Financial mechanisms* - The Council has included rules in this Plan which enable financial contributions for the purpose of providing and maintaining reserves and recreational facilities to be required as a condition of subdivision and land use consents where they

will generate a significant increase in demand for facilities. **[Refer to section 5.1.6 of this Plan]**

2.4.5.5 Reasons:

There is a need to develop a strategy which outlines priorities for the provision of new reserves and facilities and the upgrading and maintenance of existing ones. The strategy will be used to determine how rates and any financial contributions will be spent. The development of such a strategy is important in order to identify where financial conditions for the provision and maintenance of reserves and recreational facilities can and cannot be justified. Until a strategy has been developed, it is inappropriate for financial contributions to be imposed for the purposes of providing and maintaining reserves and recreational facilities.

2.4.5.6 Anticipated environmental results:

- (a) A reserves and recreational strategy will be prepared and implemented to ensure that there is an appropriate distribution and standard of reserves and recreational facilities throughout the District.
- (b) Reserves and recreational facilities will be provided and maintained in areas of the District which currently have inadequate public open space and facilities to meet the cumulative needs of new subdivisions and developments in the area.

2.5 Natural Hazards

2.5.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

"Natural hazard" is defined in the RMA as *"...any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment."* The resource management issue is to determine how to minimise the impact of natural hazards in a proactive manner.

2.5.1.1 Minimising the impact of natural hazards

Natural hazards are the result of interaction between natural events and human communities. The impact of a natural hazard event on people and their communities is a function of the magnitude of the natural event, the density of population and the intensity of development. There is a higher potential impact of natural hazards in more densely developed areas. A further influencing factor is that human activities (such as clearance of vegetation, earthworks and water abstractions) may increase the probability and magnitude of some natural occurrences, such as flooding, sedimentation, drought or landslip. The issue is how to best manage the potential effects of natural hazards on communities.

One of the functions of District Councils under section 31 of the RMA is *"the control of any actual or potential effects of the use, development or protection of land, including for the purpose of the avoidance or mitigation of natural hazards"*. This can be achieved by minimising the intensity of development in hazard prone areas, and by promoting an awareness of natural hazard risks in the District, thereby enabling people to take a "self-help" approach and make informed decisions based on the risk they face from natural hazards. The need for Councils and individuals to take a proactive rather than reactive approach to natural hazards is reflected in recent shifts in Central Government policy in this area.

Having regard to the above issue, the Council has adopted the following objective, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.5.2 MINIMISING RISKS FROM NATURAL HAZARDS

The following objective, policies and methods are derived from issue 2.5.1.1 above.

2.5.2.1 Objective

To reduce the risks imposed by, and the effects of, natural hazards on the people, property and infrastructure of the Tararua District

2.5.2.2 Policies

- (a) **To enhance the level of information available on natural hazards and their associated risks within different parts of the Tararua District, and increase understanding in the community of the respective responsibilities of individuals and other authorities.**
- (b) **To reduce the risk from natural hazards in the District by minimising the intensity of development in hazard prone areas and implementing mitigation measures and response procedures as appropriate.**

2.5.2.3 Explanation:

Policy 2.5.2.2(a) recognises that, in order for the Council, the community and private individuals to make decisions about the use, development and protection of the District's natural and physical resources, it is important that there is a database of information about the natural hazards risk in the District. The Regional Policy Statement section of the One Plan (Part 1, Chapter 9) envisages that the District Council will provide measures to avoid or mitigate natural hazards, including controls on land use and subdivision aimed at avoiding or mitigating the effects of natural hazards. This is the reason for adopting Policy 2.5.2.2(b) above.

2.5.2.4 Methods:

The Council shall implement Policies 2.5.2.2 (a) and (b) by the following methods:

- (a) *Research and Provision of Information* - The Council shall liaise with the Manawatu-Wanganui and Wellington Regional Councils and support regionally co-ordinated hazard analysis and hazard mapping programmes that are relevant to the Tararua District. The results shall be used by the Council to develop a natural hazard data base for the District and the Council shall facilitate its own research and analysis to complement the Regional Council programmes as necessary. The Council shall

endeavour to make this information available to the public by the most appropriate means.

- (b) *District Plan Rules* - Where the extent of, and degree of risk posed by, natural hazards can be accurately quantified, the Council shall prevent or limit development in such areas by means of subdivision and development standards (rules).
- (c) *Service delivery* - In accordance with the Council's responsibilities under the Civil Defence Emergency Management Act 2002, the Council shall provide emergency response and recovery functions during, and following, a civil defence emergency caused by a natural hazard event. The Council shall upgrade stormwater systems where these contribute to flooding problems within settlements, as finances permit and as specified in the Annual Plan. The Council may consider structural measures and financial assistance to control natural hazards and/or the relocation of communities out of hazard prone areas where comprehensive risk assessments and cost benefit analyses show that the option proposed is the most cost-effective and the proposed measures are acceptable to the community.

2.5.2.5 Reasons:

Legislative responsibilities for natural hazards under the RMA are shared between Regional and District Councils. The division of responsibility is not entirely clear in the RMA and it is intended that Regional Council's will provide guidance as to the division of responsibilities for matters relating to natural hazards via the Regional Policy Statement. Policy 9-1 of the Regional Policy Statement section of the MWRC's One Plan sets out the responsibilities of the Regional Council and District Councils within the Region in relation to natural hazards. The Policy states that the Regional Council and the District Council shall be jointly responsible for raising public awareness of the risks of natural hazards through education. The Policy also states that both the Regional Council and the District Council shall be responsible for developing objectives, policies and methods for the purpose of avoiding or mitigating natural hazards. Specifically, the Regional Council shall be responsible for natural hazard management in respect of all land use activities in the coastal marine area, erosion protection works that cross or adjoin mean high-water spring and all land use activities in the beds of lakes and rivers. The District Council shall be responsible for controlling the use of land to avoid or mitigate natural hazards in all areas except those the Regional Council is specifically responsible for including floodways and other areas known to be subject to inundation. This includes identifying floodways on the District Plan maps and generally avoiding development in these areas. The Regional Council has indicated that it will take a lead role in the investigation, identification, analysis and mapping of these parts of the region at risk from flood, seismic and volcanic hazards, subsidence and tsunami, including consideration of sea level rise. All of these hazards (except volcanic hazards) are relevant to the Tararua District.

Additionally, many parts of the District (particularly steep hill country areas close to the Tararua and Ruahine Ranges) are prone to erosion from wind and rain. This erosion potential in many hill country areas presents a significant limitation to the use of the land and it is important to retain suitable vegetative cover. Soil conservation is an issue for which the Regional Council has primary management responsibility and, as for all types of natural hazards, it is important that the District Council continues to liaise with the Regional Council to ensure a coordinated approach to hazard identification and management in order to meet the needs of the District's residents. The Council shall focus on the transfer of information to the community as the main method of mitigating the effects of natural hazards, thereby enabling a 'self-help' approach to be taken by residents.

Regulation, through District Plan rules, is considered by the Council to be an appropriate method of implementation for this policy where natural hazard risk can be accurately quantified and mapped. Rules have been developed to ensure that further development in identified "natural hazard areas" such as flood prone areas is limited.

In terms of service delivery, the Council must respond to natural hazard emergencies in accordance with its responsibilities under the Civil Defence Emergency Management Act 2002, and it also has responsibility for the recovery phase of a disaster. This includes facilitating the recovery of communities within the District, as well as ensuring that the District's infrastructure is restored. In situations where comprehensive risk assessments and cost-benefit analyses show that the provision of structural measures to control a hazard (such as coastal erosion or flooding) is the most appropriate option, the Council shall debate through the Annual Plan process whether or not to commit the financial expenditure required.

2.5.2.6 Anticipated environmental results:

- (a) There will be increased public awareness of risks from natural hazards, and the community will be aware of its responsibility to make provision for such risks.
- (b) There will be a reduction over time of the risk imposed by, and the effects of, natural hazards on the residents and assets of the District.
- (c) There will be an up-to-date natural hazard database for the District, enabling hazard prone areas to be identified and relevant information made available to residents.
- (d) Local authorities and other agencies responsible for natural hazard management will be carrying out their responsibilities in a fully integrated manner.

2.6 Amenity and Environmental Quality

2.6.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Under Section 7 of the RMA, the Council is required to have particular regard to the maintenance and enhancement of amenity values and the quality of the environment. While the quality of the environment can be defined to a large extent by physical parameters, the concept of "amenity" is a more subjective matter which can be difficult to define and measure. "Amenity values" are defined in the RMA as *"those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes"*. Amenity values may, therefore, be thought of as those features in an area which give it a particular identity, including:

- the elements which constitute the character of the area
- heritage sites or features
- waahi tapu and urupa
- landscapes and views (including the coastal environment)
- habitats and ecosystems
- areas of conservation and open space value.

The significant resource management issues facing the Tararua District in this regard are:

2.6.1.1 Maintenance and enhancement of environmental quality and amenity

A "high quality" environment (which includes aspects such as freedom from pollution and the right to privacy) is an important element of the amenity of an area as it makes it a more pleasant place in which to live and work. Some activities can generate effects which detract from the character and quality of an area's amenities. The adoption of measures to avoid, remedy or mitigate such adverse effects is an important aspect of the sustainable management of natural and physical resources. Environmental effects to be managed include those associated with noise, dust, odour, visual effects, access to sunlight, privacy, traffic safety and efficiency, contamination of land/water and others. The issue is defining (and quantifying where possible) the level of effects that are acceptable to the community in different areas. Linked with this issue is the

need to determine the extent to which individual property rights should be limited in the public interest, by means of rules in the District Plan.

2.6.1.2 Protection of heritage resources

Section 6(f) of the RMA states, inter alia, that the “protection of historic heritage from inappropriate subdivision, use, and development” is a matter of national importance, and as such, the Council must recognise and provide for this matter. Heritage resources in the Tararua District include historic buildings and places, churches, structures and monuments, archaeological sites and waahi tapu. These resources have historic or cultural significance for different reasons and to different extents. It is in the public interest that the District's important heritage resources are protected and enhanced where possible. In many cases, however, buildings or places are in private ownership and the issue may become one of balancing public and private interests (e.g. determining the extent to which individuals may need to accept restrictions on their property rights for the benefit of the wider public and future generations). A related issue is how to implement an appropriate combination of methods to protect heritage resources in the face of change.

2.6.1.3 Protection of natural features and landscapes, significant trees, significant indigenous vegetation and significant habitats of indigenous fauna

Section 6 of the RMA states that the Council shall recognise and provide for the following "matters of national importance":

- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development;*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*

Section 7 of the RMA sets out a number of “other matters” to which the Council shall have particular regard, including:

- (c) the maintenance and enhancement of amenity values;*
- (d) intrinsic values of ecosystems;*
- (f) the maintenance and enhancement of the quality of the environment.*

The Tararua District contains a variety of different landscapes which have been modified to varying degrees by human activities and which together make up the character of the District. In managing the District's natural and physical resources, it is important that consideration be given to the impacts of activities on the District's natural features and landscapes. The Regional Policy Statement (RPS) section of the One Plan for the Manawatu-Wanganui Region

identifies (in Policies 6-6 and 6-7) several outstanding natural features and landscapes as being "regionally significant" for reasons including visual prominence, scenic characteristics, ecological, cultural or spiritual significance, or other amenity values. The features and landscapes included in the RPS that are within the Tararua District are scheduled in Appendix 3 of this District Plan.

The Tararua District also contains a scattering of relatively small pockets of the indigenous vegetation that once covered the entire District. These indigenous bush remnants are very important to ensure the ongoing survival of our unique flora and fauna. Over the years, native species of flora and fauna have declined in the District (as they have throughout New Zealand) due to the loss of habitat area; the fragmentation of remaining habitats; predation and competition with introduced species; hybridisation with introduced species; and selective logging which has removed food and nesting trees for native wildlife. The protection of significant indigenous natural habitats, and the ecosystems that they support, is important in order to reduce threats of species extinction, thereby maintaining biological diversity for future generations. However, as noted above in respect of heritage resources, in many cases bush remnants or other natural features are in private ownership and the issue may become one of public versus private interest (e.g. determining the extent to which individuals may need to accept restrictions on their property rights for the benefit of the wider public). A related issue is how to implement an appropriate combination of methods to protect natural features in private ownership.

Areas of conservation significance within the District include land/reserves administered by the Department of Conservation or the District Council, as well as some areas in private ownership which have significant conservation value.

2.6.1.4 The coastal environment

Section 6 of the RMA states that the Council shall recognise and provide for the following "matters of national importance":

- "(a) the preservation of the natural character of the **coastal environment (including the coastal marine area)**, wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development;*
- (d) the maintenance and enhancement of public access to and along the **coastal marine area, lakes and rivers;**"*

Responsibilities for coastal management are complex. The Minister of Conservation prepared a New Zealand Coastal Policy Statement (NZCPS) in 1994 which was replaced in 2010. The Minister is responsible for approving all Regional Coastal Plans prepared by Regional Councils and granting or refusing applications for activities classified as Restricted Coastal Activities in Regional Coastal Plans. Regional Councils are responsible for policy matters below the

level of mean high-water springs (high tide mark) and District Councils have land use management responsibilities above mean high water springs. Many coastal management issues will not stop or start at the mean high-water springs mark and, therefore, there will be overlapping issues between this plan and regional plans. The large majority of Tararua District's coastline falls within the Manawatu-Wanganui Region. The MWRC has a Regional Coastal Plan section in its One Plan, with which this District Plan shall not be inconsistent.

The east coast is characterised by wave-swept rocky platforms backed by boulder/cobble beaches or sandy beaches dotted with boulders. There are few coastal flats. In most areas, the hills meet the sea as rounded slopes although there are some sand dunes in areas, like Herbertville. Cape Turnagain is located north of Herbertville. Cape Turnagain is listed as an outstanding, or "regionally significant", natural feature in the Regional Policy Statement for the Manawatu-Wanganui Region and the entire coastline of the Region and particularly the Akitio Shore Platform is identified in the Proposed One Plan as a "regionally important landscape". In addition to landscape, ecological and cultural values, fossil crabs in the siltstone are of archaeological value.

There are two small coastal settlements in the District which are located at road ends at the mouths of rivers. Herbertville is located at the mouth of the Wainui River and Akitio at the mouth of the Akitio River. Both are small fishing settlements whose populations increase over summer with holidaymakers. In addition, at Owahango there are a few houses at the mouth of the Owahango River. There is no road running along the coastline, meaning that many parts of the District's coastline are inaccessible for the general public. Development pressure in the District's coastal area is at a relatively low level compared to many other coastal areas. The main issue for the District is to manage subdivision, use and development in the coastal area to ensure that it retains its natural character (including good water quality, retention of habitats and ecological values), and to ensure that public access to the coast is maintained and enhanced. Coastal erosion and infrastructural requirements (sewage disposal, water supply, and waste disposal) are also factors to be taken into account in relation to the siting of any new development in the beach settlement areas.

Since the first Tararua District Plan became operative in 1998, the "effects of climate change" has been added to the RMA, (via the Act's 2004 amendments), as a matter to which the Council must have particular regard. Significant research has been undertaken by the Ministry for the Environment and the New Zealand Climate Change Office in order to predict the potential for and impact of climate change and to determine the likely effects of any changes in climatic conditions. Increased temperatures and associated rises in sea level around New Zealand, significant increases in the frequency and severity of extreme weather events (such as storms and flooding), as well as in the occurrence of predominant westerly winds and rainfall, are predicted. These conditions will in turn increase occurrences of flooding and erosion, and

sedimentation of coastal areas and waterways and will have the potential to impact negatively on housing, infrastructure and services in coastal areas of the District. Identification of areas that may be particularly at risk from the impacts of climate change will be a priority. These high risk areas may be unsuitable for development in this regard, and coastal development should be guided away from these areas. This precautionary approach provides a method for avoiding, rather than remedying or mitigating, the adverse effects arising from coastal storm events or tsunamis in particular. Identifying areas where development is appropriate in coastal areas is also important for the purpose of other issues associated with coastal development including maintaining the natural character of the coast and planning for the provision of infrastructural services.

2.6.1.5 Water margins and public access

Section 6 of the RMA states that the Council shall recognise and provide for the following "matters of national importance":

- "(a) the preservation of the natural character of the coastal environment (including the coastal marine area), **wetlands, and lakes and rivers and their margins**, and the protection of them from inappropriate subdivision, use and development;*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, **lakes and rivers**;*

The Tararua District contains limited wetland areas and lakes. There are a number of rivers which drain to the east coast and, in the case of the Manawatu River catchment, through the Manawatu Gorge to the west coast. As noted in 2.6.1.3 above, the Manawatu Gorge, the Mangatainoka River, and the Makuri River and Gorge are listed in the Regional Policy Statement for the Manawatu-Wanganui Region as regionally significant natural features. In addition, the Mangatainoka River and its tributaries are protected by a local water conservation notice in recognition of its recreational brown trout fishery which is of regional significance. The Makuri River is protected by a local water conservation notice in recognition of its scenic and recreational values and its importance as a fisheries and wildlife habitat.

The interface of land and water is one of the key areas of resource management. Riparian management recognises that waterways are not separate ecological systems and that non-point source pollution from land use is a greater problem for many waterways than direct discharges. Riparian planting can help to avoid, remedy or mitigate the effects of land use on in-stream water quality and ecosystem values. Water quality and quantity issues

are primarily the responsibility of Regional Councils. The main issue for the Council is to protect the District's waterbodies and their margins from subdivision, use and development which may adversely affect their character (having regard to existing circumstances), and to promote the maintenance and enhancement of riparian management along, and public access to, water margins.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.6.2 MAINTENANCE AND ENHANCEMENT OF ENVIRONMENTAL QUALITY AND AMENITY

The following objective, policy and methods are derived from issue 2.6.1.1 above.

2.6.2.1 Objective

To maintain and/or enhance amenity values and environmental quality in the District, for present and future generations.

2.6.2.2 Policy

(a) To manage the adverse effects of activities on amenity values by specifying minimum environmental standards for the development and maintenance of such activities.

2.6.2.3 Explanation:

Policy 2.6.2.2(a) reflects the emphasis of the RMA on controlling the effects of activities rather than the activities per se. The adverse effects of activities vary depending on the character and community expectations existing in an area.

2.6.2.4 Methods:

The Council shall implement Policy 2.6.2.2(a) by the following methods:

- (a) District Plan Rules* - The Council has included environmental standards in this District Plan to manage adverse impacts of development and land use on amenity values. **[Refer to section 5.4 of the Plan]**
- (b) Abatement and enforcement procedures* - The Council shall, where appropriate, take action in respect of activities which contravene the

District Plan rules. Where appropriate, it shall also use the provisions of the RMA in respect of other nuisances or environmental quality problems.

2.6.2.5 Reasons:

Activities may give rise to a number of different effects of varying significance depending on the character of the area in which the activity is undertaken. Potential effects include, amongst other things, noise, dust, smoke, vibration, glare, odour, and visual effects (including, for example, those arising from the presence of derelict vehicles, buildings and sites). These effects are likely to be more acceptable to the community in an industrial area than they would be, for example, in a predominantly residential area. Furthermore, some effects may be more acceptable in rural areas than in urban areas (such as farm odours) and others may be less acceptable. In this Plan, the Council has defined environmental standards which aim to control the adverse effects of activities, having regard to the differing levels of amenity and environmental quality in different areas. Mitigation measures which reduce adverse effects are encouraged. The Plan attempts to achieve a balance between maintaining and enhancing the amenity of an area as a public good, and not unduly constraining individual property rights.

The Council shall ensure that public confidence in the District Plan is maintained by enforcing the provisions of the Plan and the conditions of all resource consents. On occasions, nuisances or problems may arise which do not strictly contravene the provisions of the District Plan or a resource consent. In such cases, the Council shall attempt to negotiate with those concerned in an effort to achieve a satisfactory outcome. In addition, sections 16 and 17 of the RMA place a general duty on all persons to avoid unreasonable noise and a duty to avoid, remedy or mitigate adverse effects. Section 322 of the RMA provides for abatement notices to be issued by enforcement officers (Council Officers) in respect of noise and other nuisances.

2.6.2.6 Anticipated environmental result:

- (a) Amenity values will be defined, maintained and/or enhanced, as appropriate, throughout the District.

2.6.3 PROTECTION OF HERITAGE RESOURCES

The following objective, policy and methods are derived from issue 2.6.1.2 above.

2.6.3.1 Objective

To protect heritage resources in the District which are of local, regional or national significance.

2.6.3.2 Policies

(a) To identify particular heritage resources that contribute in a significant way to the amenity of the District and to classify them according to their significance and relative value to the community, with priority being afforded to heritage resources most at risk. In determining the significance of heritage resources, the following matters shall be considered:

- the extent to which the place or feature reflects important or representative aspects of New Zealand history;
- the level of association of the place or feature with events, persons or ideas of importance in the history of the Tararua District;
- the importance of the place or feature to tangata whenua;
- the level of the community association with, or public esteem for, the place or feature;
- the potential of the place or feature for public education;
- the level of technical accomplishment or value, or design of the place or feature including the rarity of technical accomplishment or design;
- the symbolic or commemorative value of the place or feature;
- whether it is an historic place or feature known to date from early periods of the district's settlement;
- the rarity of the type of historic place or feature;
- the extent to which the place forms a key part of a wider historical and cultural complex or historical and cultural landscape.

(b) To encourage the protection and conservation of significant heritage resources and curtilage from inappropriate subdivision, use or development, and to promote public access where this will not adversely affect conservation or private property values.

2.6.3.3 Explanation:

The “*protection of historic heritage from inappropriate subdivision, use, and development*” line “*protection of historic heritage from inappropriate subdivision, use, and development*” is a matter of national importance which the Council shall recognise and provide for under section 6 of the RMA. “*The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga*” is also a “matter of national

importance" which must be recognised and provided for by the Council. Policy 2.6.3.2(a) recognises that heritage resources which are of value to the community must firstly be identified so that adequate protection may be provided. The criteria in Policy 2.6.3.2(a) are those used by Heritage New Zealand to register historic places and they shall be used by the Council in assessing the appropriate District Plan classification. Policy 2.6.3.2(b) recognises that the significant heritage resources should be protected in the public interest as their heritage values are a public good which are often not reflected by market forces or by individual land owners.

2.6.3.4 Methods:

The Council shall implement policies 2.6.3.2 (a) and (b) by the following methods:

- (a) *District Plan* - The Council has included in this District Plan a Schedule of significant heritage resources and has adopted rules which aim to control the adverse effects of activities at, or in close proximity to, such sites and features. The Schedule classifies the heritage resources as Category A or B according to their significance and the level of protection required. The heritage resources may include a curtilage of land around the feature. The classified heritage resources are identified on the District Plan maps. In addition, requirements by heritage protection authorities for Heritage Orders in the District Plan will be considered as they arise in accordance with the RMA. Also, advice notes relating to potential effects of subdivision or development on heritage/archaeological resources will be included in resource consents where relevant, in accordance with the "*Sustainable Management of Historic Heritage Guide No. 3: District Plans*" (NZHPT 2007) or its successor. **[Refer to Part 9 of the Plan]**
- (b) *Provision of information and promotion of voluntary protection* - The Council shall aim to raise community awareness of significant heritage resources and of the contribution that they make to the amenity of the District. The Council shall do this by undertaking research as necessary, and providing information to the public as to the location of significant sites and features and their particular values. The Council shall encourage the voluntary protection of such sites and features by relevant agencies and individuals wherever possible. In respect of development and building proposals in the vicinity of recorded waahi tapu and archaeological sites, the Council shall notify Heritage New Zealand and relevant iwi, in accordance with the Heritage New Zealand Pouhere Toanga Act 2004 in order to enable the implementation of the archaeological authority provisions of that Act.
- (c) *Covenants/legal instruments* - The Council shall, where appropriate, encourage property owners to place legal heritage covenants (such as a QEII Covenant or Heritage Covenant) over the sites of significant heritage

resources. In addition, as a means of last resort, the Council shall consider the issue of a "heritage protection order" (in accordance with its status as a heritage protection authority under the RMA) in respect of the protection of threatened Category A heritage resources.

- (d) *Financial methods* - The Council is a "heritage protection authority" under section 187 of the RMA and through the Annual Plan process, it shall consider committing resources in order to enable this function to be undertaken satisfactorily. Where heritage resources of outstanding amenity value to the community are under threat of destruction or irreversible damage, and other methods of protection are insufficient, the Council shall consider the possibility of providing financial assistance. Forms of financial assistance could include rates relief, grants to make improvements or, in extreme cases, purchasing the site or feature concerned and managing it to ensure its protection and enhancement. Where the Council is the owner of heritage resources, it shall complete conservation plans and works as appropriate to ensure their preservation. Each case shall be considered on its merits through the Annual Plan process.

2.6.3.5 Reasons:

The District Plan provides an opportunity to identify in a Schedule those heritage resources that are of particular value to the community and to classify them according to their significance. Rules are included in the Plan which afford differing levels of protection to sites and features depending on how they are classified. The Council's aim is not to restrict all development, or any modification, of significant heritage features but to provide a means for the assessment of proposals in a consistent manner. Sections 187 to 198 of the RMA provide for heritage protection authorities to include Heritage Orders in the District Plan in a similar manner to designations for public works. Heritage Orders place controls on the landowner's use of the land and provide a means for interested parties to ensure the protection of places of special merit or interest.

The education and provision of information to the community about the values of particular features will be achieved through this Plan as well as other methods. Information will be made available to developers through Project Information Memoranda (PIMs) which are required under the Building Act 2004 when applying for building consent, and through Land Information Memoranda (LIMs) under the Local Government Official Information and Meetings Act 1987. Where any resource or building consent application may affect any item listed in Category A or B of the District Plan Schedule, the Council shall advise all potentially affected or interested individuals or organisations, including Heritage New Zealand and/or the relevant iwi authority or hapu as appropriate. With respect to waahi tapu and archaeological sites, the Heritage New Zealand Pouhere Toanga Act 2004 (particularly sections 10-12) contains important

provisions relating to the protection of all archaeological sites from destruction, damage or modification, whether or not those sites are recorded in this Plan. The Council shall, through the provision of information and the facilitation of pre-hearing meetings, attempt to reduce or resolve conflicts which affect significant sites or features.

Legal instruments such as covenants and heritage protection orders are appropriate means which may be used to achieve protection of heritage resources. By necessity, voluntary protection will be encouraged wherever possible. Financial assistance from the Council as a means of protecting significant heritage resources shall generally only be considered in relation to sites and features of outstanding significance, where all other methods of protection have proven inadequate. Rates relief may be considered by the Council for particularly significant sites, in order to promote their permanent protection. These methods are appropriate given the Council's status as a "heritage protection authority" under section 187 of the RMA.

2.6.3.6 Anticipated environmental results:

- (a) All significant heritage resources in the District, and their value to the community, will have been identified.
- (b) Sites and features of significant heritage value will have been protected for present and future generations.
- (c) Adverse environmental effects of activities on significant heritage and natural resources will be avoided, remedied or mitigated.
- (d) People will be more aware of the heritage resources of the District.

2.6.4 LANDSCAPES, SIGNIFICANT TREES AND SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA

The following objective, policies and methods are derived from issue 2.6.1.3 above.

2.6.4.1 Objective

To protect natural features and landscapes, trees and areas of indigenous vegetation and habitats of indigenous fauna that are of district, regional or national significance from inappropriate subdivision, use and development.

2.6.4.2 Policies

- (a) To identify particular natural features and landscapes that contribute in a significant way to the amenity and environmental quality of the District and to classify them, in a Schedule in this Plan, according to their significance and relative value to the community. In determining the significance of natural features and landscapes, whether for the purpose of making additions to, or deletions from, the Schedule of Natural Features and Landscapes, or for assessing the effects of an activity on an item included in the Schedule, the following factors shall be taken into account:

1. Natural science factors which relate to the geological, ecological, topographical and dynamic components of the natural feature or landscape:

- i. Representative: the combination of natural components that form the feature or landscape strongly typifies the character of an area.
- ii. Research and education: all or parts of the feature or landscape are important for natural science research and education.
- iii. Rarity: the feature or landscape is unique or rare within the district or region, and few comparable examples exist.
- iv. Ecosystem functioning: the presence of healthy ecosystems is clearly evident in the feature or landscape.

2. Aesthetic values which relate to scenic perceptions of the feature or landscape:

- i. **Coherence:** the patterns of land cover and land use are in harmony with the underlying natural pattern of landform and there are no, or few, discordant elements of land use or land cover.
- ii. **Vividness:** the feature or landscape is visually striking, is widely recognised within the local and wider community, and may be regarded as iconic.
- iii. **Naturalness:** the feature or landscape appears largely unmodified by human activity and the patterns of landform and

land cover are an expression of natural processes and intact health ecosystems.

- iv. **Memorability:** the natural feature or landscape makes such an impact on the senses that it becomes unforgettable.

3. Expressiveness (legibility): The feature or landscape clearly shows the formative natural processes or historic influences that led to its existing character.

4. Transient values: The consistent and noticeable occurrence of transient natural events, such as daily or seasonal changes in weather, vegetation or wildlife movement, contributes to the character of the feature or landscape.

5. Shared and recognised values: The feature or landscape is widely known and is highly valued for its contribution to local identity within its immediate and wider community.

6. Cultural and spiritual values for tangata whenua: Maori values inherent in the feature or landscape add to the feature or landscape being recognised as a special place.

7. Historical associations: Knowledge of historic events that occurred in and around the feature or landscape is widely held and substantially influences and adds to the value the community attaches to the natural feature or landscape.

(b) To identify trees, indigenous vegetation and habitats of indigenous fauna in the District that contribute in a significant way to the amenity and environmental quality of the District and to classify them according to their significance and relative value to the community. In determining their significance, the following matters will be considered:

- representativeness;
- diversity and pattern;
- naturalness;
- rarity and distinctiveness;
- long term viability;
- importance for breeding, feeding, roosting, or loafing areas for indigenous fauna on a regular or annual basis;
- importance of contribution to the habitat requirements of rare, vulnerable or endangered indigenous flora or fauna.

- (c) To encourage the protection of significant trees, significant indigenous vegetation, significant habitats of indigenous fauna, and identified natural features and landscapes from inappropriate subdivision, development or use, and to promote public access where this will not adversely affect conservation or private property values.
- (d) To consider rates relief and/or rebates, as well as other financial instruments or measures, where an area of significant indigenous biodiversity is being voluntarily protected by landowners in conjunction with other agencies (e.g. QEII Trust, MWRC, Department of Conservation, Tararua District Council).
- (e) To assist landowners, wherever possible and practicable, in obtaining information concerning the management of indigenous biodiversity on private land.

2.6.4.3 Explanation:

Policies 2.6.4.2(a), (b) and (c) are derived from a number of "Matters of National Importance" which are set out in section 6 of the RMA, and which must be recognised and provided for by the Council. These are:

- "(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:*
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga"*

In addition, section 7 of the RMA sets out a number of other matters to which the Council shall have particular regard, including:

- "(c) The maintenance and enhancement of amenity values:*
- (d) Intrinsic values of ecosystems: and*
- (f) The maintenance and enhancement of the quality of the environment"*

Policies 2.6.4.2(a) and (b) recognise that it is necessary to identify natural features and landscapes, significant trees, and significant indigenous vegetation and significant habitats of indigenous fauna which are of particular value to the community, in order to provide protection where appropriate. The

policies provide guidance as to the values and attributes that will be considered in assessing the significance of a natural feature.

Policies 2.6.4.2(a) and (b) recognise that the natural features and landscapes, significant trees, and significant indigenous vegetation and significant habitats of indigenous fauna of the District should be protected, where appropriate, in the public interest as their scenic, ecological, cultural and spiritual (intangible) values are a public good which are often not reflected by market forces or by individual land owners. Additionally, significant trees of the District have been scheduled in Appendix 3 of this Plan. The MWRC's One Plan states that the District Council shall, in addition to implementing the stated objectives and policies in respect of biodiversity management in the One Plan, "retain schedules of notable trees and amenity trees" in the District Plan. This is necessary because the One Plan uses a region wide approach and includes a schedule of regionally outstanding landscapes and identifies at risk and threatened species and habitats but does not include specific provisions for significant trees in each District within the Region. Similarly, specific landscapes within the Region warrant specific management and, where appropriate, protection in the District Plan, in addition to the provisions of the One Plan.

The MWRC, in its One Plan, has taken the lead role in managing indigenous biodiversity in the Region. The One Plan includes rules that control activities in rare and threatened habitats and at-risk habitats. It is therefore unnecessary for the District Plan to include these rules as well. The One Plan also states that the Regional Council will work with landowners to maintain or enhance these habitats.

Whilst the Regional Council takes primary responsibility for maintaining indigenous biological diversity in the District, by using (inter alia) rules to control the use of land to protect areas of significant indigenous vegetation and habitat, the Council will continue to exercise its responsibilities in relation to any matters not regulated by the Regional Council such as when considering and determining resource (land use and subdivision) consent applications. It will work closely with the Regional Council to ensure that Policy 6-1 of the Operative One Plan is implemented in a consistent and effective manner as detailed in method (a) of 2.6.4.4 Methods.

Policies 2.6.4.2(d) and (e) aim to assist landowners in the management of indigenous biodiversity on private land and to support the efforts of the Regional Council, landowners, and other agencies (such as the QEII Trust) in the management of indigenous biodiversity.

2.6.4.4 Methods:

The Council shall implement policies 2.6.4.2 (a), (b) and (c) by the following methods:

- (a) *District Plan and resource consents* - The Council has included in this District Plan, in Appendix 3, a Schedule of Significant Trees and a Schedule of Natural Features and Landscapes, and has adopted rules which aim to control the adverse effects of activities at, or in close proximity to these listed items. The Schedules classify the items as Category A or B according to their significance and the level of protection required. The scheduled significant trees, and natural features and landscapes are identified on the District Plan maps. **[Refer to Part 9 of the Plan].**

In respect of resource consent enquiries and processing, the Council shall work with the Regional Council to recognise and provide for S6(c) of the RMA and achieve consistent implementation of the respective Councils' functions for the maintenance of indigenous biological diversity. In particular, the Council shall consult with the Regional Council when land use or subdivision consent applications are being considered which may, were consent to be granted, have adverse effects on indigenous vegetation or habitats.

- (b) *Public consultation and the provision of information and promotion of voluntary protection* - The Council shall consult with relevant groups and organisations in the community to identify natural features of value to the community. With respect to the majority of the District which lies within the Manawatu-Wanganui Region, the One Plan's Regional Policy Statement states that the Regional Council will act as lead agency in preparing inventories of areas of significant indigenous flora and habitats of indigenous fauna. The District Council will assist and cooperate with the Regional Council and other relevant organisations in relation to such research. The Council shall aim to raise community awareness of significant natural features, and of the contribution that they make to the amenity and environmental quality of the District. The Council shall do this by undertaking research as necessary and providing information to the public as to the location of significant sites and features and their particular values. The priority for this research and public awareness shall focus on National Priority 1: Indigenous Vegetation of Private Land, as identified in the '*Statement of National Priorities for Protecting Rare and Threatened Indigenous Biodiversity on Private Land*' published by the Ministry for the Environment and the Department of Conservation, 2007. The Council shall encourage the voluntary protection of such sites and features by relevant agencies and individuals wherever possible.
- (c) *Covenants/legal instruments* - The Council shall, where appropriate, encourage property owners to place a QEII Covenant or a Conservation Covenant over the sites of significant natural or open space value. Conservation Covenants are agreements between landowners and the

Minister of Conservation under the Reserves Act 1977 or Conservation Act 1987.

- (d) *Financial methods* - Where natural features of outstanding amenity value to the community are under threat of destruction or irreversible damage, and other methods of protection are insufficient, the Council shall consider the possibility of providing financial assistance. Forms of financial assistance could include rates relief, grants to make improvements or, in extreme cases, purchasing the site or feature concerned and managing it to ensure its protection and enhancement. Each case shall be considered on its merits through the Annual Plan process.

2.6.4.5 Reasons:

The District Plan provides an opportunity to identify in a Schedule those important natural features and landscapes that are of particular value to the community and to classify them according to their significance. Rules are included in the Plan which afford differing levels of protection to sites and features depending on how they are classified. The Council's aim is not to restrict all development, or any modification, of identified natural features and landscapes but to provide a means for the assessment of proposals in a consistent manner.

The education and provision of information to the community about the values of particular features will be achieved through this Plan as well as other methods. Information will be made available to developers through Project Information Memoranda (PIM's) which are required under the Building Act 2004 when applying for building consent, and through Land Information Memoranda (LIM's) under the Local Government Official Information and Meetings Act 1991. Where any resource or building consent application may affect any item listed in Category A of the District Plan Schedule, the Council shall advise all potentially affected or interested individuals or organisations, including Heritage New Zealand and/or the relevant iwi authority or hapu as appropriate. The Council shall, through the provision of information and the facilitation of pre-hearing meetings, attempt to reduce or resolve conflicts which affect significant sites or features.

Voluntary protection will be encouraged wherever possible. Depending on the circumstances, some financial assistance may be available from trusts or funds set up for conservation purposes under other legislation such as the:

- Te Ture Whenua Maori Act 1993 (Maori Land Act 1993)
- Conservation Act 1987
- Wildlife Act 1953 and Amendment Act 1985
- Reserves Act 1977

- Queen Elizabeth II National Trust Act 1977

Financial assistance from the Council as a means of protecting significant sites and features shall only be considered in relation to sites and features of outstanding significance, where all other methods of protection have proven inadequate. Rates relief may be considered by the Council for particularly significant sites that are formally protected by Conservation Covenants, in order to promote their permanent protection.

2.6.4.6 Anticipated environmental results:

- (a) Natural features and landscapes in the District will have been identified according to their significance and relative value to the community.
- (b) Identified natural features and landscapes will have been protected, where appropriate, for present and future generations.
- (c) Adverse environmental effects of activities on identified natural features and landscapes will have been avoided, remedied or mitigated to the extent practicable.
- (d) People will be more aware of the identified natural features and landscapes of the District.

2.6.5 THE COASTAL ENVIRONMENT

The following objective, policies and methods are derived from issue 2.6.1.4 above.

2.6.5.1 Objective

To avoid, remedy or mitigate the adverse effects of activities on the coastal environment and maintain and/or enhance public access to and along the coastline.

2.6.5.2 Policies

- (a) **To protect the natural character of the coastal environment from inappropriate subdivision, use and development, taking into account existing modification, use, natural character, ecological values and the extent to which adverse effects are avoided, remedied or mitigated.**
- (b) **To identify priority areas for the establishment and maintenance of esplanade reserves, esplanade strips, and access strips to ensure public access to and along the District's coastline.**

- (c) To identify areas appropriate and suitable for future settlement growth in coastal areas of the District in order to maintain the character of existing coastal settlements, identify priority areas for future service provision and avoid the risk to development from natural hazards.

2.6.5.3 Explanation:

Policies 2.6.5.2(a) and (c) aim to provide guidance as to what subdivision, use and development is considered appropriate in the coastal environment. The term "coastal environment" is used in this Plan in the same context as described in the Regional Policy Statement Chapter 8 of the Manawatu-Wanganui Region's One Plan. The intention of the policy is not to achieve preservation at all costs. Whether a subdivision, use or development is appropriate, or the location is appropriate, will in part be determined by the extent to which that location still has a natural character, and the extent to which the natural character will be affected by the subdivision, use or development. The use of off-road vehicles such as dune buggies and trail bikes on sensitive coastal sand dune areas (areas where sand is completely or partially exposed) can cause significant damage to the structure and stability of the dune systems and the habitats they support. This is an example of an activity which is generally inappropriate in terms of policy 2.6.5.2(a).

The maintenance and enhancement of public access can be achieved through the creation of esplanade reserves and access strips along appropriate parts of the coastline. Policy 2.6.5.2 (b) recognises, however, that it is not practicable to establish esplanade reserves and strips along the whole coastline, given that roads lead to the coast at only three points, Herbertville, Akitio and Owahango. Priority areas for maintaining and enhancing public access along the coastline will be identified as part of the "Reserves and Recreational Facilities Strategy" that will be prepared for the Tararua District.

2.6.5.4 Methods:

The Council shall implement policies 2.6.5.2(a), (b) and (c) by the following methods:

- (a) *District Plan rules* - This District Plan makes subdivision within one kilometre of the coastal marine area (line of Mean High Water Springs) a discretionary activity. It also contains rules which ensure that stormwater, water supply and effluent disposal is provided to a satisfactory standard for all development and subdivision, in order to protect the quality of the District's environment. In addition, the preservation of the predominantly natural character of the coastal environment is one of the stated environmental results sought for the Rural Management Area, which shall be taken into account in assessing all resource consent applications.

- (b) *Service delivery* - Akitio has a community water supply at present but neither Akitio nor Herbertville have a community sewerage scheme. As noted in (a) above, this Plan permits further development and subdivision only where adequate provision can be made for water supply, stormwater and effluent disposal. Council will maintain existing levels of service delivery and will periodically review the situation to ensure that adverse environmental effects are avoided, remedied or mitigated.
- (c) Future growth areas – Council will seek to direct development to identified future growth areas and away from any ‘no-development’ areas identified in the District Planning Maps. Provision for the servicing of growth areas will be made in the Council’s Long Term Plan.

2.6.5.5 Reasons:

The District Plan seeks to complement the MWRC’s One Plan’s Coastal Provisions. The One Plan contains policies and rules in relation to the coastal marine area which is the "wet" part of the coastal area, below the mean high water springs (high tide) mark. It also contains provisions designed to control the discharge of contaminants; taking, use, damming or diversion of coastal waters; activities which disturb the foreshore and seabed; structures in the coastal marine area; and public access to the coastal marine area.

It is a matter of national importance under section 6(a) of the RMA that the natural character of the coastal environment be protected from inappropriate subdivision, use and development. As not all subdivision in the coastal area will necessarily be appropriate, it is important that the Council have the discretion to refuse consent if necessary. That is why subdivision within one kilometre of the coast is a discretionary, not controlled, activity. In the Tararua District, existing and foreseeable demand for development of the coastal environment is at a relatively low level. Nevertheless, it is important that the Plan contain standards which ensure that development and subdivision will not give rise to adverse effects on the coastal environment. Almost all of Tararua's coastline is within the "General Coastal Area" as defined in the MWRC's One Plan. Only one part is classified in the One Plan’s Coastal Section as a "Protected Area", and that is Cape Turnagain. This area is deemed to be an area of significant conservation value. Cape Turnagain is identified in this Plan as an important natural feature to be protected. No other additional controls are specified in this Plan as the Council is satisfied that the controls in the Regional Coastal Plan are sufficient.

The maintenance and enhancement of public access to the coastal environment is a matter of national importance under section 6 of the RMA.

2.6.5.6 Anticipated environmental results:

- (a) The coastline of the Tararua District will retain a predominantly natural character with a high level of environmental quality and amenity.

- (b) Public access to the coastal environment will be maintained and enhanced in areas along the coastline identified as priority areas for public access.

2.6.6 WATERBODIES AND THEIR MARGINS

The following objective, policies and methods are derived from issue 2.6.1.5 above.

2.6.6.1 Objective

To protect the natural, scenic, ecological, cultural and amenity values of the District's lakes, rivers, and wetlands and maintain and/or enhance public access to and along their margins.

2.6.6.2 Policies

- (a) **To maintain, and enhance where appropriate, the natural character of the District's wetlands, lakes and rivers and their margins, and to protect them from inappropriate subdivision, use and development.**
- (b) **To maintain existing public access to and along rivers and lakes, except where such access is in conflict with other riparian management objectives where conservation values are of higher priority.**
- (c) **To identify priority areas for riparian management along, and the provision of public access to, the margins of the District's rivers and other water bodies.**
- (d) **To establish and maintain a network of esplanade reserves, esplanade strips, and access strips in accordance with identified priority areas.**
- (e) **To encourage and promote public access and the provision of facilities in areas of conservation, recreational and amenity value within the District.**

2.6.6.3 Explanation:

Policies 2.6.6.2 (a) to (e) are derived from the following "matters of national importance" which shall be recognised and provided for by the Council under section 6 of the RMA:

- "(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers."*

A riparian margin is a strip of land of varying width adjacent to a waterbody which contributes to the natural functioning, quality, and character of the waterbody, the land margin, and their ecosystems. The term "riparian management", therefore, refers to management of riparian margins. This may include the retention of existing riparian vegetation, or planting of new riparian vegetation, to mitigate the adverse effects of the adjacent land use on water quality and ecosystems. The provision of esplanade reserves and strips is one method of achieving the above policies. Esplanade reserves and strips will only be taken in "priority areas" as identified in a Schedule to this Plan **[Note: at present there are no priority areas identified.]**

2.6.6.4 Methods:

The Council shall implement policies 2.6.6.2 (a) to (e) by the following methods:

- (a) Co-operation and liaison with relevant organisations -* The Council shall liaise with the Manawatu-Wanganui and Wellington Regional Councils, the Department of Conservation and other relevant organisations to identify priority areas for riparian management and the provision of public access to the District's coastal environment, rivers, and other water bodies. The Council has not yet developed a long term plan to provide for the circumstances under which, and the order of priority for acquisition of, esplanade reserves, esplanade strips and access strips. Consultation with the relevant Regional Councils, the Department of Conservation, tangata whenua and other relevant organisations will be necessary in order to identify significant riparian margins, identify and reconcile the values associated with the protection or conservation of such margins (e.g. landbased ecosystems and habitats, public access, recreation, bank (erosion) protection, water quality, aquatic habitats) and order priorities. Regard will be had to the provisions of the relevant Regional Policy Statement when determining the criteria for identifying priority margins. Many riparian margins will also have a public access function. The outcome of any such consultation shall be included within the Reserves and Recreational Facilities Strategy.

- (b) *District Plan Rules/resource consent conditions/Esplanade reserves and strips* - The Council has included rules in this Plan which specify the circumstances in which the requirements of the Resource Management Act will be applied, modified or waived in relation to the provision of esplanade reserves and strips upon subdivision. In addition, this Plan's subdivision standards enable assessment of a proposed subdivision's impact on the natural environment, and regard will be had to Policy 2.6.5.1(a) in that assessment. Where an activity requiring a resource consent is likely to create adverse effects on water quality and ecosystems in an adjacent waterbody, conditions of consent may include a requirement to prepare a riparian management plan, or similar. **[Refer to section 5.2 of the Plan]**
- (c) *Encouragement of voluntary riparian management and/or provision of access* - In areas which are identified as being a priority for riparian management or the provision of public access, the Council shall encourage landowners to undertake appropriate riparian management/planting and/or to voluntarily form access routes, having regard to the private property rights of landowners.
- (d) *Service delivery* - The Council will, as resources permit and as information becomes available, update and maintain records of existing public accesses and unformed roads in the District. Where areas are identified as being of high priority for public access yet the opportunity to take esplanade reserves or strips upon subdivision is unlikely to arise in the foreseeable future, the Council shall consider negotiating with landowners with a view to acquiring land to provide public access.

2.6.6.5 Reasons:

Esplanade reserves and strips serve both conservation and public access functions. Esplanade reserves and strips may have significant benefits, including:

- maintaining or enhancing the natural functioning of the adjacent sea, river or lake;
- maintaining or enhancing water quality;
- maintaining or enhancing aquatic habitats;
- protecting the natural values associated with the esplanade reserve or strip;
- mitigating natural hazards;
- enhancing public access to, and recreational enjoyment of, the sea, river or lake and its margins, where this is compatible with conservation values.

It is not appropriate, however, for esplanade reserves and riparian management regimes to be established along all, or even most, of the District's water margins. There is a need to identify priority areas where benefits will outweigh costs. Potential considerations to be weighed against the benefits stated above include:

- the costs and responsibilities of maintaining the reserves and strips;
- the costs of fencing and planting land which is to be retired, and the cost of lost production and loss of access to water for landowners, must be weighed against the environmental benefits which generally occur downstream;
- riparian planting can restrict public access to the water body.

For the above reasons, the District Plan includes rules which vary the standard provisions of Section 230 of the RMA. There is an emphasis in this Plan on taking Esplanade Strips (rather than Esplanade Reserves) so that ownership stays with the landowner and the strip is not surveyed. Esplanade Reserves will be taken in certain circumstances. Esplanade Strips and Reserves will only be taken in identified priority areas (Refer to Appendix 15) and for the purpose(s) specified. The rules also specify circumstances where reduced widths are required.

2.6.6.6 Anticipated environmental results:

- (a) Public access to significant water bodies and areas of significant conservation, recreational or amenity value in the District will have been maintained and enhanced.
- (b) The natural character of the District's rivers and water bodies, and their margins, will have been maintained and enhanced.
- (c) The quality of the District's rivers and lakes will have been maintained and enhanced.
- (d) The rights of property owners will have been acknowledged and taken into account in any decisions in respect of riparian management.

2.7 Activities on the Surface of Water in Rivers and Lakes

2.7.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Under Section 31 of the RMA, "the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes" is one of the functions of territorial authorities. The control of activities in relation to the surface of water in coastal marine areas is the responsibility of Regional Councils, in conjunction with the Minister of Conservation.

Activities on the surface of water in rivers and lakes include such activities as commercial transportation of people or cargo; commercial operations for tourism, entertainment or recreation; houseboats; and private recreational activities such as speed boats, jet skis/wet bikes, rafting, canoeing, fishing and sailing.

2.7.1.1 Protection of environmental quality and amenity

There is the potential for activities on the surface of water to adversely affect environmental quality and amenity, including:

- adverse effects on the water quality/ecology of the river or lake;
- noise problems (particularly against the low ambient noise levels that people often come to rivers and lakes to enjoy);
- conflicts between different kinds of activities (e.g. water skiing and fishing);
- conflicts with the special spiritual and cultural relationship that Maori have with water.

Tararua District contains rivers which are important for their scenic, fishing, recreational and aesthetic values. The Manawatu, Mangatainoka, Makakahi, Makuri and Mangahao Rivers are all popular rivers for fishing. Some recreational activities such as jet boating can create adverse effects which may cause conflict with other water activities. Notwithstanding this, conflicts between water activities in the District are not at such a high level as are experienced in some areas of the country. The Council seeks to ensure that the public continue to enjoy access to the District's inland waters and a high level of environmental quality and amenity.

Having regard to these issues, the Council has adopted the following objective, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.7.2 PROTECTION OF ENVIRONMENTAL QUALITY AND AMENITY

The following objective, policies and methods are derived from issue 2.7.1.1 above.

2.7.2.1 Objective

To ensure that surface water activities maintain and/or enhance the environmental quality and level of amenity of the District's inland waters and environs

2.7.2.2 Policies

- (a) To control the environmental effects of activities on the surface of rivers and other inland water bodies which have the potential to cause adverse environmental effects.**
- (b) To monitor trends, issues or problems that may arise in the future as a result of activities on the surface of water in rivers and lakes, and to liaise with the Regional Council in determining the appropriate response, if any, should problems be identified.**

2.7.2.3 Explanation:

These policies provide for the control of the effects of activities on rivers and lakes and other water bodies. They enable activities on the surface of rivers and other inland water bodies to be permitted activities where there are no significant adverse effects. Trends, issues and any problems will be monitored and appropriate action taken.

2.7.2.4 Methods:

The Council shall implement Policies 2.7.2.2 (a) and (b) by the following methods:

- (a) *Enforcement and abatement procedures* - The Council shall respond to any nuisance or environmental quality problems as they arise by using the Resource Management Act's enforcement and abatement provisions as appropriate.**

- (b) *District Plan Rules* - The Council has included rules in this Plan which deem surface water activities to be generally permitted throughout the District unless they cause, or have the potential to cause, significant adverse environmental effects, in which case they are classified as discretionary activities to enable their effects to be assessed and appropriate mitigation measures to be considered. **[Refer to Part 4 of the Plan]**
- (c) *Co-operation with the Regional Council and other relevant agencies* - The Council shall liaise with the Regional Council as necessary.

2.7.2.5 Reasons:

The District's rivers and other inland water bodies are significant for the amenity and recreational values that they offer to the Tararua community and visitors. Current experience is that conflicts can occur between the various activities that take place on the District's water bodies but, on balance, most activities co-exist well together and do not give rise to adverse effects which need to be managed. Should problems or nuisances arise in the future, the RMA provides some solutions. Sections 16 and 17 of the RMA place a general duty on all persons to avoid unreasonable noise and a duty to avoid, remedy or mitigate adverse effects. Section 322 of the RMA provides for abatement notices to be issued by enforcement officers (Council Officers) in respect of noise and other nuisances.

A more proactive approach is needed in respect of potential activities (such as some commercial tourist, entertainment, motorised recreation or transportation operations) which could give rise to adverse environmental effects due to the scale or intensity of activity. Environmental standards are included in this Plan so that the effects of any activities which do not meet the standards can be assessed and conditions of consent imposed, if necessary. While surface water activities are not currently considered to be a major issue in the District, ongoing monitoring of the situation and liaison with the Regional Council will enable further responses to be put in place if that becomes necessary or desirable in respect of any particular area.

2.7.2.6 Anticipated environmental results:

- (a) The public will enjoy a high level of amenity and environmental quality on the District's rivers and other inland water bodies.
- (b) Emerging trends or problems will be identified and dealt with in an appropriate manner as the need arises.

2.8 Infrastructure

2.8.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Infrastructure refers to the network of utility services, communication facilities, electricity generation facilities and transportation links throughout the District which are essential to the operation and well-being of the community. The District's infrastructure includes the physical resources, plant, equipment and networks necessary for the generation and provision of electricity, gas, water supply, radio and telecommunications, sewage treatment and disposal, stormwater, drainage, roading, rail and air transport. The above services are provided by "network utility operators" as defined in Section 166 of the RMA (refer to Part 6 of this Plan, "Interpretation"). The Council is a network utility operator in terms of its role in the provision and maintenance of, for example, water and sewerage reticulation, stormwater systems and local roads and bridges. Similarly, the New Zealand Transport Agency (NZTA) is a network utility operator in relation to the State Highway network. Many "network utility operators", formerly Government owned and operated, are now private and public companies but the services they provide remain essential for the functional wellbeing of the community. Likewise, and although they are not included in the RMA as 'network utilities', existing wind farms also contribute to the District's infrastructure.

2.8.1.1 Network utility and infrastructure operations

Existing network utilities and infrastructure, such as electricity, gas and communication networks, represent a significant investment of resources in the District. As the community is largely dependent upon the provision of effective and efficient network utilities and infrastructure, it is important that adequate provision be made for network utilities and infrastructure in this Plan without the imposition of undue restrictions. Network utility and infrastructure operators work within technical and operational constraints that must be recognised, particularly in the consideration of resource consent applications for network utilities and infrastructure. However, while it is important that provision be made for services to be established and maintained in an economically and practically viable manner, it is also in the community's interest that services be provided in an environmentally acceptable manner. Given the deregulated environment in which many network utilities and infrastructure now operate, it is important that the potential effects of the activities of network utility operations and infrastructure are considered. The significant resource management issue in the District (as elsewhere) is how to manage the potential adverse effects of network utilities in an efficient and practical manner.

2.8.1.2 Interaction of the transport network and adjacent activities

There has been considerable investment of resources in the transport (road, rail and air) infrastructure of the District, both in terms of financial resources and the considerable amount of land that is taken up by roads, railways and aerodromes/airstrips. It is, therefore, important that the transportation network be managed for maximum efficiency. Sustainable management of the transportation network requires that this Plan should seek to avoid, remedy or mitigate the adverse effects of:

- land use activities on the transport network; and
- the transport network on surrounding activities

A major influence in the management of the transport network is the New Zealand Transport Agency (NZTA), an authority whose primary focus is the provision of an integrated and safe roading network. An important function of the NZTA is to control the State Highway system (including planning, design, supervision, construction and maintenance) in accordance with the provisions of the Land Transport Management Act 2003 and the Land Transport Act 1998. The District Council has similar responsibilities in respect of the local road network. It is noted that via an amendment to the Land Transport Management Act 2003 (amended 2008), the New Zealand Transport Agency (NZTA) was created. The NZTA was established as an 'umbrella' organisation that brings together the functions of the former Land Transport New Zealand and the former Transit New Zealand in order to deliver an integrated approach to land transport planning and funding.

On a regional level, the MWRC has developed the Regional Land Transport Strategy 2010 – 2040 which sets out the Region's approach to land transport for that period of time. The Strategy outlines the key objectives to be achieved in terms of maintaining and improving the Region's transport network and serves as an overarching policy document for the integrated management of this network. The MWRC's Proposed One Plan includes policies aimed at ensuring that other activities do not adversely affect regionally important infrastructure, including the Region's land transport system and that conversely, infrastructure does not adversely affect the environment, a vision shared by the District Council. The significant resource management issue is, therefore, how to minimise the adverse effects of land use activities on the safe and efficient operation of the transport network and, on the other hand, the adverse effects of the transport network on adjacent activities.

2.8.1.3 Electricity generation from renewable sources, including wind farms

The Tararua District is recognised as having a high quality wind resource. There are a number of existing wind farms in the District and there is the potential for more to be developed. There are local, regional and national benefits to be derived from wind farms, and other electricity generation from

renewable sources, and they are an important part of the District's, Region's and Nation's Infrastructure. However, wind farms and other forms of electricity generation from renewable sources can also have adverse effects, particularly on local amenity values. The significant resource management issue, therefore, is how to have particular regard to Sections 7(i) and 7(j) of the RMA, given the quality of the wind resource in the Tararua District, and the need to manage the potential adverse effects of wind farms on the environment.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.8.2 NETWORK UTILITY AND INFRASTRUCTURE OPERATIONS

The following objective, policies and methods are derived from issue 2.8.1.1 above.

2.8.2.1 Objective

To maintain and develop the District's infrastructure to meet the community's needs in a safe, effective and efficient manner while avoiding, remedying or mitigating adverse environmental effects.

2.8.2.2 Policies

- (a) To enable the activities of network utility operators and the establishment and maintenance of network utility equipment and facilities (including roads) to be undertaken, provided that adverse environmental effects are avoided, remedied or mitigated.**
- (b) To ensure that for all new activities and subdivisions within urban and settlement areas, utility services (pipes, wires and associated equipment) are placed underground at the expense of the developer, unless the operations require above-ground facilities for technical reasons, or unless the Council resolves that it is not practical or desirable for other demonstrated technical, economic, physical or environmental reasons to make such underground services available.**
- (c) To encourage the co-siting of network utility equipment where practicable.**

- (d) To ensure that any adverse effects of the subdivision, use and development of land on the safe and efficient operation of network utilities and infrastructure, are avoided, remedied or mitigated.
- (e) To take into account the technical and operational requirements of network utilities and infrastructure in the assessment of resource consent applications for these activities.

2.8.2.3 Explanation:

Policy 2.8.2.2(a) recognises that the services provided by network utility operators are essential to the health, safety, social, economic and cultural well-being of the people of the Tararua District, and that it is in the community's interest that services are provided in an economically and practically viable manner. It is often the case that there will be some temporary effects during construction and maintenance operations (the effects of roadworks for example) but these are generally acceptable to the community as they are inevitable, short term effects as a result of providing essential services. At the other end of the scale, some network utility activities may have the potential to have considerable impact on the environment. The effects of such activities need to be controlled. In assessing the environmental effects of network utility activities, regard shall be had to the matters in Part II (Sections 5, 6, 7 and 8) of the RMA.

Policy 2.8.2.2(b) aims to maintain and enhance the visual amenity of urban areas by requiring new services to be placed underground wherever possible.

Policy 2.8.2.2(c) aims to minimise environmental effects and to use resources efficiently by encouraging co-siting and co-operation between utility operators where possible.

Policy 2.8.2.2(d) recognises that network utilities and infrastructure represent a considerable investment of resources and it is important that their safe and efficient operation and maintenance is not hindered by the effects of new subdivision, use or development.

Policy 2.8.2.2(e) recognises that there are technical and operational constraints that affect network utilities and infrastructure and that these need to be considered in the assessment of resource consent applications.

2.8.2.4 Methods:

The Council shall implement policies 2.8.2.2 (a) to (e) by the following methods:

- (a) *District Plan Rules* - The Council has included rules in this Plan which classify network utility and infrastructure activities as permitted and controlled activities where the potential for significant adverse effects (other than temporary construction effects) is minor. Major works which

have the potential to have significant effects are classified as discretionary activities. **[Refer to section 5.3 of the Plan.]** It is noted that, in some cases, a resource consent from the relevant Regional Council may be necessary.

Additionally, the Plan provides the ability to register no complaints covenants. This is a method that can be used in order to protect existing network utilities and infrastructure activities from the adverse effects of new subdivision and development **[refer standards 5.2.4.3 and 5.2.4.6]**.

- (b) *Designations* - The Council shall consider notices of requirement for designations received from requiring authorities in terms of the provisions of Part VIII of the RMA. Confirmed designations will be incorporated into this Plan and shown on the District Plan maps and listed in the Schedule of Designations in Part 9 of the Plan.

2.8.2.5 Reasons:

The potential for post-construction, or on-going, adverse effects of network utility and infrastructure facilities varies widely. Many network utilities and infrastructure activities have little or no adverse effect (underground pipes and equipment) whereas large-scale facilities such as power generating plants and above-ground transmission lines and pipes, or major transportation developments may have significant effects which need to be assessed. This plan therefore classifies a wide range of network utility and infrastructure activities as permitted and controlled activities where there will be no significant adverse effects. Major works, where there is the potential for significant environmental effects, are classified as discretionary activities to enable an assessment of environmental effects, alternatives and mitigation measures to be undertaken, with third party input. It is also important to ensure that the subdivision, use and development of land does not have the effect of restricting the safe and efficient operation of network utilities and infrastructure.

The urban boundaries of the District's towns and settlements have been defined on the District Plan maps having regard to the desirability of having consolidated and efficient urban areas. A prerequisite for any future boundary changes (which can only be achieved by changing the Plan) will be that the land can be effectively and efficiently serviced.

The undergrounding of services aims to enhance the visual amenity of urban areas where possible. While this may also be desirable, from a visual perspective, in rural areas, it is considered that the costs would be prohibitive due to the greater distances involved, and also the opportunities for new developments to make a significant impact on rural amenities are limited.

The "designation" procedure is an alternative method of providing for the essential works of "requiring authorities", including Ministers of the Crown, local

authorities and those network utility operators which have been approved as requiring authorities under section 167 of the RMA. A requiring authority may give notice to the Council of its requirement for a designation to be made in the District Plan. The information to be provided and the procedures to be followed are set out in Part VIII of the RMA. Refer also to section 5.6 of this Plan. The designation procedure provides opportunities for Council and public input and, while the requiring authority is not bound to accept all of the Council's recommendations, there are rights of appeal to the Environment Court. Generally speaking, the use of the designation technique is likely to be confined to proposed large-scale works. Most network utility activities are likely to rely on District Plan rules which classify them as permitted, controlled or discretionary activities depending on the significance of their effects.

2.8.2.6 Anticipated environmental results:

- (a) There will be a minimum of adverse environmental effects and conflicts with other activities as a result of network utility operations and infrastructure activities.
- (b) Essential utility services will be provided to the Tararua community in an effective and efficient manner.
- (c) The visual amenity of the District's urban areas will be progressively improved as utility services are placed underground.
- (d) Coordinated installation and maintenance of utility services will cause less disruption to the community.

2.8.3 TRANSPORTATION NETWORK AND ADJACENT ACTIVITIES

The following objective, policies and methods are derived from issue 2.8.1.2 above.

2.8.3.1 Objective

To ensure the safe, efficient and effective operation of the District's transportation networks while avoiding, remedying or mitigating adverse environmental effects.

2.8.3.2 Policies

- (a) **To establish a "roading hierarchy" based on a functional classification of roads within the District according to each road's access and through traffic functions.**

- (b) To maximise the efficiency of the roading network by controlling access to, and intensity of, traffic generating land uses on allotments adjacent to primary arterial roads.
- (c) To specify standards for access to sites, on-site parking, loading and manoeuvring in order to avoid or mitigate the adverse effects of vehicle movements on the safety and efficiency of the road system.
- (d) To encourage rural selling places to locate where they will not adversely affect the safety and efficient operation of the road system.
- (e) To avoid the adverse effect of signs on the environment and on the safe and efficient operation of the transport system by controlling signs (other than road or traffic signs) within the road reserve of formed legal roads.
- (f) To provide for the safe and efficient operation of the Dannevirke Aerodrome and other airstrips in the District.
- (g) To encourage the use of "environmentally friendly" forms of transportation through the provision and enhancement of safe cycling and pedestrian facilities, particularly in town centres.
- (h) To avoid, remedy or mitigate the adverse effects of transportation activities on the environment.

2.8.3.3 Explanation:

Policy 2.8.3.2(a) recognises that there is an interdependency between the efficiency of the transportation network and the efficiency of other activities. In preparing this section of the Plan, the Council has had regard to the guidelines produced by the then Transit New Zealand in its document "Planning for a Safe and Efficient State Highway Network under the Resource Management Act 1991". A roading hierarchy classifies roads on the basis of the relative importance of their access and through-traffic functions. The Council has adopted the categories of primary arterial roads, secondary (district) arterial roads, collector roads and local roads (refer to Appendix 5).

Policy 2.8.3.2(b) recognises that the main function of primary arterial roads (as defined in the roading hierarchy) is the movement of people and goods through the District. Access to these major strategic roads needs to be controlled to ensure that their efficiency and safety for this function is not compromised.

Policy 2.8.3.2(c) aims to ensure that vehicles are able to move between the road network and properties in a safe and convenient manner, without causing any undue adverse effect on the safe and efficient operation of the roading system.

Policy 2.8.3.2(d) aims to ensure that rural selling places are designed and located where they will not adversely affect the safety and efficiency of the road system. Rural selling places will be encouraged not to locate on primary arterial roads for safety and efficiency reasons.

Policy 2.8.3.2(e) recognises that signs play an important role in the District in terms of providing information to the public and advertising for businesses but that some control on signs is needed in order to protect the amenities of the District and ensure that traffic safety is not compromised.

Policy 2.8.3.2(f) recognises that the Dannevirke Aerodrome is an important District facility in which considerable resources have been invested. The safe and effective operation of the aerodrome (and other airstrips in the District) is in the public interest.

Policy 2.8.3.2(g) aims to make "environmentally friendly" forms of transport, such as walking and cycling around towns, a more attractive option for people to use.

Policy 2.8.3.2(h) recognises that transportation activities can have adverse effects on the surrounding environment and that these should be avoided or reduced where practicable to do so.

2.8.3.4 Methods:

The Council shall implement policies 2.8.3.2 (a) to (h) by the following methods:

- (a) *District Plan Rules* - The Council has included a 4-level "roading hierarchy" for the Tararua District in this District Plan. This Plan contains rules to manage the effects of activities in the road reserve as well as adjoining land uses. Activities are classified as permitted, controlled and discretionary according to their potential impact on the safety and efficiency of the roading hierarchy. A "Dannevirke Aerodrome Protection Area" has been defined in Appendix 13 (refer to Part 9 of the Plan) and shown on the District Plan Maps with rules designed to protect the safe and efficient operation of the aerodrome. **[Refer to section 5.3 of the Plan]**
- (b) *Service delivery / District Land Transport Programme* - The Council shall give priority to road maintenance and construction projects for those parts of the road network which have been identified as unsafe, by ranking such projects accordingly in the District Land Transport Programme. The Council shall also investigate ways in which pedestrian and cycling facilities can be made safer and more attractive to use and shall programme improvements accordingly.

- (c) *Regional Community Road Safety Programme* - The Council shall continue to partially fund the Region's Community Road Safety Programme in conjunction with the MWRC and the other constituent District Councils.

2.8.3.5 Reasons:

Roads in the District generally serve a dual purpose. They provide access to properties and they provide for the movement of people and goods from one part of the District or country to another (i.e. through traffic). Some roads have local access as their main function; others are more important for through-traffic. A technique which has been commonly used in the past and which continues to be promoted by the NZTA is the development of a roading hierarchy which classifies roads according to their main function and traffic volumes. This enables priorities to be set for the management of the roading network and for the management of the effects of activities which impact on the efficiency and safety of the road network.

Standards for access, parking and loading space have been developed on the basis of the potential effects of activities and road classification (refer to section 5.3 of the Plan).

Rural selling places can be an important source of supplementary income for many farmers and they are a legitimate activity in the rural area provided they sell produce or goods grown or crafted on the site. They also have the potential to have an adverse effect on the efficiency and safety of the road network if not designed and located carefully. This issue is particularly important in respect of primary arterial roads. This District Plan contains rules making rural selling places discretionary activities on primary arterial roads and permitted activities on all other roads, subject to meeting specified standards.

Some signs, depending on their nature and location, may impede sight distances or be unduly distracting to drivers. In relation to State Highways, it is the policy of the NZTA to prohibit extraneous signs other than authorised road or traffic signs. Within all other legal roads the Council, as land owner, shall aim to control signs other than road and traffic signs. In respect of signs on private property, environmental standards in this Plan provide a flexible approach which permits signs subject to standards which are related to the surrounding environment and acceptable levels of amenity (e.g. not unduly visually intrusive). Standards are more restrictive in rural and residential areas and adjoining primary arterial roads than in commercial and industrial areas.

It is in the public interest that the Dannevirke aerodrome be able to continue to operate efficiently and safely. The Aerodrome Protection Area comprises land at the ends of the landing/take off strips and vertically below the take off/approach slopes. There are numerous other privately owned airstrips in the District but these do not warrant special management areas being established

as the frequency of use is low and there are no current or foreseeable conflicts between them and adjacent activities.

The impacts of transport activities on the local environment are numerous, especially in urban areas. The major effects at a local level are air and noise pollution, including vibrations, odours and smoke. There are also significant global issues surrounding the effects of transport on the environment. One of the major environmental problems facing the world is global warming, believed to be caused by the enhanced "greenhouse effect". Carbon dioxide is the single biggest contributor to the increasing greenhouse effect. The transport industry is a major contributor to the increasing carbon dioxide build-up in this country, producing some 19% of New Zealand's greenhouse gas emissions (MWRC Regional Land Transport Strategy 2010 – 2040 (RLTS), September 2010). Another major problem is the depletion of non-renewable resources. The need for efficient energy and resource use in the design and management of transportation systems, and the promotion of alternative forms of transport is recognised.

Localised road and streetscape improvements can make walking and cycling more attractive options. The Plan's policies also aim to contribute, in the longer term, towards reducing our dependence on motor vehicles for many day-to-day tasks. The policies also aim to achieve consolidated and efficient urban areas, with flexibility of location for activities on the basis of their effects rather than function.

In addition to District Plan responsibilities, the Council's main role in land transport relates primarily to the development and construction of roads, and road safety. Annually, every territorial authority must include in its Annual Plan, an outline of the road and road safety activities to be funded in the following year. Funding for identified projects comes from the National Land Transport Programme which is administered by the NZTA. For local roads, approximately 60% of the total cost for maintenance works is available from NZTA, while funding for other works varies. For, State Highways, 100% of funding is available (source: MWRC Regional Land Transport Strategy). Projects aimed at improving road safety shall be given priority. The Council also contributes, along with the other territorial authorities in the region and the MWRC, funding for a Community Road Safety Programme for the Region.

2.8.3.6 Anticipated environmental results:

- (a) The District has a transport system which provides for the safe and efficient movement of people and goods in and through the District.
- (b) The District has a transport system which has no or minor adverse effects on the natural and physical environment.

- (c) The District has a transport system which is able to be maintained and sustained in the long term.

2.8.4 ELECTRICITY GENERATION FROM RENEWABLE SOURCES INCLUDING WIND FARMS

The following objective, policies and methods are derived from issue 2.8.1.3 above.

2.8.4.1 Objective

To recognise the potential of the District's Rural Management Area for renewable electricity generation and wind farms in particular.

2.8.4.2 Policies

- (a) **To recognise the local, regional and national benefits to be derived from the development of renewable energy resources, and wind farms, in particular.**
- (b) **To remedy, mitigate, or avoid, where possible, the actual and potential adverse effects on the environment of wind farms and other renewable electricity generation facilities, by recognising that they have the potential to cause significant adverse effects on the environment, particularly in respect of amenity values, landscape ecology, noise and traffic, and may therefore be inappropriate in some locations.**

2.8.4.3 Explanation:

The use of electricity is a fundamental part of the everyday functioning of New Zealand. It is therefore important to recognise the benefits that renewable electricity generation brings to local, regional and national communities.

Renewable electricity generation has particular benefits in terms of climate change, not using fossil fuels and sustainability.

Electricity generation can also have adverse effects on the environment and these effects need to be managed (avoided, remedied or mitigated) wherever practicable when new energy generation is developed. It may also be appropriate to avoid adverse effects altogether, which in some instances may mean that new electricity generation should not be developed. Policies 2.8.4.2(a) and (b) seek to ensure that both the benefits and the potential adverse effects of electricity generation, and wind farms in particular, are taken into account in decisionmaking.

Renewable electricity generation facilities also make up a significant part of the District's, Region's and Nation's infrastructure and it is important that the safe and efficient operation of existing facilities is not significantly adversely affected by the subdivision, use and development of other land. It is also important that the technical and operational requirements and constraints of electricity generation facilities are taken into account when resource consent applications for them are considered. These matters are recognised in the District Plan in Objective 2.8.2.1 and Policies 2.8.2.2(d) and 2.8.2.2(e) relating to network utilities and infrastructure.

2.8.4.4 Methods:

The Council shall implement policies 2.8.4.2 (a) and (b) by the following methods:

- (a) District Plan Rules – The Council has included rules in this Plan which provide for the operation and maintenance of existing renewable electricity generation facilities, including wind farms, as a permitted activity and for new renewable electricity generation facilities as discretionary activities. The assessment criteria set out in relation to the discretionary activity rule include matters relating to both the benefits that can be derived from the development of new renewable electricity generation facilities, as well as to the potential for adverse effects relating to amenity values, landscape, ecology, noise and earthworks to arise in association with such activities.

2.8.4.5 Reasons:

Electricity generation facilities provide an important service to the New Zealand community, and generation from renewable sources has significant benefits. The on-going operation and maintenance of facilities, such as existing wind farms, is essential to ensure that this service can continue to be delivered. However, these facilities, and particularly the establishment of new generation facilities, can have adverse effects on the environment. The methods are intended to enable existing facilities to continue to operate, and to ensure that, when a new electricity generation facility is proposed to be established, a comprehensive assessment of both the positive effects and the adverse effects is undertaken.

Additionally, the efficient operation of electricity generation facilities can be adversely affected by the inappropriate siting and design of subdivision and subsequent development. Restrictive 'no-complaints' covenants may be used in relation to subdivision in proximity to these facilities.

2.8.4.6 Anticipated environmental results:

- (a) The on-going operation and maintenance of existing electricity generation facilities, including wind farms.
- (b) The establishment of new electricity generation facilities, and wind energy facilities in particular, in appropriate locations.

2.9 Waste Management and Hazardous Substances

2.9.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Under the RMA, Regional Councils have primary responsibility for the control of discharges to land, water and air, and for the maintenance and enhancement of water quality. The control of the adverse effects of land use activities, however, is a territorial authority function and it is in the interests of sustainable management that objectives and policies dealing with waste management and hazardous substances are contained in this Plan. The significant resource management issues in the District associated with waste and hazardous substances management are as follows:

2.9.1.1 Waste minimisation

Waste management is the process by which individuals, businesses and the community as a whole generates, collects and disposes of its waste material. The manner in which this is done has important environmental implications both at the local level and, ultimately, at the global level. In the past, the true costs of waste generation and disposal have not been appreciated as environmental costs have not been taken into account. It was cheap and easy to simply take rubbish to the "dump" and individuals and businesses tended not to accept any personal responsibility for waste generated or what happens to it once it leaves their premises. Under the RMA, the true costs of waste disposal are starting to be felt by communities as Councils are forced to upgrade landfills and close ones with unacceptable levels of adverse environmental effects. There is a direct correlation between the amount of waste generated and the amount that has to be disposed of. There is a need to address all links in the chain, beginning with waste minimisation, which involves reducing waste, reusing waste and recycling waste.

2.9.1.2 Solid waste disposal

Historically, landfills in New Zealand have been sited and managed without particular consideration of their actual and potential effects on the environment. With an increasing understanding of the effects associated with landfill operations, there has been a significant change in the approach to the development of new landfills and the management of existing ones. In order to meet the requirements of the RMA, new landfills are now designed as 'sanitary landfills', requiring engineered lining, leachate collection and treatment, daily capping, environmental monitoring, and carefully considered siting. In order to

meet the increased costs associated with these more intensive landfill operations, the trend is for the development of large regional landfills, serviced by a number of transfer stations.

The Tararua District Council continues to maintain and operate a number of small local landfills within the District. These are managed in accordance with the Ministry for the Environment's "A Guide to the Management of Closing and Closed Landfills in New Zealand" (2001). While there has been considerable improvement in the management of the landfills within the District, it is important to maintain the currency and effectiveness of the management systems for both open and closed landfills in order to avoid, remedy or mitigate any adverse environmental effects.

2.9.1.3 Hazardous substances

The use, storage, transportation and disposal of hazardous substances is a significant environmental issue due to the potential for adverse effects on human health and the environment if not managed properly. The potential for significant adverse environmental effects on the environment and human health ranges from nuisance through to disaster in extreme cases.

2.9.1.4 Contaminated sites

In many cases, the effects of inadequate waste and hazardous substances management in the past are only being realised now and similarly, the effects of some current practices may not be felt for years to come. An issue for the Tararua District is that there is no accurate database on how many, and which, sites are contaminated, and to what extent. Where contaminated sites are identified, a significant resource management issue to be resolved is how to discourage inappropriate activities from locating on contaminated sites and, in relation to potential future contamination, how to minimise the opportunities for adverse effects to arise.

2.9.1.5 Liquid wastes

The disposal of liquid wastes is a significant resource management issue in the District. While the control of discharges to land and water is primarily the responsibility of Regional Councils, it is also an important responsibility of the District Council in terms of its control of subdivision and development and the effects of land use activities in the District. In non-sewered areas, for example, the effectiveness of discharging liquid wastes from septic tanks (or other method) into the ground depends on the capacity of the soil to assimilate the liquid waste. In some areas where groundwater is close to the surface, or where development density is too high (or, conversely, individual lots too small), the cumulative effects of the discharges may have an adverse effect on groundwater quality in the area. In some cases, water is taken from groundwater bores in the same areas and there may be a potential health and environmental risk. The significant issue for the Council is how to ensure that

liquid waste disposal does not generate adverse effects and to determine what standards should apply, taking the infinite variety of site characteristics in the District into account.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.9.2 WASTE MINIMISATION

The following objective, policy and methods are derived from issue 2.9.1.1 above.

2.9.2.1 Objective

To minimise the amount of waste generated in the District.

2.9.2.2 Policy

(a) To promote waste minimisation and cleaner production initiatives in the Council's own operations and within the community.

2.9.2.3 Explanation:

Policy 2.9.2.2(a) aims to eliminate or reduce waste at source, rather than controlling it once it is produced and discharged to the environment.

2.9.2.4 Methods:

The Council shall implement Policy 2.9.2.2(a) by the following methods:

(a) *Service delivery* - The Council has adopted a Waste Management and Minimisation Plan (2011 – 2017) for the District based on the 5 "R's" waste management hierarchy of "reduction, reuse, recycling, recovery and residual management" of waste. This will address the management of the Council's own activities and facilities and outline the actions to be carried out to manage and minimise solid waste.

(b) *Financial incentives* - As part of the Waste Management and Minimisation Plan (2011 – 2017), the Council shall implement appropriate user charges at landfills and transfer stations to reflect the cost of waste disposal.

(c) *Education and Information provision* - In implementing its Waste Management and Minimisation Plan (2011 – 2017), the Council shall produce consultation materials and provide other information to

encourage, promote and support waste minimisation and cleaner production initiatives in the District.

2.9.2.5 Reasons:

Large scale waste generation and use of finite natural and physical resources is unsustainable. Management of wastes should be based on a system of reduction, reuse, recycling, recovery and residual management. These are commonly known as the 5 "R's" of the waste management hierarchy. "Cleaner production" aims to minimise environmental effects by more efficient use of raw materials and energy, avoiding the generation of harmful wastes, and producing products which are not harmful during their use and disposal.

2.9.2.6 Anticipated environmental results:

- (a) Throughout the District an increase in re-use, recycling and resource recovery will have led to a decrease in the volumes of waste requiring disposal.
- (b) District Landfills will have a longer life and there will be a decrease in demand for new landfill sites.

2.9.3 SOLID WASTE DISPOSAL

The following objective, policy and methods are derived from issue 2.9.1.2 above.

2.9.3.1 Objective

To ensure that the District's solid waste is disposed of in an environmentally acceptable manner.

2.9.3.2 Policy

(a) To ensure that landfills are sited, designed and managed so as to avoid, remedy or mitigate adverse effects on the environment.

2.9.3.3 Explanation:

Policy 2.9.3.2(b) recognises that many of the adverse effects commonly associated with landfills can be avoided by careful planning and management.

2.9.3.4 Methods:

The Council shall implement Policy 2.9.3.2(a) by the following methods:

- (a) *Service delivery* - The Council shall implement the Waste Management and Minimisation Plan for the District and update as necessary and implement management and operations plans for all its landfills. It shall also ensure that the necessary resource consents for the operation of the District's Landfills are obtained from the Regional Council.
- (b) *District Plan Rules* - The Council has included rules in this Plan which make landfills and transfer stations discretionary activities to ensure that they are appropriately located and designed to minimise adverse effects. **[Refer to Parts 4 and 5 of the Plan]**
- (c) *Financial disincentives* - The Council shall impose financial penalties on contractors operating the Council's landfills if they do not perform to the environmental standards required by the management and operation plan.

2.9.3.5 Reasons:

Under the RMA, resource consents from the Regional Council are required in respect of all landfills for discharges to land, air and water. In order to obtain the resource consents and meet the conditions imposed, a range of mitigation measures may be necessary. The Council will ensure that all its landfills are managed in a manner that minimises adverse environmental effects. However, service delivery alone is insufficient to ensure satisfactory management. In the case of new landfills in particular, Plan rules provide a means of ensuring that the landfills are located in a manner which minimises the potential for adverse effects, having regard to (amongst other things) topography, ecosystems, natural hazards and sensitive nearby activities.

2.9.3.6 Anticipated environmental results:

- (a) Existing landfills will cause few, if any, adverse environmental effects.
- (b) New landfills will cause few, if any, adverse environmental effects as a result of appropriate location, design and management.

2.9.4 HAZARDOUS SUBSTANCES

The following objective, policy and methods are derived from issue 2.9.1.3 above.

2.9.4.1 Objective

To ensure that the use, storage, transportation and disposal of hazardous substances in the District does not result in adverse health or environmental effects.

2.9.4.2 Policy

(a) To minimise opportunities for adverse effects to arise from the use, storage, transportation and disposal of hazardous substances by encouraging appropriate management and location of such activities.

2.9.4.3 Explanation:

Policy 2.9.4.2(a) recognises that hazardous substances are of concern because of their potential to cause significant adverse health and ecological effects, as a result of inappropriate storage, use, transportation or disposal. Hazardous substances may cause significant adverse environmental effects if spilled or discharged to watercourses (either directly or via stormwater systems) or to land where contamination of the soil and groundwater systems may occur. In the latter case in particular, if hazardous sites are not managed properly, the cumulative effects of spills to land over time may, result in contaminated sites.

2.9.4.4 Methods:

The Council shall implement Policy 2.9.4.2(a) by the following methods:

- (a) District Plan Rules – None.
- (b) *Service delivery* - The Council shall assist the relevant regulatory authorities (e.g. Regional Councils) and service agencies (e.g. New Zealand Fire Service) to prepare operational procedures for emergencies involving hazardous substances. The Council shall also ensure that hazardous wastes are not disposed of in the District's landfills which are not designed for such wastes.
- (c) *Promotion and Co-operation* - The Council shall support the development of a national tracking system for hazardous substances, and shall cooperate with the Regional Council to develop a regional data base and a regional landfill for co-disposal of hazardous wastes.
- (d) *Enforcement and Abatement procedures* - The Council shall liaise with the Regional Council as necessary and take appropriate action against activities which contravene Plan Rules.

2.9.4.5 Reasons:

Numerous agencies share overlapping responsibilities for controlling the use, storage, transportation and disposal of hazardous substances.

Their statutory functions and responsibilities are derived from a number of statutes and regulations. [These agencies and their responsibilities are described in the Introduction (5.1.8.1) of Section 5.1.8 Hazardous Substances of this Plan].

When the responsibilities of these statutory bodies are combined, the Council considers there is no need or justification to provide any further regulations (rules) or other provisions in the District Plan.

2.9.4.6 Anticipated environmental result:

- (a) There will be less risk to the environment, including ecosystems, from pollution/contamination in the future as a result of improved siting, design and management of activities involving hazardous substances and wastes.

2.9.5 CONTAMINATED SITES

The following objective, policy and methods are derived from issue 2.9.1.4 above.

2.9.5.1 Objective

To avoid adverse health or environmental effects as a result of inappropriate activities establishing on contaminated sites.

2.9.5.2 Policy

- (a) **To develop and maintain an information data base on contaminated sites in the District in order to discourage inappropriate activities from establishing on known contaminated sites until site remediation is undertaken to an extent which reduces the potential adverse effects to an acceptable level.**

2.9.5.3 Explanation:

Contaminated sites are areas of land where inappropriate storage (resulting in leakage or spillage), handling, or disposal in the past, has led to the accumulation in the soil of hazardous substances. Policy 2.9.5.2(a) recognises the importance of having accurate information about the extent of the

contaminated site problem in the District and the potential threats to the environment and human health.

2.9.5.4 Methods:

The Council shall implement Policy 2.9.5.2(a) by the following methods:

- (a) *Research and Information* - The Council shall cooperate with the Regional Council to develop and maintain a database of known and potentially contaminated sites and remediated sites within the District. This information on known contaminated sites shall be publicly available and will be included in Project Information Memoranda (PIM's) and Land Information Memoranda (LIM's) under the Building Act 2004 and the Local Government Official Information and Meetings Act 1989 respectively.

2.9.5.5 Reasons:

Contaminated sites can result in adverse effects on human health and ecosystems as a result of leaching into groundwater, surface runoff into streams, wind-blown dust, ingestion by children or animals and growing food crops in contaminated soils. Existing and potential property owners and adjacent residents have a right to know about any known contaminated sites in the District. A database of known and potential contaminated sites shall be established, in conjunction with the Regional Council.

2.9.5.6 Anticipated environmental result:

- (a) Identification and remediation of contaminated sites will have decreased the risk to human health and the environment.

2.9.6 LIQUID WASTES

The following objective, policy and methods are derived from issue 2.9.1.5 above.

2.9.6.1 Objective

To avoid the degradation of surface water and groundwater quality in the District.

2.9.6.2 Policy

- (a) **To encourage the adoption of the best practicable option for all domestic and industrial stormwater and effluent disposal systems, and prevent subdivision and the location of new activities where there will be or are likely to be significant actual or cumulative adverse effects.**

2.9.6.3 Explanation:

Surface and ground water systems may be degraded as a result of inadequate management and disposal of liquid wastes. Liquid wastes include non-hazardous domestic, trade and agricultural wastes of a liquid nature. These include sewage, seepage of septic tank sludge, stormwater (which may be contaminated), building slurries, dairy shed effluent and other non-hazardous liquid industrial or factory wastes. Policy 2.9.6.2(a) aims to avoid or mitigate adverse effects, including cumulative effects.

2.9.6.4 Methods:

The Council shall implement Policy 2.9.6.2(a) by the following methods:

- (a) *District Plan Rules* - The Council has included rules in this Plan to prevent subdivision and the location of new activities where proposed effluent disposal systems and stormwater systems are inadequate. [Refer to Section 5.1 of the Plan] It should be noted that the control of discharges of contaminants to the environment (land, water or air) is largely a Regional Council responsibility and reference should be made to the relevant Regional Council in order to determine whether any other requirements apply to any particular case.
- (b) *Information provision* - The Council shall provide advice to the public as necessary as to the areas in which the adverse effects of existing non-sewered domestic effluent disposal systems (e.g. septic tank systems) may be significant.
- (c) *Service delivery* - The Council shall investigate and implement the best practicable option in respect of the Council's sewage treatment and stormwater facilities, having regard to financial and environmental considerations. Preferred options shall be determined and outlined in the Annual Plan.
- (d) *Trade Waste bylaws* - As the quality of an input affects the quality of an output, the Council shall review Trade Waste Bylaws in order to ensure that incoming effluent is of a standard which enables discharges from the Council's sewage treatment facilities to consistently meet the water quality standards required by relevant regional plans and/or conditions on resource consents. Effective Trade Waste Bylaws will also promote the adoption of cleaner production technologies.

2.9.6.5 Reasons:

Inappropriate management of liquid waste can lead to considerable degradation of surface and groundwater quality. Industrial discharges are primarily point source and the quality of effluent is normally controlled through the Trade Waste bylaws administered by the Council. Resource consents

(discharge permits) from the Regional Council must be held for all discharges from the Council's sewage treatment facilities, and increasingly stringent standards are being imposed on discharges in order to achieve improved water quality standards in the Region's rivers and streams. The flow-on effect of this is that the Council will have to review its Trade Waste Bylaws to control the quality of discharges to sewerage systems. Some industries have their own waste treatment systems prior to discharging to water or land. Within the District, there are a number of communities which rely on septic tanks or other on-site systems for domestic waste disposal. Soil types, geology and water tables will determine the minimum size allotment that can support a septic tank or other system, without leading to adverse environmental effects beyond the site. Cumulative effects are an important consideration as increasing population density can lead to groundwater contamination from the cumulative effects of septic tank seepage. Rules in this Plan ensure that subdivision and new activities are not permitted where significant adverse effects are likely which cannot be adequately mitigated.

2.9.6.6 Anticipated environmental result:

- (a) Degradation of surface and ground water quality in the District will be avoided.

2.10 Treaty of Waitangi and Maori Resource Management Values

[Note: Where Maori terms are used but not defined in this section, please refer to Part 6, "Interpretation", for an explanation of the terms.]

2.10.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

Section 8 of the RMA requires that the principles of the Treaty of Waitangi are taken into account in the management of the District's natural and physical resources. The Treaty was the first instance of non-Maori recognition and confirmation of Maori rights and responsibility to exercise their mana over resources. Sections 5, 6(e), 7(a) and 8 of the RMA reaffirm this responsibility in partnership with the Council. Section 6(e) states that: "*all persons exercising functions and powers under [the RMA] shall recognise and provide for ... The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*"

Section 7(a) further states that "*all persons exercising functions and powers under [the RMA] shall have particular regard to ... Kaitiakitanga.*" The concept of Kaitiakitanga is defined in the RMA as "*the exercise of guardianship; and in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.*" This concept is consistent with the purpose of the RMA and this District Plan which is to achieve the sustainable management of the District's natural and physical resources.

The significant resource management issues in the District are:

2.10.1.1 Participation of tangata whenua

The Council seeks to build a relationship with the tangata whenua (local iwi and hapu) of the District through which the Maori perspective of resource management may be fully integrated into the resource management planning and decision making process. The issue is how best to encourage participation of Maori in a constructive, practical and mutually beneficial manner, in the spirit of the Treaty of Waitangi.

2.10.1.2 Maori resource management values

Maori and European people do not necessarily always share the same outlook and values in resource management matters, although many sustainable management concepts are common to both. Maori people have a special

relationship with their ancestral lands, water, sites, waahi tapu and other taonga (treasures) which is to be recognised and provided for under the RMA. The resource management issue to be resolved is how to take account of, and respect, Maori resource management perspectives in the spirit of the Treaty of Waitangi.

Having regard to the above issues, the Council has adopted the following objectives, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.10.2 PARTICIPATION OF TANGATA WHENUA

The objective, policy and methods below are derived from issue 2.10.1.1 above.

2.10.2.1 Objective

To take into account the principles of the Treaty of Waitangi (Te Tiriti O Waitangi) in the management of the District's natural and physical resources.

2.10.2.2 Policy

- (a) To provide for, and encourage, the participation of tangata whenua (local iwi and hapu) in resource management planning and decision making processes.**
- (b) To foster a positive working relationship between the Council and hapu of the Tararua District.**

2.10.2.3 Explanation:

To enable participation in the resource management process, it is necessary to undertake early and meaningful consultation with local iwi and hapu on all significant resource management issues. Where appropriate, applicants will be expected to consult with local iwi and hapu prior to lodging applications with the Council, and to provide sufficient information to enable the potential effects of the proposal to be fully understood. The Council wishes to enhance and develop the positive working relationship with tangata whenua (iwi and hapu) of the District. It considers that a positive working relationship is better than an adversarial or ill-informed one.

2.10.2.4 Methods:

The Council shall implement Policy 2.10.2.2(a) and (b) by the following methods:

- (a) *Consultation and the provision of information* - The Council shall undertake early and meaningful consultation with the tangata whenua over significant resource management issues and in the preparation of the District Plan and any subsequent changes to or reviews of it. Applicants for resource consents will also be encouraged to consult with local iwi and hapu prior to lodging applications where the proposed activities have the potential to affect Maori interests. The Council shall refer all relevant resource consent applications to potentially affected iwi and hapu, in order to seek and take their views into account in the decision making process.
- (b) *Education* - Tararua District Council staff and Councillors will be provided with opportunities to receive training and education about Treaty of Waitangi and Maori resource management values to enable a meaningful relationship with tangata whenua to develop.

2.10.2.5 Reasons:

In order to take full account of Treaty of Waitangi principles and Maori resource management values, it is essential that tangata whenua be able to participate in the resource management process in an informed manner. Early consultation is important as it enables any concerns to be taken into account and mitigation measures to be considered, as well as reducing the likelihood of misunderstandings and delays later in the process.

2.10.2.6 Anticipated environmental results:

- (a) Tangata whenua are active participants in resource management planning and decision making processes.
- (b) The Council and community is increasingly aware of Maori values and approaches to the management of natural and physical resources.

2.10.3 MAORI RESOURCE MANAGEMENT VALUES

The objective, policy and methods below are derived from issue 2.10.1.2 above.

2.10.3.1 Objective

To recognise and provide for Maori values in the management of the District's natural and physical resources.

2.10.3.2 Policy

- (a) **To recognise and provide for the relationship of tangata whenua (local iwi and hapu) and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and to have particular regard to the concept of kaitiakitanga.**

2.10.3.3 Explanation:

The cultural and spiritual relationship of Maori with their ancestral lands, water, sites, waahi tapu and other taonga are referred to in the RMA as a matter of national importance. The concept of "taonga" relates to anything that is prized, treasured or valued for what it is, where it came from and its potential. Taonga may be both tangible and intangible and may be identified only by local iwi and hapu. Physical taonga include traditional forms of food and natural material harvested for traditional purposes.

2.10.3.4 Methods:

The Council shall implement Policy 2.10.3.2(a) by the following methods:

- (a) *Consultation with iwi and hapu* - The implementation of Policy 2.10.2.2(a) will enable the implementation of Policy 2.10.3.2(a). This will ensure that Maori values and concerns are understood and taken into account in respect of significant resource management issues which may affect local iwi. Relevant iwi management plans will also be taken into account in consideration of resource management issues.
- (b) *District Plan* - The Council has included in this Plan a Schedule of significant heritage sites and features in the District, including waahi tapu. These heritage items are classified according to their significance, and rules have been included in the Plan which provide varying degrees of protection for such features. The rules govern both subdivision and the effects of land use activities on such features. [Refer to section 5.5 and Part 9 of the Plan] Other sites not listed in the District Plan may be listed with the Council or iwi.
- (c) *Traditional Maori approaches to resource management* - These include the practice of rahui which is a restriction over the use of a particular resource in order to conserve it, and tapu which is the placing of an item or place in a state of protection or sacredness. In keeping with the concept of kaitiakitanga, such traditional methods may be applied as local iwi see fit in relation to Maori land and resources. Iwi management plans shall also be recognised as appropriate by the Council and taken into account in resource management planning and decision making.

2.10.3.5 Reasons:

Adverse effects on physical taonga result in associated adverse effects on spiritual taonga, given the interrelatedness of the physical and metaphysical inherent in the Maori worldview. It is, therefore, important to Maori that resources of cultural and spiritual importance are protected. Waahi tapu are sacred places which may include urupa (grave sites), rua koiwi (places where skeletal remains are kept), wai tohi (streams where baptismal rites are performed), and waahi pakanga (battle sites). Such features are important elements in maintaining the traditional and cultural values of iwi with their taonga.

Consultation with local iwi, both during the preparation of this District Plan and on an ongoing basis, is important in order to identify those resources and sites that are of special significance to local Maori people. The District Plan is one method of providing recognition of and protection to waahi tapu, where such protection is requested by local iwi. The Schedule of significant heritage features in the District Plan was compiled following consultation with tangata whenua and other interest groups. Should local iwi wish further waahi tapu to be added to the Schedule, this may be done by way of a Plan change or review. In some cases, the precise locations of such sites may not be known and, in other cases, the tangata whenua may prefer not to disclose the precise locations to the general public. In such cases, either the general location of the site will be identified or the locations may be held in "silent files" held by either iwi only, or by both the Council and iwi.

2.10.3.6 Anticipated environmental result:

- (a) Taonga of importance to local iwi are identified and protected.

2.11 CROSS-BOUNDARY ISSUES

2.11.1 SIGNIFICANT RESOURCE MANAGEMENT ISSUES

2.11.1.1 The need for integrated and consistent resource management across administrative boundaries

The boundaries of the Tararua District are administrative boundaries (lines on maps) which are not recognised by the processes of nature. Most, if not all, of the resource management issues addressed by this District Plan are also issues in neighbouring territorial authorities. In many cases, it does not matter if neighbouring authorities adopt differing policies and rules to deal with particular issues. In fact, it is a strength of the Resource Management Act and the local government process that policies and rules can be formulated to reflect the views of the local population. However, there are some resource management issues which cross territorial boundaries and for which consistency is desirable, or at least processes are in place for dealing with cross-boundary issues as they arise. It can happen, for example, that a property is split between territorial authorities. Furthermore, network utilities such as transmission lines often cross several districts. Physical features such as the Tararua and Ruahine Ranges, rivers and the coastline also run through several territorial authorities. The Regional Council is, to a significant extent, able to provide the coordinated approach and overview required in respect of resource management issues affecting these features. In some cases, however, co-ordination and co-operation at the territorial authority level will be required.

The Tararua District has a common boundary with the following Districts:

- Central Hawke's Bay District
- Masterton District
- Horowhenua District
- Palmerston North City
- Manawatu District

Co-ordination between the authorities is necessary to ensure efficient and effective administration of the District Plan, as well as to achieve integrated resource management. To ensure that the management of resources occurs in an integrated manner, section 75 of the RMA requires that a District Plan shall state:

"(f) the processes for dealing with issues that cross territorial authority boundaries".

The boundaries between the administrative hierarchy of District Councils, Regional Councils and Central Government also requires consideration. In respect of issues which cross between the responsibilities of the District Council and regional and national authorities, section 75(3) and (4) of the RMA states that:

"(3) A district plan must give effect to -

- (a) Any national policy statement; and*
- (b) any New Zealand coastal policy statement; and*
- (c) any regional policy statement.*

(4) A district plan must not be inconsistent with -

- (a) a water conservation order; or*
- (b) a regional plan for any matter specified in section 30(1)." [Section 30(1) sets out the functions of regional councils].*

This District Plan has been prepared with regard to the provisions of the Manawatu-Wanganui Regional Policy Statement and the Wellington Regional Policy Statement. The majority of the Tararua District lies within the Manawatu-Wanganui Region, but a small area of rural land in the south of the District lies within the Wellington Region (refer to Figure 1 in section 1.4). The District Plan policies are generally consistent with, and complementary to, the policies of both Regional Councils. Furthermore, the Plan is not known to be obviously inconsistent with any of the other matters contained in sections 75(3) and (4) of the RMA.

Having regard to the above issues, the Council has adopted the following objective, policies and methods, the implementation of which it is anticipated will achieve the stated environmental results.

2.11.2 CROSS BOUNDARY ISSUES

The objective, policies and methods below are derived from issue 2.11.1.1 above.

2.11.2.1 Objective

To address resource management issues which cross administrative boundaries in a coordinated and integrated manner.

2.11.2.2 Policies

- (a) **To encourage the formulation of industry-wide guidelines and Codes of Practice.**
- (b) **To cooperate with other District and Regional Councils and other relevant agencies, and to facilitate joint hearings where appropriate, to address resource management issues in an integrated manner.**

2.11.2.3 Explanation:

Policy 2.11.2.2(a) recognises that there are a number of areas where industries/business sectors can take (and have taken) the lead in an effort to achieve consistent resource management policies and rules between authorities. Policy 2.11.2.2(b) advocates use of the procedures available under the RMA to conduct joint hearings where this will facilitate integrated resource management and to keep "bureaucracy" (i.e. time and cost) to a minimum.

2.11.2.4 Methods:

The Council shall implement policies 2.11.2.2 (a) and (b) by the following methods:

- (a) *Co-operation with relevant agencies* - The Council shall make use of procedures available under sections 102 and 103 of the RMA to facilitate joint hearings with other consent authorities, as appropriate. In addition, the Council shall cooperate with other agencies to promote integrated and consistent resource management decisions in respect of issues which cross administrative boundaries.
- (b) *Research/District Plan rules* - In preparing this District Plan, the Council has had regard, where they are available, to industry or sector guidelines and Codes of Practice which set standards for those in the industry concerned to comply with. Where appropriate, these have been adopted as rules in the District Plan in order to achieve greater consistency and guidance to businesses and industries. It is also noted however that the value of many Codes of Practice and guidelines is that they are voluntary and it is not appropriate to adopt all codes and guidelines as rules. **[Refer to Part 5 of the Plan]**

2.11.2.5 Reasons:

The writers of industry-wide guidelines and Codes of Practice have a better understanding of the relevant subject matter than most other people and the Codes usually fairly reflect current issues and options. The Council wishes to encourage such methods of promoting consistency and up-to-date research.

Co-operation with other agencies and other Councils is important where resource management issues cross administrative boundaries and responsibilities.

2.11.2.6 Anticipated environmental result:

- (a) Resource management issues which cross administrative boundaries will be dealt with in a coordinated and integrated manner.

3 MANAGEMENT AREAS

PART 3

3.1 INTRODUCTION TO MANAGEMENT AREAS SECTION	3-1
3.1.1MANAGEMENT AREAS IN THE TARARUA DISTRICT	3-1
3.2 Desired Characteristics	3-3
3.2.1RURAL MANAGEMENT AREAS	3-3
3.2.2RESIDENTIAL MANAGEMENT AREAS	3-4
3.2.3COMMERCIAL MANAGEMENT AREAS	3-6
3.2.4INDUSTRIAL MANAGEMENT AREAS	3-7
3.2.5SETTLEMENT MANAGEMENT AREAS	3-8

3.1 Introduction to Management Areas Section

Part 2 of the District Plan has set out the Council's policies for managing the natural and physical resources of the Tararua District. These policies, and the District Plan rules which are contained in Parts 4 and 5 of the District Plan, place an emphasis on managing the environmental effects of activities. The significance of the effects of activities depends, however, not only on the nature of the activity but also on the character of the area concerned. For example, the community's tolerance of environmental effects such as noise and smoke is generally higher in industrial areas than it is in commercial, residential or rural areas. Similarly, the effects of traffic (vehicle noise and congestion) tend to be more acceptable in commercial areas than in residential areas, and, as a final example, odours associated with farming activities tend to be less offensive to people in rural areas than they would be to people in urban areas.

The nature of the activity involved is also important. For example, activities that generate adverse traffic, parking or visual effects are more likely to be acceptable if they directly serve the area concerned (i.e. dairies and schools in residential or rural areas). The acceptable environmental impact of an activity may also vary depending on the level of public and private investment in different parts of the District. In residential areas, for example, the cumulative investment of private homeowners represents a significant physical resource to be sustained. The siting of environmentally incompatible activities in such areas would have an adverse impact on such investment.

3.1.1 MANAGEMENT AREAS IN THE TARARUA DISTRICT

Within the Tararua District, five broad categories of land use type have been identified, each of which has a particular character, level of amenity and environmental quality associated with it. As discussed above, the acceptability of the environmental effects of different land use activities varies with the type of area in which it is located. For the purposes of this District Plan, the District has been divided up into the following five "Management Areas":

- **Rural**
- **Residential**
- **Commercial**
- **Industrial**
- **Settlement**

Management Areas

The locations of the different Management Areas in the District are shown in the District Plan maps. However, in summary, and for ease of reference:

- "Residential", "Commercial" and "Industrial" Management Areas can all be found within the towns of Dannevirke, Woodville, Pahiatua and Eketahuna;
- "Settlement Management Areas" apply only to Norsewood, Ormondville, Pongaroa and Akitio;
- The "Rural Management Area" covers the remainder of the District, including the numerous other small, generally unserviced, settlements throughout the District.

A brief explanation of each Management Area, and a list of the desired characteristics sought for each Management Area, is set out below. The characteristics set out below should not be confused with the "anticipated environmental results" in Part 2 of this Plan, as they serve quite different purposes. Part 2 of the District Plan, the Resource Management Policy section, specifies objectives, policies and methods for resource management in the District, and also identifies the "anticipated environmental results" (AER's) that are sought as a result of implementation of the policy provisions. As required by the RMA, the AER's in Part 2 are directly related to the preceding policies and methods and they generally apply to specific resource management issues across the whole district. In contrast, the characteristics set out below serve two main purposes:

- they provide a basis for defining and delineating different "Management Areas" within the District; and
- they provide guidance for determining the outcome of resource consent applications.

Resource consent applications are required in two instances:

- when an activity **has** been provided for in this Plan as a permitted or controlled activity in a particular Management Area but the stated standards are (or would be) exceeded;
- when an activity **has not** been provided for in a particular Management Area (and is therefore generally deemed to be a discretionary activity)

In both instances, the purpose of the resource consent procedure is to provide flexibility to consider individual cases on their merits and, if the environmental effects are compatible with the surrounding area then there may be grounds to grant consent. The characteristics set out in this part of the Plan are, therefore, intended to provide guidance to potential applicants, the community and the Council to enable them to assess whether the environmental effects of an activity are acceptable. This approach is considered to be consistent with the spirit and intent of the RMA.

3.2 Desired Characteristics

3.2.1 RURAL MANAGEMENT AREAS

The "Rural Management Area" covers most of the Tararua District. This area is characterised by a predominance of rural land uses including farming, forestry and natural open space, in addition to a variety of residential, community, commercial and industrial activities which either serve and support the rural function of the area, or cannot be located in an urban area because of the nature of the activity. The level of amenity and environmental quality expected by the community in these areas reflects the predominantly rural character of such areas.

The following characteristics are sought in the District's Rural Management Areas:

- (a) a predominance of rural activities;
- (b) a range of rural housing and landholdings to satisfy the different lifestyles and circumstances of the people of the District;
- (c) a range of other activities which:
 - (i) support or enhance the rural function of the area or the wellbeing of the rural community; and/or
 - (ii) are more appropriately located in a rural area than an urban area; and/or
 - (iii) provide social, economic, and/or environmental benefits to the District, Region and Nation;
- (d) avoidance of activities that have the potential to give rise to adverse effects which are incompatible with the character of the surrounding rural area or which could adversely affect the ability of rural activities and other lawful land uses to function efficiently and effectively;
- (e) development of buildings and properties which are in keeping with the low density, character and scale of the surrounding rural area;
- (f) maintenance and/or enhancement of the amenity enjoyed by people living within the rural area or in adjoining urban areas;

- (g) a clear demarcation of rural/urban boundaries, with urban activities being encouraged to locate within serviced urban areas in a manner which maximises the efficient use of existing infrastructure and services;
- (h) where reticulated services do not exist, the development of activities and buildings only where:
 - i. there is adequate on-site disposal of effluent without causing (or potentially causing) adverse environmental effects; and
 - ii. this will not lead to demands for the uneconomic establishment or extension of services.
- (i) an efficient and sustainable pattern of land use that protects the potential for high quality soils to be used for food production;
- (j) preservation of buildings, places and other items which have special heritage or cultural value;
- (k) protection of outstanding natural features and landscapes, and significant areas of indigenous natural vegetation and significant habitats of indigenous fauna from inappropriate subdivision, use and development;
- (l) preservation of the predominantly natural character of the coastal environment, rivers, streams, other water bodies and their margins, and maintenance and enhancement of public access thereto;
- (m) safe and efficient vehicular access and movement throughout the District;
- (n) no buildings constructed on unstable or hazard prone land unless appropriate avoidance or mitigation measures are in place.

3.2.2 RESIDENTIAL MANAGEMENT AREAS

"Residential Management Areas" are those areas within the District's urban centres which predominantly consist of dwellinghouses but which include some community and commercial activities/uses which serve and support the residential function of the area. The level of amenity and environmental quality expected by the community in these areas reflects the predominantly residential character of such areas.

The following characteristics are sought in the District's Residential Management Areas:

- (a) a predominance of residential activities;
- (b) a range of residential types, sizes and densities to satisfy the different lifestyles and circumstances of the people of the District;
- (c) development of buildings and properties which are in keeping with the character and scale of the surrounding residential area;
- (d) avoidance of activities which have the potential to give rise to adverse effects (e.g. noise, dust, smoke, odour, glare, visual detracting) on a scale or at a level which is incompatible with residential areas;
- (e) protection of amenity for residential properties and public open space within residential areas;
- (f) distribution of public open spaces to meet the active and passive recreation needs of the community;
- (g) a range of complementary activities which support and enhance the residential function of the area (such as dairies, community services, places of assembly, places of worship, and recreational, educational and healthcare facilities);
- (h) a range of business activities that are operated and managed in such a way that their effects are compatible with the residential character and amenities of the area;
- (i) preservation of buildings, places and other items which have special heritage or cultural value;
- (j) residential expansion in a manner that maximises the efficient use of existing infrastructure and services;
- (k) residential design and development that takes into account the principles of energy efficiency;
- (l) safe and efficient vehicular and pedestrian access and movement;
- (m) no buildings constructed on unstable or hazard prone land.

3.2.3 COMMERCIAL MANAGEMENT AREAS

"Commercial Management Areas" are those areas within the District's urban centres that are generally business oriented and contain activities including shops, commercial services, professional trades and offices, distribution and light manufacturing. The level of amenity and environmental quality expected by the community in these areas reflects the predominantly commercial character of such areas.

The following characteristics are sought in the District's Commercial Management Areas:

- (a) a predominance of commercial activities;
- (b) a range of commercial activities of different types and sizes;
- (c) development of buildings and properties which are in keeping with the character, design and scale of the surrounding commercial area;
- (d) avoidance of activities which have the potential to give rise to adverse effects (e.g. noise, dust, smoke, odour, glare, visual detracting) on a scale which is incompatible with the surrounding commercial area;
- (e) protection of an acceptable level of amenity for residential activities existing in or adjoining commercial areas;
- (f) public open space and landscaped areas for the enjoyment of workers and visitors to commercial areas;
- (g) preservation of buildings, places and other items which have special heritage or cultural value;
- (h) a range of complementary activities which support or enhance the commercial function of the area, including residential activities and other facilities where their effects are compatible with the commercial character and amenities of the area and will not adversely affect the ability of commercial activities to function efficiently and effectively;
- (i) consolidation of commercial activities in a manner which maximises the efficient use of existing infrastructure and services;
- (j) suitably serviced land is available for commercial development;
- (k) safe and efficient vehicular and pedestrian access and movement;
- (l) no buildings constructed on unstable or hazard prone land.

3.2.4 INDUSTRIAL MANAGEMENT AREAS

"Industrial Management Areas" are those parts of the District that generally contain industrial and manufacturing activities and some supporting commercial services. These industrial activities have the potential to cause significant adverse effects if located in proximity to incompatible activities, such as residential and commercial land uses. Previous planning regimes have, therefore, directed industrial activities to locate together in areas remote from residential and commercial activities so as to minimise such effects. This general trend will be continued under this District Plan's effects-based approach to resource management, not only to avoid or mitigate adverse effects on surrounding areas but also to ensure that adequate and appropriate services can be economically provided to such industrial areas.

The following characteristics are sought in the District's Industrial Management Areas:

- (a) a predominance of industrial activities;
- (b) a range of industrial activities of different types and sizes;
- (c) a range of complementary activities which support and enhance the industrial function of the area, including residential and business activities and other facilities where this will not adversely affect the ability of industrial activities to function efficiently and effectively;
- (d) avoidance of development which would lower levels of amenity in industrial areas to unaccepted levels, unless mitigation measures can be put in place;
- (e) protection of an accepted level of amenity for adjoining residential, rural or commercial areas;
- (f) public open space areas and landscaped areas for the enjoyment and amenity of people working in industrial areas;
- (g) consolidation of industrial activities in a manner which maximises the efficient use of existing industrial infrastructure and services;
- (h) an adequate supply of suitably serviced land available for industrial development;
- (i) safe and efficient vehicular and pedestrian access and movement;
- (j) no buildings constructed on unstable or hazard prone land;

- (k) preservation of buildings, places and other items which have special heritage or cultural value.

3.2.5 SETTLEMENT MANAGEMENT AREAS

"Settlement Management Areas" apply to those small rural settlements in the District which are serviced by community sewerage and/or water supply schemes. There are numerous other small rural settlements scattered throughout the District which have been included in the Rural Management Area rather than the Settlement Management Area as they do not have community sewerage and water services and are therefore less suitable for close development. The settlements in the Settlement Management Area contain a mixture of rural, residential, commercial and industrial activities and they serve a vital social, economic and cultural function for the community. The level of amenity and environmental quality expected by the community in these settlements reflects the mixed use (or semi-rural) character of such areas.

The following characteristics are sought for the District's Settlement Management Areas:

- (a) a range of residential, commercial and industrial activities that are developed and managed in such a way that their effects are compatible with the character and amenities of the settlement;
- (b) a range of complementary activities which support or enhance the area, including public open space and community facilities;
- (c) avoidance of activities which have the potential to give rise to adverse effects (e.g. noise, dust, smoke, odour, glare, visual detracting) on a scale which is incompatible with the surrounding area;
- (d) maintenance and/or enhancement of amenity for residential properties and public open space;
- (e) preservation of buildings, places and other items which have special heritage or cultural value;
- (f) where reticulated services exist, the consolidation of activities in a manner which maximises the efficient use of existing infrastructure and services;
- (g) where reticulated services do not exist, the development of activities and buildings only where:

- (i) on-site disposal of effluent occurs without causing (or potentially causing) adverse environmental effects; and
 - (ii) this will not lead to demands for the uneconomic establishment or extension of services;
- (h) safe and efficient vehicular and pedestrian movement;
- (i) no buildings constructed on unstable or hazard prone land;
 - (j) preservation of the predominantly natural character of the coastal environment in the vicinity of Akitio.

4 RULES - LISTING OF ACTIVITIES

PART 4

4.1 RURAL MANAGEMENT AREA	4-1
4.1.1INTRODUCTION	4-1
4.1.2PERMITTED ACTIVITIES	4-1
4.1.3CONTROLLED ACTIVITIES	4-5
4.1.4ENVIRONMENTAL STANDARDS	4-7
4.1.5RESTRICTED DISCRETIONARY ACTIVITIES	4-8
4.1.6DISCRETIONARY ACTIVITIES	4-9
4.2 Residential Management Area	4-11
4.2.1INTRODUCTION	4-11
4.2.2PERMITTED ACTIVITIES	4-11
4.2.3CONTROLLED ACTIVITIES	4-12
4.2.4ENVIRONMENTAL STANDARDS	4-13
4.2.5DISCRETIONARY ACTIVITIES	4-14
4.3 Commercial Management Area	4-16
4.3.1INTRODUCTION	4-16
4.3.2PERMITTED ACTIVITIES	4-16
4.3.3CONTROLLED ACTIVITIES	4-17
4.3.4ENVIRONMENTAL STANDARDS	4-18
4.3.5DISCRETIONARY ACTIVITIES	4-19
4.4 Industrial Management Area	4-21
4.4.1INTRODUCTION	4-21
4.4.2PERMITTED ACTIVITIES	4-21
4.4.3CONTROLLED ACTIVITIES	4-22
4.4.4ENVIRONMENTAL STANDARDS	4-23
4.4.5DISCRETIONARY ACTIVITIES	4-24
4.5 Settlement Management Area	4-26
4.5.1INTRODUCTION	4-26
4.5.2PERMITTED ACTIVITIES	4-27
4.5.3CONTROLLED ACTIVITIES	4-28
4.5.4ENVIRONMENTAL STANDARDS	4-28
4.5.5DISCRETIONARY ACTIVITIES	4-30

4.1 Rural Management Area

4.1.1 INTRODUCTION

The "Rural Management Area" covers the predominantly rural parts of the Tararua District (i.e. most of the District). This area is delineated on the District Plan maps.

The area has a particular character, level of amenity and environmental quality which is typical of rural areas, and which is quite different from urban areas of the District.

The Rural Management Area is characterised by a predominance of rural land uses including farming, forestry and natural open space, in addition to a variety of residential, community, commercial and industrial activities which either serve and support the rural function of the area, or cannot be located in an urban area because of the nature of the activity. The level of amenity and environmental quality expected by the community in this area reflects its predominantly rural character. The desired characteristics of the Rural Management Area have been listed in Part 3 of this Plan.

Generic categories of activity are classified below as permitted, controlled and discretionary activities in the Rural Management Area on the basis of their potential environmental effects. Specific activities listed as permitted or controlled must also meet the environmental standards specified in Part 5 of this Plan. If a proposed activity does not meet these environmental standards, it shall be deemed to be a discretionary activity, requiring a resource consent.

This Part of the Plan should be read in conjunction with Part 6, Interpretation, which contains, inter alia, definitions of the activity categories listed below.

4.1.2 PERMITTED ACTIVITIES

4.1.2.1 Permitted Activities – General

The following are permitted activities in the Rural Management Area, provided they comply with the relevant environmental standards in Part 5 of this Plan (refer to 4.1.4 below for summary of applicable environmental standards):

- (a) Dwellinghouses.
- (b) Farming.

(bb) Goat farming at a distance of more than two kilometres from the legal boundary of any site on which one of the following is located (refer to Schedule 14.1 in Appendix 14 of this Plan):

- Puketoi Conservation Area;
- Makuri Gorge Scenic Reserve;
- Waewaepa Scenic Reserve;
- Red River Scenic Reserve;
- Manawatu Gorge Scenic Reserve;
- Ruahine Forest Park;
- Mount Bruce National Wildlife Centre and Scenic Reserve;
- Tararua Forest Park

provided:

- (i) The goats are formally identified in accordance with the Animal Identification Act 1993, including the tagging (brass tag or plastic tag or ear-cut or tattoo) of goats with recognisable owner identification; and
- (ii) The goats are to be contained on site at all times by either a boundary fence (the fence is to comply with standards for goat fencing contained in Appendix 18) or tethered, which may include a running wire; and
- (iii) Written advice of the location of the goat farming activity is provided to Council.

Goat farming that fails to provide for the matters identified in (i) to (iii) above is a Discretionary Activity pursuant to Rule 4.1.6.1(a). Otherwise Rule 4.1.5(a) applies.

(c) Factory farming.

(d) Protection and amenity forestry.

(e) Commercial forestry, provided that where the commercial forestry is in a continuous block of 10 hectares or more, a "Forestry Development Notice" (as defined in Part 6 of this Plan) shall be submitted within one year of completion of planting, or such longer period as approved by Council, and provided that the forestry operation is managed generally in accordance with that Forestry Development Notice.

[Note: "Commercial forestry" now falls within the ambit of "Plantation Forestry" as defined and regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.]

(f) Home occupations.

(g) Visitor accommodation.

- (h) Marae.
- (i) Public and private open space.
- (j) Reserves administered by the Tararua District Council or Department of Conservation (including Forest Parks and Conservation Areas) and associated recreational facilities and structures.
- (k) Soil conservation, flood protection or river control works authorised by the relevant Regional Council (being the Greater Wellington Regional Council or the Manawatu-Wanganui Regional Council).
- (l) Cemeteries.
- (m) Community businesses.
- (n) Rural selling places on roads other than primary arterial roads.
- (o) Network utilities and other activities which are deemed to be a permitted activity in section 5.3.6 of this Plan.
- (p) Activities on the surface of water in rivers and lakes.
- (q) Temporary activities.
- (r) Accessory buildings to any permitted or otherwise lawfully established activity.
- (s) Subdivision which is deemed to be a permitted activity in section 5.2.4 of this Plan.
- (t) Temporary military training activities not exceeding 31 days in duration and where the written consent of the owner has been obtained.
- (u) Prospecting for minerals (excluding detailed exploration and mining) - refer to definition of "prospecting" in Part 6, Interpretation.
- (v) Any other activity specifically listed in Part 5 of this Plan as a "permitted activity".

4.1.2.2 Permitted Activities – Existing Industries

The following existing industries are permitted activities provided that the performance standards set out in relation to each specific industry are complied with:

- (a) Dairy manufacturing and processing, including the use, maintenance operation, and development of facilities for the receipt, processing,

handling, storage and dispatch of dairy products and related by-products and waste materials undertaken on land legally described as: Lot 2 DP 841, Lot 1 DP 940, Lots 1-32 DP 1168, Lot 5 DP 2599, Pt Sec 93 (two lots), Sec 141, Pt Mangatainoka 2HB2C, Blk VII Mangahao SD, provided that they either were undertaken at 6 November 2009 or comply with the following standards:

(i) Effluent Disposal

- Compliance with Standard 5.1.2.2(d)

(ii) Water Supply

- Compliance with Standard 5.1.3.2(c)(ii)

(iii) Stormwater Drainage

- Compliance with Standard 5.1.4.2(a)

(iv) Natural Hazards

Within a natural hazard area (as shown on the planning maps), any permitted activity must not include any of the following:

- The erection of, or extension to, any building or structure (other than temporary structures associated with temporary activities-refer part 6 Interpretation);
- Vegetation clearance and ground disturbance;
- The use, disposal or storage of hazardous substances.

(v) Hazardous Substances

- Compliance with Standard 5.1.8.2

(vi) Noise

Noise emissions shall not exceed:

From 7.00 am to 7.00pm daily:

- 55 dB $L_{Aeq(15\text{ min})}$ when measured at the notional boundary of any dwelling outside the dairy factory noise boundary as shown in Figure 4.1.2.2A [refer Appendix 17]; and
- 60 dB $L_{Aeq(15\text{ min})}$ when measured at the notional boundary of any dwelling that existed at 6 November 2009 and is located inside the dairy factory noise boundary as shown in Figure 4.1.2.2A [refer Appendix 17].

From 7.00pm to 7.00am daily:

- 45 dB $L_{Aeq(15\ min)}$ and 75 L_{AFmax} when measured at any point outside the dairy factory noise boundary as shown on Figure 4.1.2.2A [refer Appendix 17].
- 60 dB $L_{Aeq(15\ min)}$ and 80 L_{AFmax} when measured at the notional boundary of any dwelling that existed at 6 November 2009 and is located inside the dairy factory noise boundary as shown in Figure 4.1.2.2A [refer Appendix 17].

At all times

- 70 dB $L_{Aeq(15\ min)}$ when measured at the notional boundary of any dwelling or visitor accommodation established after 6 November 2009 and located within the dairy factory noise boundary as shown on Figure 4.1.2.2A [refer Appendix 17].

Noise shall be measured in accordance with NZS6801: 2008 *Acoustics-Measurement of environmental sound* and assessed in accordance with NZS6802: 2008 *Acoustics – Environmental noise*.

(vii) Height

- No building or structure shall exceed 40 metres in height.
- No more than 4,500 m² or 3% of the area of the site, whichever is the lesser, shall be covered by buildings and/or structures which exceed 15 metres in height.

(viii) Recession Plane

- Compliance with Standard 5.4.4.2(c)

[Note: For the avoidance of doubt, any activity undertaken at the site described in (a) is not subject to any other requirement of this District Plan. Any activity undertaken on the site that is not encompassed by this rule, being not for the purposes described in (a), is subject to the relevant requirements of the District Plan for the Rural Management Area.]

4.1.3 CONTROLLED ACTIVITIES

4.1.3.1 The following are controlled activities in the Rural Management Area provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Subdivision which is deemed to be a controlled activity in section 5.2.4 of this Plan.
- (b) Rural industries.

- (c) Network utilities which are deemed to be a controlled activity in section 5.3.6 of this Plan.
- (d) Any other activity specifically listed in Part 5 of this Plan as a "controlled activity".
- (e) Expansion of Existing Industries

Expansion of existing industries listed in Rule 4.1.2.2, which complies with the relevant rules and environmental standards in Part 5 of the Plan, as if the activities to be expanded were located within an Industrial Management Area, is a controlled activity in respect of:

- Site layout including the design and construction of parking, loading and manoeuvring areas;
- Site access, intersections and the safe and efficient operation of the roading network;
- Height and recession plan controls;
- Noise and vibration;
- Signs;
- Glare/artificial lighting;
- Landscape treatment and screening;
- Subdivision;
- Financial contributions.

4.1.3.2 Matters over which the Council reserves control in relation to controlled activities

In respect of the controlled activities listed in section 4.1.3.1 above, the matters over which the Council shall exercise control by the imposition of conditions are:

- (a) Any matters relating to compliance with the environmental standards in Part 5 of this Plan.
- (b) The imposition of financial contributions in accordance with Section 5.1.6 of this Plan.
- (c) In respect of any application for goat farming under rule 4.1.3.1 (d):
 - (i) The adequacy of the fencing to prevent the escape of farmed goats; and

- (ii) The means by which the goats to be farmed will be identified as to ownership.

4.1.4 ENVIRONMENTAL STANDARDS

All permitted and controlled activities shall meet the relevant rules and environmental standards below (refer to Part 5 of Plan for details).

General rules and standards

- effluent disposal (section 5.1.2)
- water supply (section 5.1.3)
- stormwater drainage (section 5.1.4)
- land disturbance and excavation (section 5.1.5)
- financial contributions (section 5.1.6)
- natural hazards (section 5.1.7)
- hazardous substances (section 5.1.8).

Subdivision rules and standards

- subdivision (section 5.2) - this only applies to land subdivision activities.

Infrastructural rules and standards

- management of roads (section 5.3.1)
- parking (section 5.3.2)
- access and intersections (section 5.3.3)
- Dannevirke Aerodrome Protection Area (section 5.3.4)
- rail corridor (section 5.3.5)
- network utilities (section 5.3.6).

Amenity rules and standards

- noise and vibration (section 5.4.1)
- dust, smoke and odour (section 5.4.2)

- signs (section 5.4.3)
- height and recession plane controls (section 5.4.4)
- outdoor living court (section 5.4.5)
- outdoor service court (section 5.4.6)
- glare/artificial lighting (section 5.4.7)
- landscape treatment/screening (section 5.4.8)
- pedestrian amenity (verandahs) (section 5.4.9)
- setbacks (section 5.4.10).

Cultural and natural heritage rules and standards

- heritage resources (section 5.5)
- important natural features (section 5.5)
- reserves (section 5.5.3).

4.1.5 RESTRICTED DISCRETIONARY ACTIVITIES

4.1.5.1 The following are restricted discretionary activities in the Rural Management Area:

(a) Goat farming at a distance of less than two kilometres from the legal boundary of any site on which one or more of the following is located (refer to Schedule 14.1 in Appendix 14 of this Plan):

- Puketoi Conservation Area;
- Makuri Gorge Scenic Reserve;
- Waewaepa Scenic Reserve;
- Red River Scenic Reserve;
- Manawatu Gorge Scenic Reserve;
- Ruahine Forest Park;
- Mount Bruce National Wildlife Centre and Scenic Reserve;
- Tararua Forest Park.

Discretion is restricted to the following matters:

- (i) The area and location of the activity in relation to (ii), (iii) and (iv) below;
- (ii) The risk of invasion to conservation land should goats escape from the site (such as proximity to conservation land, or features that act as natural corridors to invasion);

- (iii) The ability to confine goats within the site (i.e. some terrain can be difficult to fence effectively due to such factors as steepness, erosion, watercourses and vegetation), and suitability of fences for effectively containing the goats on the property (having regard to the fencing standards in Appendix 18);
- (iv) The removal of the goats from the site in the event the goat farming activity is discontinued; and
- (v) Potential effects on indigenous vegetation and habitat for indigenous fauna.

4.1.6 DISCRETIONARY ACTIVITIES

4.1.6.1 The following are discretionary activities in the Rural Management Area:

- (a) Any activity not listed in this Plan as a permitted, restricted discretionary or controlled activity.
- (b) Any permitted or controlled activity listed in this Plan which does not meet the environmental standards specified in Part 5 of this District Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "discretionary activity".
- (d) The use of off-road vehicles (including dune buggies and trail bikes) on coastal sand dune areas where sand is completely or partially exposed.

4.1.6.2 Criteria for Assessment

In assessing any application under section 4.1.6.1 above for a discretionary activity, the Council shall have regard to the following matters:

- (i) the purpose and principles in Part II of the RMA;
- (ii) other relevant provisions of the RMA;
- (iii) relevant provisions of this District Plan, including:
 - the objectives, policies and anticipated environmental results in Part 2 of this Plan;
 - the desired characteristics for the relevant Management Area in Part 3 of this Plan;
 - Where any activity is proposed within a Future Residential or Future Industrial Management Area overlay area, whether the proposed activity is likely to pre-empt or prevent the land on which the activity is

proposed to occur from being rezoned and/or used for the stated purpose of the particular Future Management Area.

- the rules and standards in Part 5 of this Plan.
- (iv) where an activity is deemed to be a discretionary activity due to non-compliance with an environmental standard in Part 5 of this Plan, regard shall be had to any additional "criteria for assessment" specified in Part 5 of this Plan in relation to that environmental standard.
- (v) any other matters the Council considers relevant and reasonably necessary to determine the application. Relevant matters include:
- the degree of non-compliance and the practicality of achieving any specified standard;
 - details of any proposed mitigation measures;
 - whether there are particular circumstances existing which justify the alteration of any standards relating to the proposed activity.

4.2 Residential Management Area

4.2.1 INTRODUCTION

"Residential Management Areas" cover the predominantly residential areas of the Tararua District's four main urban areas. These areas are delineated on the District Plan maps. They share a particular character, level of amenity and environmental quality which can be distinguished from other management areas in the District.

The Residential Management Area is characterised by a predominance of residential activities with some community and commercial activities which serve and support the residential function of the area. The level of amenity and environmental quality expected by the community in this area reflects its predominantly residential character. The desired characteristics of Residential Management Areas have been listed in Part 3 of this Plan.

Generic categories of activity are classified below as permitted, controlled and discretionary activities in the Residential Management Area on the basis of their potential environmental effects. Specific activities listed as permitted or controlled must also meet the environmental standards specified in Part 5 of this Plan. If a proposed activity does not meet these environmental standards, it shall be deemed to be a discretionary activity, requiring a resource consent.

This Part of the Plan should be read in conjunction with Part 6, Interpretation, which contains definitions of the activity categories listed below.

4.2.2 PERMITTED ACTIVITIES

The following are permitted activities in the Residential Management Area, provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Residential accommodation.
- (b) Home occupations.
- (c) Community business.
- (d) Public and private open space.
- (e) Reserves and recreational facilities.

- (f) Healthcare and veterinary facilities (excluding overnight care).
- (g) Accessory buildings to any permitted or otherwise lawfully established activity.
- (h) Network utilities which are deemed to be a permitted activity in section 5.3.6 of this Plan.
- (i) Soil conservation flood protection or and river control works authorised by the relevant Regional Council (being the Greater Wellington Regional Council or the Manawatu-Wanganui Regional Council).
- (j) Activities on the surface of water in river and lakes.
- (k) Temporary activities.
- (l) Subdivision which is deemed to be a permitted activity in section 5.2.4 of this Plan.
- (m) Temporary military training activities not exceeding 31 days in duration and where the written consent of the owner has been obtained.
- (n) Any other activity specifically listed in Part 5 of this Plan as a "permitted activity".

4.2.3 CONTROLLED ACTIVITIES

4.2.3.1 The following are controlled activities in the Residential Management Area provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Subdivision which is deemed to be a controlled activity in section 5.2.4 of this Plan.
- (b) Network utilities which are deemed to be a controlled activity in section 5.3.6 of this Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "controlled activity".

4.2.3.2 Matters over which the Council reserves control in relation to controlled activities

In respect of the controlled activities listed in section 4.2.3.1 above, the matters over which the Council shall exercise control by the imposition of conditions are:

- (a) Any matters relating to compliance with the environmental standards in Part 5 of this Plan.
- (b) The imposition of financial contributions in accordance with Section 5.1.6 of this Plan.

4.2.4 ENVIRONMENTAL STANDARDS

All permitted and controlled activities shall meet the relevant rules and environmental standards below (refer to Part 5 of Plan for details).

General rules and standards

- effluent disposal (section 5.1.2)
- water supply (section 5.1.3)
- stormwater drainage (section 5.1.4)
- land disturbance and excavation (section 5.1.5)
- financial contributions (section 5.1.6)
- natural hazards (section 5.1.7)
- hazardous substances (section 5.1.8).

Subdivision rules and standards

- subdivision (section 5.2) - this only applies to land subdivision activities.

Infrastructural rules and standards

- management of roads (section 5.3.1)
- parking (section 5.3.2)
- access and intersections (section 5.3.3)
- Dannevirke Aerodrome Protection Area (section 5.3.4)
- rail corridor (section 5.3.5)
- network utilities (section 5.3.6).

Amenity rules and standards

- noise and vibration (section 5.4.1)

- dust, smoke and odour (section 5.4.2)
- signs (section 5.4.3)
- height and recession plane controls (section 5.4.4)
- outdoor living court (section 5.4.5)
- outdoor service court (section 5.4.6)
- glare/artificial lighting (section 5.4.7)
- landscape treatment/screening (section 5.4.8)
- pedestrian amenity (verandahs) (section 5.4.9)
- setbacks (section 5.4.10).

Cultural and natural heritage rules and standards

- heritage resources (section 5.5)
- important natural features (section 5.5)
- reserves (section 5.5.3).

4.2.5 DISCRETIONARY ACTIVITIES

4.2.5.1 The following are discretionary activities in the Residential Management Area:

- (a) Any activity not listed in this Plan as a permitted or controlled activity.
- (b) Any permitted or controlled activity listed in this Plan which does not meet the environmental standards specified in Part 5 of this District Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "discretionary activity".

4.2.5.2 Criteria for Assessment

In assessing any application under section 4.2.5.1 above for a discretionary activity, the Council shall have regard to the following matters:

- (i) the purpose and principles in Part II of the RMA;
- (ii) other relevant provisions of the RMA;
- (iii) relevant provisions of this District Plan, including:

- the objectives, policies and anticipated environmental results in Part 2 of this Plan;
 - the desired characteristics for the relevant Management Area in Part 3 of this Plan;
 - the rules and standards in Part 5 of this Plan.
 - where any activity is proposed within a Future Residential or Future Industrial Management overlay area, whether the proposed activity is likely to pre-empt or prevent the land on which the activity is proposed to occur from being rezoned and/or used for the stated purpose of the particular Future Management Area.
- (iv) where an activity is deemed to be a discretionary activity due to non-compliance with an environmental standard in Part 5 of this Plan, regard shall be had to any additional "criteria for assessment" specified in Part 5 of this Plan in relation to that environmental standard;
- (v) any other matters the Council considers relevant and reasonably necessary to determine the application. Relevant matters include:
- the degree of non-compliance and the practicality of achieving any specified standard;
 - details of any proposed mitigation measures;
 - whether there are particular circumstances existing which justify the alteration of any standards relating to the proposed activity.

4.3 Commercial Management Area

4.3.1 INTRODUCTION

"Commercial Management Areas" cover the predominantly commercial (generally business and retail) areas of the Tararua District's four main urban areas. These areas are delineated on the District Plan maps. They share a particular character, level of amenity and environmental quality which can be distinguished from other management areas in the District.

The Commercial Management Area is characterised by business-oriented activities such as shops, commercial services, professional trades and offices, distribution and light manufacturing activities. The level of amenity and environmental quality expected by the community in these areas reflects the predominantly commercial character. The desired characteristics of Commercial Management Areas have been listed in Part 3 of this Plan.

Generic categories of activity are classified below as permitted, controlled and discretionary activities in the Commercial Management Area on the basis of their potential environmental effects. Specific activities listed as permitted or controlled must also meet the environmental standards specified in Part 5 of this Plan. If a proposed activity does not meet these environmental standards, it shall be deemed to be a discretionary activity, requiring a resource consent.

This Part of the Plan should be read in conjunction with Part 6, Interpretation, which contains definitions of the activity categories listed below.

4.3.2 PERMITTED ACTIVITIES

The following are permitted activities in the Commercial Management Area, provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Community business.
- (b) General business.
- (c) Residential accommodation.
- (d) Public and private open space.
- (e) Reserves and recreational facilities.

- (f) Healthcare and veterinary facilities (excluding overnight care).
- (g) Community facilities.
- (h) Visitor accommodation.
- (i) Car parks and associated facilities.
- (j) Accessory buildings to any permitted or otherwise lawfully established activity.
- (k) Network utilities which are deemed to be a permitted activity in section 5.3.6 of this Plan.
- (l) Activities on the surface of water in river and lakes.
- (m) Temporary activities.
- (n) Subdivision which is deemed to be a permitted activity in section 5.2.4 of this Plan.
- (o) Temporary military training activities not exceeding 31 days in duration and where the written consent of the owner has been obtained.
- (p) Any other activity specifically listed in Part 5 of this Plan as a "permitted activity".

4.3.3 CONTROLLED ACTIVITIES

4.3.3.1 The following are controlled activities in the Commercial Management Area provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Subdivision which is deemed to be a controlled activity in section 5.2.4 of this Plan.
- (b) Entertainment and sports premises.
- (c) Network utilities which are deemed to be a controlled activity in section 5.3.6 of this Plan.
- (d) Any other activity specifically listed in Part 5 of this Plan as a "controlled activity".

4.3.3.2 Matters over which the Council reserves control in relation to controlled activities

In respect of the controlled activities listed in section 4.3.3.1 above, the matters over which the Council shall exercise control by the imposition of conditions are:

- (a) Any matters relating to compliance with the environmental standards in Part 5 of this Plan.
- (b) The imposition of financial contributions in accordance with Section 5.1.6 of this Plan.
- (c) Mitigation measures (including hours of operation) to reduce potential adverse effects.

4.3.4 ENVIRONMENTAL STANDARDS

All permitted and controlled activities shall meet the relevant rules and environmental standards below (refer to Part 5 of Plan for details).

General rules and standards

- effluent disposal (section 5.1.2)
- water supply (section 5.1.3)
- stormwater drainage (section 5.1.4)
- land disturbance and excavation (section 5.1.5)
- financial contributions (section 5.1.6)
- natural hazards (section 5.1.7)
- hazardous substances (section 5.1.8).

Subdivision rules and standards

- subdivision (section 5.2) - this only applies to land subdivision activities.

Infrastructural rules and standards

- management of roads (section 5.3.1)
- parking (section 5.3.2)
- access and intersections (section 5.3.3)

- Dannevirke Aerodrome Protection Area (section 5.3.4)
- rail corridor (section 5.3.5)
- network utilities (section 5.3.6).

Amenity rules and standards

- noise and vibration (section 5.4.1)
- dust, smoke and odour (section 5.4.2)
- signs (section 5.4.3)
- height and recession plane controls (section 5.4.4)
- outdoor living court (section 5.4.5)
- outdoor service court (section 5.4.6)
- glare/artificial lighting (section 5.4.7)
- landscape treatment/screening (section 5.4.8)
- pedestrian amenity (verandahs) (section 5.4.9)
- setbacks (section 5.4.10).

Cultural and natural heritage rules and standards

- heritage resources (section 5.5)
- important natural features (section 5.5)
- reserves (section 5.5.3).

4.3.5 DISCRETIONARY ACTIVITIES

4.3.5.1 The following are discretionary activities in the Commercial Management Area:

- (a) Any activity not listed in this Plan as a permitted or controlled activity.
- (b) Any permitted or controlled activity listed in this Plan which does not meet the environmental standards specified in Part 5 of this Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "discretionary activity".

4.3.5.2 Criteria for Assessment

In assessing any application under section 4.3.5.1 above for a discretionary activity, the Council shall have regard to the following matters:

- (i) the purpose and principles in Part II of the RMA;
- (ii) other relevant provisions of the RMA;
- (iii) relevant provisions of this District Plan, including:
 - the objectives, policies and anticipated environmental results in Part 2 of this Plan;
 - the desired characteristics for the relevant Management Area in Part 3 of this Plan;
 - the rules and standards in Part 5 of this Plan.
- (iv) where an activity is deemed to be a discretionary activity due to non-compliance with an environmental standard in Part 5 of this Plan, regard shall be had to any additional "criteria for assessment" specified in Part 5 of this Plan in relation to that environmental standard;
- (v) any other matters the Council considers relevant and reasonably necessary to determine the application. Relevant matters include:
 - the degree of non-compliance and the practicality of achieving any specified standard;
 - details of any proposed mitigation measures;
 - whether there are particular circumstances existing which justify the alteration of any standards relating to the proposed activity.

4.4 Industrial Management Area

4.4.1 INTRODUCTION

"Industrial Management Areas" cover the predominantly industrial areas of the Tararua District. These areas are delineated on the District Plan maps. They share a particular character, level of amenity and environmental quality which can be distinguished from other management areas in the District.

The Industrial Management Area is characterised by industrial and manufacturing activities and some supporting commercial services. Some industrial activities have the potential to cause environmental effects, such as noise, odour or the visual effect of industrial buildings, which would be incompatible with other activities in, for example, Residential and Commercial Management Areas but which are normally acceptable in Industrial Areas. The level of amenity and environmental quality expected by the community in these areas reflects their predominantly industrial character. The desired characteristics of Industrial Management Areas have been listed in Part 3 of this Plan.

Generic categories of activity are classified below as permitted, controlled and discretionary activities in the Industrial Management Area on the basis of their potential environmental effects. Specific activities listed as permitted or controlled must also meet the environmental standards specified in Part 5 of this Plan. If a proposed activity does not meet these environmental standards, it shall be deemed to be a discretionary activity, requiring a resource consent.

This Part of the Plan should be read in conjunction with Part 6, Interpretation, which contains definitions of the activity categories listed below.

4.4.2 PERMITTED ACTIVITIES

The following are permitted activities in the Industrial Management Area, provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Industry (except those industrial activities listed in Appendix 1, Part 9 of the Plan).
- (b) Factory shops.
- (c) Community business.

- (d) Bulk retail.
- (e) Residential.
- (f) Public and private open space.
- (g) Reserves and recreational facilities.
- (h) Vehicle parks and facilities.
- (i) Accessory buildings to any permitted or otherwise lawfully established activity.
- (j) Network utilities which are deemed to be a permitted activity in section 5.3.6 of this Plan.
- (k) Soil conservation and river control works.
- (l) Activities on the surface of water in river and lakes.
- (m) Temporary activities.
- (n) Subdivision which is deemed to be a permitted activity in section 5.2.4 of this Plan.
- (o) Temporary military training activities not exceeding 31 days in duration and where the written consent of the owner has been obtained.
- (p) Any other activity specifically listed in Part 5 of this Plan as a "permitted activity".

4.4.3 CONTROLLED ACTIVITIES

4.4.3.1 The following are controlled activities in the Industrial Management Area provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Subdivision which is deemed to be a controlled activity in section 5.2.4 of this Plan.
- (b) Industrial activities listed in Appendix 1, Part 9 of the Plan.
- (c) Network utilities which are deemed to be a controlled activity in section 5.3.6 of this Plan.

- (d) Any other activity specifically listed in Part 5 of this Plan as a "controlled activity".

4.4.3.2 Matters over which the Council reserves control in relation to controlled activities

In respect of the controlled activities listed in section 4.4.3.1 above, the matters over which the Council shall exercise control by the imposition of conditions are:

- (a) Any matters relating to compliance with the environmental standards in Part 5 of this Plan.
- (b) The imposition of financial contributions in accordance with Section 5.1.6 of this Plan.

4.4.4 ENVIRONMENTAL STANDARDS

All permitted and controlled activities shall meet the relevant rules and environmental standards below (refer to Part 5 of Plan for details).

General rules and standards

- effluent disposal (section 5.1.2)
- water supply (section 5.1.3)
- stormwater drainage (section 5.1.4)
- land disturbance and excavation (section 5.1.5)
- financial contributions (section 5.1.6)
- natural hazards (section 5.1.7)
- hazardous substances (section 5.1.8).

Subdivision rules and standards

- subdivision (section 5.2) - this only applies to land subdivision activities.

Infrastructural rules and standards

- management of roads (section 5.3.1)
- parking (section 5.3.2)
- access and intersections (section 5.3.3)

- Dannevirke Aerodrome Protection Area (section 5.3.4)
- rail corridor (section 5.3.5)
- network utilities (section 5.3.6).

Amenity rules and standards

- noise and vibration (section 5.4.1)
- signs (section 5.4.3)
- height and recession plane controls (section 5.4.4)
- outdoor living court (section 5.4.5)
- outdoor service court (section 5.4.6)
- glare/artificial lighting (section 5.4.7)
- landscape treatment/screening (section 5.4.8)
- pedestrian amenity (verandahs) (section 5.4.9)
- setbacks (section 5.4.10).

Cultural and natural heritage rules and standards

- heritage resources (section 5.5)
- important natural features (section 5.5)
- reserves (section 5.5.3).

4.4.5 DISCRETIONARY ACTIVITIES

4.4.5.1 The following are discretionary activities in the Industrial Management Area:

- (a) Any activity not listed in this Plan as a permitted or controlled activity.
- (b) Any permitted or controlled activity listed in this Plan which does not meet the environmental standards specified in Part 5 of this Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "discretionary activity".

4.4.5.2 Criteria for Assessment

In assessing any application under section 4.4.5.1 above for a discretionary activity, the Council shall have regard to the following matters:

- (i) the purpose and principles in Part II of the RMA;
- (ii) other relevant provisions of the RMA;
- (iii) relevant provisions of this District Plan, including:
 - the objectives, policies and anticipated environmental results in Part 2 of this Plan;
 - the desired characteristics for the relevant Management Area in Part 3 of this Plan;
 - the rules and standards in Part 5 of this Plan.
- (iv) where an activity is deemed to be a discretionary activity due to non-compliance with an environmental standard in Part 5 of this Plan, regard shall be had to any additional "criteria for assessment" specified in Part 5 of this Plan in relation to that environmental standard;
- (v) any other matters the Council considers relevant and reasonably necessary to determine the application. Relevant matters include:
 - the degree of non-compliance and the practicality of achieving any specified standard;
 - details of any proposed mitigation measures;
 - whether there are particular circumstances existing which justify the alteration of any standards relating to the proposed activity.

4.5 Settlement Management Area

4.5.1 INTRODUCTION

"Settlement Management Areas" cover those small settlements in the District which are serviced by community sewerage and/or water supply schemes. There are numerous other small rural settlements scattered throughout the District which have been included in the Rural Management Area rather than the Settlement Management Area as they do not have community sewerage and water services and are therefore less suitable for close development. This continues the past practice of zoning such settlements as "Rural". The Settlement Management Areas are delineated on the District Plan maps.

Settlement Management Areas tend to contain a mixture of rural, residential, commercial and industrial activities and the settlements serve an important social, economic and cultural function for the community. They have a particular character, level of amenity and environmental quality which can be distinguished from other management areas in the District.

The level of amenity and environmental quality expected by the community in these areas reflects the mixed use (or semi-rural) low density, open space character of such areas. The desired characteristics of Settlement Management Areas have been listed in Part 3 of this Plan.

Generic categories of activity are classified below as permitted, controlled and discretionary activities in the Settlement Management Area on the basis of their potential environmental effects. Specific activities listed as permitted or controlled must also meet the environmental standards specified in Part 5 of this Plan. If a proposed activity does not meet these environmental standards, it shall be deemed to be a discretionary activity, requiring a resource consent.

This Part of the Plan should be read in conjunction with Part 6, Interpretation, which contains definitions of the activity categories listed below.

4.5.2 PERMITTED ACTIVITIES

The following are permitted activities in the Settlement Management Area, provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Residential accommodation.
- (b) Farming.
- (c) Home occupations.
- (d) Visitor accommodation.
- (e) Marae.
- (f) Public and private open space.
- (g) Reserves and recreational facilities.
- (h) Soil conservation flood protection or river control works authorised by the relevant Regional Council (being the Greater Wellington Regional Council or the Manawatu-Wanganui Regional Council).
- (i) Community businesses.
- (j) Rural selling places on roads other than primary arterial roads.
- (k) Network utilities which are deemed to be a permitted activity in section 5.3.6 of this Plan.
- (l) Accessory buildings to any permitted or otherwise lawfully established activity.
- (m) Activities on the surface of water in river and lakes.
- (n) Temporary activities.
- (o) Subdivision which is deemed to be a permitted activity in section 5.2.4 of this Plan.
- (p) Temporary military training activities not exceeding 31 days in duration and where the written consent of the owner has been obtained.

- (q) Any other activity specifically listed in Part 5 of this Plan as a "permitted activity".

4.5.3 CONTROLLED ACTIVITIES

4.5.3.1 The following are controlled activities in the Settlement Management Area provided they comply with the relevant environmental standards in Part 5 of this Plan:

- (a) Subdivision which is deemed to be a controlled activity in section 5.2.4 of this Plan.
- (b) Network utilities which are deemed to be a controlled activity in section 5.3.6 of this Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "controlled activity".

4.5.3.2 Matters over which the Council reserves control in relation to controlled activities

In respect of the controlled activities listed in section 4.5.3.1 above, the matters over which the Council shall exercise control by the imposition of conditions are:

- (a) Any matters relating to compliance with the environmental standards in Part 5 of this Plan.
- (b) The imposition of financial contributions in accordance with Section 5.1.6 of this Plan.

4.5.4 ENVIRONMENTAL STANDARDS

All permitted and controlled activities shall meet the relevant rules and environmental standards below (refer to Part 5 of Plan for details).

General rules and standards

- effluent disposal (section 5.1.2)
- water supply (section 5.1.3)
- stormwater drainage (section 5.1.4)
- land disturbance and excavation (section 5.1.5)

- financial contributions (section 5.1.6)
- natural hazards (section 5.1.7)
- hazardous substances (section 5.1.8).

Subdivision rules and standards

- subdivision (section 5.2) - this only applies to land subdivision activities

Infrastructural rules and standards

- management of roads (section 5.3.1)
- parking (section 5.3.2)
- access and intersections (section 5.3.3)
- Dannevirke Aerodrome Protection Area (section 5.3.4)
- rail corridor (section 5.3.5)
- network utilities (section 5.3.6).

Amenity rules and standards

- noise and vibration (section 5.4.1)
- dust, smoke and odour (section 5.4.2)
- signs (section 5.4.3)
- height and recession plane controls (section 5.4.4)
- outdoor living court (section 5.4.5)
- outdoor service court (section 5.4.6)
- glare/artificial lighting (section 5.4.7)
- landscape treatment/screening (section 5.4.8)
- pedestrian amenity (verandahs) (section 5.4.9)
- setbacks (section 5.4.10).

Cultural and natural heritage rules and standards

- heritage resources (section 5.5)
- important natural features (section 5.5)
- reserves (section 5.5.3).

4.5.5 DISCRETIONARY ACTIVITIES

4.5.5.1 The following are discretionary activities in the Settlement Management Area:

- (a) Any activity not listed in this Plan as a permitted or controlled activity.
- (b) Any permitted or controlled activity listed in this Plan which does not meet the environmental standards specified in Part 5 of this Plan.
- (c) Any other activity specifically listed in Part 5 of this Plan as a "discretionary activity".

4.5.5.2 Criteria for Assessment

In assessing any application under section 4.5.5.1 above for a discretionary activity, the Council shall have regard to the following matters:

- (i) the purpose and principles in Part II of the RMA;
- (ii) other relevant provisions of the RMA;
- (iii) relevant provisions of this District Plan, including:
 - the objectives, policies and anticipated environmental results in Part 2 of this Plan;
 - the desired characteristics for the relevant Management Area in Part 3 of this Plan;
 - the rules and standards in Part 5 of this Plan.
- (iv) where an activity is deemed to be a discretionary activity due to non-compliance with an environmental standard in Part 5 of this Plan, regard shall be had to any additional "criteria for assessment" specified in Part 5 of this Plan in relation to that environmental standard;
- (v) any other matters the Council considers relevant and reasonably necessary to determine the application. Relevant matters include:
 - the degree of non-compliance and the practicality of achieving any specified standard;
 - details of any proposed mitigation measures;
 - whether there are particular circumstances existing which justify the alteration of any standards relating to the proposed activity.

5 ENVIRONMENTAL STANDARDS

PART 5

5.1 GENERAL DEVELOPMENT RULES	5-1
5.1.1 INTRODUCTION TO PART 5	5-1
5.1.2 EFFLUENT DISPOSAL	5-1
5.1.3 WATER SUPPLY	5-5
5.1.4 STORMWATER DRAINAGE	5-7
5.1.5 LAND DISTURBANCE AND EXCAVATION	5-8
5.1.6 DEVELOPMENT CONTRIBUTIONS	5-12
5.1.7 NATURAL HAZARDS	5-20
5.1.8 HAZARDOUS SUBSTANCES	5-24
5.2 Land Subdivision Rules	5-26
5.2.1 INTRODUCTION	5-26
5.2.2 GENERAL RULES FOR SUBDIVISION	5-26
5.2.3 SUBDIVISION STANDARDS	5-29
5.2.4 CLASSIFICATION OF ACTIVITIES	5-35
5.3 Infrastructure	5-41
5.3.1 MANAGEMENT OF ROADS (ROAD HIERARCHY)	5-41
5.3.2 PARKING	5-45
5.3.3 ACCESS AND INTERSECTIONS	5-47
5.3.4 DANNEVIRKE AERODROME PROTECTION AREA	5-55
5.3.5 RAIL CORRIDOR	5-56
5.3.6 NETWORK UTILITIES	5-57
5.3.7 RENEWABLE ELECTRICITY GENERATION FACILITIES	5-63
5.4 Amenity	5-66
5.4.1 NOISE AND VIBRATION	5-66
5.4.2 DUST, SMOKE AND ODOUR	5-70
5.4.3 SIGNS	5-73
5.4.4 HEIGHT AND RECESSION PLANE CONTROLS	5-80
5.4.5 OUTDOOR LIVING COURT	5-83
5.4.6 OUTDOOR SERVICE COURT	5-85
5.4.7 GLARE / ARTIFICIAL LIGHTING	5-86
5.4.8 LANDSCAPE TREATMENT/SCREENING	5-87
5.4.9 PEDESTRIAN AMENITY (VERANDAHS)	5-90
5.4.10 SETBACKS	5-91
5.4.11 ENERGY EFFICIENCY AND CONSERVATION	5-94

5.5 Heritage and Natural Features	5-99
5.5.1INTRODUCTION	5-99
5.5.2CLASSIFICATION OF SCHEDULED FEATURES	5-100
5.5.3RULES APPLYING TO ACTIVITIES AFFECTING, OR WITHIN, ANY AREA IDENTIFIED IN APPENDIX 2, 3 OR 14 OF THIS PLAN	5-100

5.1 General Development Rules

5.1.1 INTRODUCTION TO PART 5

Part 5 of the Plan contains environmental standards (rules) which are applicable throughout the Tararua District. Standards for subdivision, infrastructure (transportation and utility services), amenity, heritage resources and energy efficiency are specified in sections 5.2 to 5.5. This section, 5.1, contains general standards which apply to subdivision and development in the District. In order to determine which standards are applicable to a proposed subdivision or development, reference should be made to all the sections in Part 5.

5.1.2 EFFLUENT DISPOSAL

5.1.2.1 Introduction

The existence of a reticulated sewerage system has been one of the primary factors used to determine the location of the boundaries of Urban (Residential, Commercial, Industrial and Settlement) Management areas in the District. Reticulated sewerage systems are available in the four main towns of the District (Dannevirke, Woodville, Pahiatua and Eketahuna) and in three out of the four settlements which have been classified as "Settlement Management Area" (Norsewood, Ormondville and Pongaroa). Akitio has also been classified as a "Settlement Management Area" although it has a reticulated water supply but, to date, no reticulated sewerage system.

In these "urban" areas of the District, the reticulated systems generally have capacity to allow additional connections to them and subdivision is generally the most appropriate time for assessing the ability of the system to cope with additional connections. Actual connection from any particular lot to the system must be made at the time of development. Where there is no public reticulated sewerage system available (i.e. in rural areas of the District and some parts of urban areas), all existing and future development must be capable of satisfactorily treating and disposing of sewage on-site, or through small-scale community-based schemes.

Standards are imposed to ensure that the quality of natural water (groundwater and surface water) is maintained and protected from contamination from effluent discharges, and to prevent human health risks and avoid problems of smell nuisance. The purpose of the standards is to ensure that sufficient area is available on-site to provide for buildings, a septic tank (or alternative treatment system) and effluent fields. Other legislation provides for the actual design and construction of the effluent disposal system. In addition to the

standards in the District Plan, the requirements of any relevant Tararua District bylaw, the Building Act 2004, the Health Act 1956 and any relevant regional plans shall also be met.

The MWRC's One Plan also contains rules relating to discharges to land from septic tanks and other effluent disposal standards. The rules aim to ensure that field soakage areas are of sufficient size (having regard to soil types) to ensure that suitable treatment can take place in the field soakage area and in the soil immediately surrounding that area, prior to entering groundwater systems. Developers need to have regard to the requirements of the relevant Regional Council in relation to effluent disposal matters.

It is the MWRC's intention to take primary responsibility for the management of on-site effluent disposal, including minimum allotment sizes, through administration of its 'Manual for On-Site Wastewater Systems Design and Management (Horizons Regional Council, 2010).

In relation to non-domestic effluent disposal systems such as treatment plants, oxidation ponds and other systems, care needs to be taken in the siting of facilities and effluent disposal fields to avoid unreasonable smell nuisance or any health risk for the occupants of neighbouring properties and dwellings.

The standards below aim to avoid such potential effects.

5.1.2.2 Standards

[Note: the word "development" (as used in the standards below) is defined in Part 6 of this Plan (Interpretation) as "any subdivision or any proposed activity to be undertaken on land, whether or not a resource consent is required". The word "developer" has a corresponding meaning (i.e. it includes persons undertaking subdivisions).]

- (a) Where developments are within an area serviced by a sewerage system:
 - (i) the developer shall provide a connection from the sewer main to the lot boundary (except as provided for in (b) below); and
 - (ii) all new developments must be connected to the system.

- (b) Where an allotment is to be subdivided from a larger lot which is located within, and surrounded by, an established urban area (i.e. "infill" subdivision), proof shall be provided at the time of applying for subdivision consent that the allotment can be connected to the reticulated sewerage system, but it shall not be necessary to provide such connection until such time as the allotment is to be built upon.

(c) Where developments are proposed in an area which is not serviced by a sewerage system:

- (i) there shall be an area of land (within each certificate of title) large enough for the disposal and treatment of sewage and domestic effluent in an environmentally acceptable manner, having regard to the proposed use of the land, and the size, shape and soil characteristics of the land (refer to (ii) and (iii) below). A drainage easement over adjacent land shall be an acceptable means of compliance with this standard where there is insufficient area of land within the Certificate of Title concerned.

For the purposes of this standard, on-site effluent disposal is "environmentally acceptable" where it does not (or will not), either on its own or cumulatively, lead to adverse environmental or health effects either within or beyond the boundaries of the site (including ground or surface water contamination, odours, surface run-off from land).

[Note: Where an area of land of less than 5,000m² is to be used to build a dwelling with associated domestic wastewater disposal, a resource consent will likely be required from MWRC prior to the installation of the wastewater disposal system and for any future upgrades to that system. The Council will require sufficient information to be presented to it to demonstrate that the site will be able to properly dispose of effluent within its boundaries in compliance with the requirements of One Plan Rule 14-14 and the Manual for Onsite Wastewater Systems Design and Management (Horizons Regional Council, 2010).]

- (ii) the information required in respect of subdivision applications is specified in section 7.3.3 of this Plan.
- (iii) the information required as part of any resource consent or building consent application (as applicable) shall include a report from a registered engineer with experience in soil mechanics, geotechnical and/or wastewater engineering as appropriate and, if necessary, records of test data. The report shall include:
- a detailed soil and, if necessary, geotechnical assessment;
 - identification of relevant topographic and drainage features;
 - an assessment as to any actual or potential effects of effluent disposal on existing water bores and surface and ground water in the vicinity;

- an assessment of the likely volumes of effluent to be treated;
and
 - certification as to an appropriate on-site disposal system which would ensure that any adverse environmental effects are avoided.
- (iv) the Council may waive the requirement for particular information (e.g. the engineer's report) where it is satisfied that such information is not necessary in the circumstances;
- (v) where a building or other structure is proposed and the above requirements have previously been met in relation to the subdivision of the land, full details of the proposed effluent disposal system shall be provided at the building consent stage, but the requirements for permeation tests and a report from a suitably qualified expert shall be deemed to have been already met.
- (d) In relation to any development in an area which is not serviced and where non-domestic effluent is or will be produced, the following requirements are additional to those in (c) above:
- (i) any treatment plant or pond (excluding any disposal of effluent to land, such as by spray or trickle irrigation) shall be established a minimum of 50 metres from the boundary of the site. Any such treatment plant or pond shall also be established a minimum of 150 metres from any of the following activities that are in existence on an adjacent site at the time of establishment of the treatment plant or pond:
- a dwelling;
 - visitor accommodation; or
 - a community facility.
- (ii) any disposal of effluent to land, including by spray or trickle irrigation, shall be undertaken not less than 20 metres from the boundary of the site and not less than 50 metres from any dwelling, visitor accommodation or community facility on an adjacent site where any such dwelling, visitor accommodation or community facility is in existence when the disposal activity is first established.
- (iii) any disposal by way of spray irrigation shall be undertaken at times and in wind conditions so as to avoid spray drift onto an adjacent site.
- (iv) where any effluent or manure (liquids, solids or slurry) is taken across a site boundary or along public roads, it shall be enclosed in containers or pipes so as to avoid a nuisance arising;

- (v) the disposal of effluent from pig farms shall be carried out in accordance with Enviropork™: pork industry guide to managing environmental effects (NZ Pork Industry Board, V1.0 2005).

[Note: the Council may waive the setback distance requirements set out in 5.1.2.2(d)(i) and/or 5.1.2.2(d)(ii) provided the written approval of the owner of the adjacent site has been obtained.]

5.1.2.3 Non-compliance with standards

Where proposed activities do not meet the standards specified in section 5.1.2.2 above, they shall be deemed to be discretionary activities, requiring a resource consent.

5.1.2.4 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.1.2.3 above for a discretionary activity:

- (a) whether there is adequate provision for the effective disposal of sewage without risk to public health or the environment.
- (b) whether the development or subdivision would create adverse effects (including cumulative effects) on water, including groundwater, quality.
- (c) whether the proposed design of the effluent disposal system can meet the maximum potential demand arising from the likely development.
- (d) whether the topography, prevailing weather conditions or existing land uses are such that standards may be reduced without creating any significant nuisance or adverse environmental effects.
- (e) whether the sewerage system is designed, located and constructed to allow relatively easy operation, cleaning, inspection and maintenance.

5.1.3 WATER SUPPLY

5.1.3.1 Introduction

The provision of an adequate and potable (drinkable) water supply is required for public health reasons and for domestic, commercial and industrial consumption. A water supply (not necessarily potable) is also necessary for fire fighting purposes. Where an urban or rural water supply system is not available, alternative methods of water supply are necessary, such as rainwater storage, bores or a combination of methods. In addition to the standards in the District Plan, the requirements of any relevant Tararua District bylaw, the

Building Act 2004, the Health Act 1956, the NZ Fire Service Code of Practice SNS PAS 4509:2008 and any relevant regional plans shall also be met.

5.1.3.2 Standards

[Note: the word "development" (as used in the standards below) is defined in Part 6 of this Plan (Interpretation) as "any subdivision or any proposed activity to be undertaken on land, whether or not a resource consent is required". The word "developer" has a corresponding meaning (i.e. it includes persons undertaking subdivisions).]

- (a) Where developments are within a Residential, Commercial, Industrial or Settlement Management Area which is serviced by an urban water supply system:
 - (i) the developer shall provide a connection from the water main to the lot boundary (except as provided for in (b) below); and
 - (ii) all new developments must be connected to the system.
- (b) Where an allotment is to be subdivided from a larger lot which is located within, and surrounded by, an established urban area (i.e. "infill" subdivision), proof shall be provided at the time of applying for subdivision consent that the allotment can be connected to the reticulated water supply system, but it shall not be necessary to provide such connection until such time as the allotment is to be built upon.
- (c) Where developments are proposed in an area which is not serviced by an urban water supply system:
 - (i) in relation to subdivisions, all land proposed to be held in one certificate of title shall be able to be provided with a satisfactory water supply suitable for domestic consumption, livestock consumption, and firefighting purposes, as appropriate to the circumstances.
 - (ii) In relation to building developments, all developments shall be able to be provided with a satisfactory water supply as appropriate to the circumstances. Evidence of a satisfactory water supply shall be provided at the building consent stage.

5.1.3.3 Non-compliance with standards

Where proposed activities do not meet the standards specified in section 5.1.3.2 above, the activity shall be deemed to be discretionary activity, requiring a resource consent.

5.1.4 STORMWATER DRAINAGE

5.1.4.1 Introduction

The adequate control and disposal of stormwater is important to ensure that people and communities are protected from the nuisance and, in some cases, social and economic disruption that stormwater run-off and flooding can cause. In urban areas, the higher proportion of impermeable surfaces means that adequate provision for stormwater drainage is particularly important. Stormwater needs to be disposed of so that it does not become contaminated by other effluent (e.g. septic tanks), chemicals, oils or pesticides. It also needs to be disposed of in a manner which causes minimal, if any, detriment to the environment. Therefore, the quality, as well as the quantity, of stormwater needs to be considered. There are a number of means available to control and dispose of stormwater including on-site soakage, roadside channels, soakage into reserves, or open areas, piping to existing streams or water bodies and connecting to established stormwater systems. Connections to sewerage systems are not permitted. Some means of stormwater disposal will require Regional Council consents; piping to existing waterbodies has the potential to adversely affect aquatic values and as such is not encouraged. The appropriate technique to use for stormwater drainage depends on the circumstances of each situation but it must avoid flooding downstream, and siltation, erosion or instability to any land or waterbodies. In addition to the standards in the District Plan, the requirements of any relevant Tararua District bylaw, the Building Act 2004, the Health Act 1956 and any relevant regional plans shall also be met.

5.1.4.2 Standards

- (a) Each new lot or development shall be able to be provided with a means of stormwater drainage which avoids flooding downstream or on adjacent properties and does not cause any other adverse environmental effects such as increased siltation, or contamination of aquatic environments, erosion or instability of any land or watercourses.
- (b) In Residential, Settlement, Commercial or Industrial Management Areas, all stormwater shall be disposed of in accordance with Part 4 of (NZS 4404:2010) Land Development and Subdivision Infrastructure.

5.1.4.3 Non-compliance with standards

Where proposed activities do not meet the standards specified in section 5.1.4.2 above, the activity shall be deemed to be discretionary activity, requiring a resource consent.

5.1.5 LAND DISTURBANCE AND EXCAVATION

5.1.5.1 Introduction

Many land use activities involve excavations and placement of deposits in the form of fill on land. In most circumstances, such activities are considered to constitute part of the main land use activity. Farming, for example, may involve activities such as digging offal holes, putting metal on races, constructing tracks and fencelines, digging private drains, establishing silage pits, land cultivation and minor land shaping, obtaining small amounts of gravel/sand for farm use, and so on. In the Rural Management Area, where farming is a permitted activity, these associated activities are also permitted. Nevertheless, resource consents from the Regional Council may be necessary in some circumstances.

On occasions it is necessary to dispose of surplus cut material from road works. Such material normally comprises clean topsoil/subsoil and is often valued by farmers to fill gullies and depressions and so on. This is a permitted activity in the District Plan, although reference should be made to the relevant Regional Council to see whether a resource consent from that Council is necessary.

It should be noted that Regional Councils have responsibility for controlling the effects of activities in the beds of rivers (e.g. gravel extraction from rivers) and also for land disturbance activities on steep country and other land that is particularly vulnerable to erosion, including wind erosion. Potential users of land in these circumstances should consult with the relevant Regional Council to determine whether a resource consent is required.

In urban areas, the management of excavations and fills on land is generally handled through either:

- the Building Act 2004, in terms of which site works (including earthworks) require approval by Council as part of the building consent; or
- the land subdivision procedures under the RMA and this Plan, particularly in terms of conditions of consent relating to filling, compaction, unstable or erosion prone land.

Some excavation and land disturbance activities are not just minor works associated with the principal land use activity but are commercial activities in their own right. These may be of a larger scale and with potentially greater adverse effects, such as noise, dust, traffic and visual effects. A distinction is made in the Plan between, on the one hand, minor excavations where fill is used on the same property, and on the other, when minerals, soil or fill is imported from, or exported to, another property for commercial sale and use. The latter is a discretionary activity. Mining and quarrying (including exploration, excavation and processing) are not permitted activities in any

Management Area and are, therefore, deemed to be discretionary activities. This enables the Council to assess the proposed work programme and the potential adverse effects of the works, and to set appropriate conditions to protect the amenities of the area.

One of the potential effects of earthworks and excavation is the disturbance or destruction of archaeological sites. It should be noted that the standards below are subject to compliance with the heritage provisions in section 5.5 of this Plan.

5.1.5.2 Standards

- (a) In all Management Areas:
- (i) The land disturbance and excavation standards in this section are subject to compliance with the heritage provisions in section 5.5 of this Plan, in relation to any archaeological sites, and the natural hazards rules in section 5.1.7 of this Plan.
 - (ii) Up to 30m³ of minerals or clean fill material may be excavated in any one year for transportation off the property where such works are not part of an approved subdivision or approved development;
 - (iii) Up to 30m³ of clean fill comprising topsoil and subsoil may be placed on a property at depths generally not exceeding 1 metre, where such works are not part of an approved subdivision or approved development;
 - (iv) Up to 100m³ of clean fill comprising topsoil, subsoil and/or demolition rubble may be placed on a property where such works are not part of an approved subdivision or approved development, and where the Council is informed before the activity is carried out. The detail to be provided is:
 - legal description and street address of property
 - nature and source of fill
 - location of fill on site (site plan to be included)
 - depth of fill
 - compaction of fill.
 - (v) Any infilling activity shall not exacerbate or increase the risk of natural hazards.

(b) Additional standards in the Rural Management Area:

(i) For activities other than the development and maintenance of:

- Tracks that provide access to existing network utilities and/or infrastructure or to network utilities and/or infrastructure that is deemed to be a permitted activity in section 5.3.6 of this Plan;
- farm tracks;
- fencelines;
- forestry tracks; or
- forestry landings,

up to 1,000 m³ of minerals, clean fill material, or soil may be excavated from and placed on land held in the same certificate of title in any one calendar year.

[Note: Tracks that provide access to existing network utilities and/or infrastructure, or to network utilities and/or infrastructure that is deemed to be a permitted activity in section 5.3.6 of this Plan, farm tracks, fencelines, forestry tracks and forestry landings may be developed and maintained without limitation on the volume of material that may be excavated or placed for this purpose, or the limitation of the material being excavated from and placed on land held in the same certificate of title.]

[Note: The activity may require resource consent from the Regional Council or be restricted by means of Regional Rules.]

(ii) In any one calendar year, up to 1,000 m³ of clean imported fill, comprising topsoil, subsoil and/or demolition rubble may be placed on land which is not part of an approved subdivision or approved development, provided the Council is informed before the activity is carried out. Information to be provided is:

- legal description and street address of the subject site
- nature and source of fill
- location of fill on site (site plan to be included)
- depth of fill
- compaction of fill

- any mitigation measures necessary to ensure that there are no adverse effects in watercourses or beyond the boundaries of the site.

The 1,000 m³ restriction on volume does not apply to surplus cut material from road works, which may be placed without restriction on volume. Such placement remains subject to informing the Council in the required manner before the activity is carried out.

[Note: The activity may require resource consent from the Regional Council or be restricted by means of Regional Rules.]

5.1.5.3 Non-compliance with standards

Where proposed activities do not meet the standards specified in section 5.1.5.2 above, the activity shall be deemed to be discretionary activity, requiring a resource consent.

5.1.5.4 Information requirements

In addition to the information requirements specified in section 7.3.2 of this Plan, a resource consent application for any mining or quarrying activity (including prospecting, exploration, excavation and processing) shall include an outline of the proposed works, including (where appropriate):

- (a) description of the area (including legal description and physical features);
- (b) objective of the activity;
- (c) methods/processes to be used (including any hazardous substances to be used);
- (d) timeframe for works;
- (e) an assessment of the effects of the activity on vegetation, livestock and wildlife habitats, topographical features, watercourses, air quality, waahi tapu, archaeological, historic or other significant sites, and on any nearby residential activities;
- (f) traffic movements and routes to be used;
- (g) rehabilitation programme;
- (h) details of other proposed mitigation measures;

5.1.5.5 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.1.5.3 for a discretionary activity (where applicable):

- (a) significance of actual and potential environmental effects;
- (b) extent (if any) to which there may be a detracting or adverse effect upon, the amenity of nearby residential activities, or other sensitive activities;
- (c) significance of any effects on drainage patterns;
- (d) effect on the sustainable management of the land;
- (e) significance of any effects of traffic movements on the safety and efficiency of the road network;
- (f) significance of any adverse visual impact;
- (g) extent to which there is any disturbance to any heritage feature or important natural feature;
- (h) whether there will be adequate compaction of fill for likely future uses;
- (i) whether acceptable plans for rehabilitation of the area have been provided, including an implementation programme;
- (j) details of other mitigation measures proposed;
- (k) recommendations of the Regional Council or other relevant agency.

5.1.6 DEVELOPMENT CONTRIBUTIONS

5.1.6.1 Introduction

The RMA requires the Council to manage the effects of subdivision and development in a manner which promotes the sustainable management of the District's natural and physical resources. Contributions from subdividers and developers provide a means of offsetting, avoiding, remedying or mitigating the adverse effects of such activities.

Section 108 of the RMA specifies that contributions can take any of the following forms:

- *money;*
- *land;*
- *works* (such as landscape treatment, restoration);
- *services* (such as the provision of water supply, sewerage and stormwater disposal, roads);
- *any combination of the above.*

The provisions for contributions in this Plan state:

- the circumstances when contributions may be imposed;
- the maximum amount that may be imposed;
- the general purposes for which contributions may be used.

To assist in determining responsibility for their provision, services can be divided into two separate categories, as follows:

- (a) *On-site services*, being those works carried out within and as part of a development (including subdivision - refer to "Note" in 5.1.6.2 below). On-site services include car parks, water and sewerage connections to trunk services, power, telephone and stormwater. The provision of on-site services is the responsibility of the subdivider or developer. The only exception to this approach is for car parks in the Commercial Management Areas where Council may accept a cash-in-lieu payment. In these specified areas the Council shall be responsible for the provision and maintenance of car parks within these central areas.
- (b) *Off-site services*, being those trunk and community services outside the development (including subdivision - refer to "Note" in 5.1.6.2 below) which serve the community in general. These services include community facilities, reserves, libraries, roads, footpaths, public works and utilities (e.g. sewerage and water reticulation and treatment plants, and landfills), the provision and maintenance of which is the responsibility of the Council on behalf of the community. New subdivisions and developments incrementally add to usage and demands on such services and for this reason the Council imposes rates and user charges as appropriate. The Council considers that these mechanisms for funding community service provision are more appropriate, justifiable and equitable than a requirement for a financial contribution on all new developments as a matter of course. It is also intended that these provisions will give the

District a competitive edge over other Districts in attracting investment and growth opportunities.

While contributions are not automatically required for permitted activities, this Plan makes provision for contributions to be required as conditions of resource consents granted by the Council for controlled, discretionary and non-complying activities. The purpose of any conditions of consent requiring contributions is to help offset, avoid, remedy or mitigate the adverse effects of activities. The purpose of specific contributions is discussed further in section 5.1.6.3 below.

5.1.6.2 General rules

[Note: the word “development” (as used in section 5.1.6) is defined in Part 6 of this Plan (Interpretation) as “any subdivision or any proposed activity to be undertaken on land, whether or not a resource consent is required”. The word “developer” has a corresponding meaning (i.e. it includes persons undertaking subdivisions).]

- (a) All works and services required by this District Plan to be provided on or within any site in the District for the purpose of a development, and any works required to ensure compliance with any standard or rule, shall be funded entirely by the developer, to the extent that the costs are directly related to the development.
- (b) All off-site works and services which are provided by the Council at the developer’s request, and which are not programmed for implementation in the Council’s Annual Plan for the current year, shall be funded entirely as a cost to the developer.
- (c) Any spare capacity to meet future demand, which is built into the work or service by the developer at the Council’s request, shall be paid for by the Council in either works, services, money or a combination of these. Any such arrangement is to be negotiated and agreed by both parties.
- (d) Contributions payable in the form of money or works as part of a subdivision consent must be paid, or completed, prior to the issue of a certificate under Section 224 of the RMA, while contributions in the form of land shall vest on the deposit of the survey plan under Section 223 of the RMA.
- (e) Contributions payable in any form in respect of a development must be paid prior to the uplifting of a building consent or where no building consent is involved, before the commencement of the activity.
- (f) Except in the case of a money contribution in respect of a development, provision or installation of any contribution may be deferred subject to

satisfactory protection of that contribution by a bond (Refer to section 5.2 for the rules relating to bonds).

- (g) Goods and Services Tax (GST) is payable on all monetary contributions, except where GST has already been included in a valuation upon which the financial contribution is based.
- (h) No contribution shall be payable if a contribution for the same purpose has already been paid in respect of that area of land.
- (i) Where an activity does not proceed and the consent lapses or is cancelled, the contribution shall be refunded in accordance with Section 110 of the RMA, upon application by the person who paid the contribution.
- (j) Where the Council has accepted a financial contribution for the purpose of a specific work, it shall be obliged to carry out such work at the appropriate time. In the event that Council carries out the work at less cost than the contribution paid, the Council shall refund the balance to the person who paid the contribution.

5.1.6.3 Contributions as conditions of resource consents

Contributions (whether cash, land, works or services) may be required as conditions of land use and subdivision consent in relation to the matters below. It should be noted that the amount/value of contributions (if any) will depend upon the circumstances of each resource (land use or subdivision) consent application. The purpose, circumstances and maximum amount of financial contributions that may be imposed by the Council as a condition of consent is specified below:

[Note: the word “development” (as used in section 5.1.6) is defined in Part 6 of this Plan (Interpretation) to include “any subdivision or any proposed activity to be undertaken on land...”. The word “developer” has a corresponding meaning (i.e. it includes persons undertaking subdivisions).]

(a) Provision of new roads and streets:

Circumstances: Where efficient and safe access to proposed developments cannot be adequately achieved from existing roads, or where the capacity of existing roads would be exceeded as a result of additional traffic generated by the development, the Council may require new roads to be constructed to standards specified by the Council.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of building the new road, including the value of the necessary land.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(a).

(b) *Upgrading and widening of existing roads:*

Circumstances: Where a proposed development will generate increased usage resulting in a need to increase the width, construction standard or maintenance programme of any existing roads (including state highways), the Council may require the road(s) to be upgraded to standards specified by Council, or require a contribution to be made for increased maintenance of the road.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of widening or upgrading the road or the increased maintenance costs for the duration of the activity.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(a).

(c) *Private rights of ways, accessways and vehicle crossings:*

Circumstances: Where a proposed development includes rights of way, accessways or vehicle crossings, the Council may require construction, sealing and maintenance of such accessways and vehicle crossings to standards specified by the Council so that there is no adverse effect on the safety and efficiency of the road network.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of constructing and maintaining the right of way, accessway or vehicle crossing.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(a).

(d) *Off-street vehicle parking/loading spaces:*

Circumstances: Where the on-site vehicle parking requirements of this Plan cannot be met in respect of any development, the Council may require a financial contribution, in the form of money, to provide and maintain public car parks in the vicinity of the development.

Maximum amount: The maximum amount of contribution that may be required is \$2000 per car parking space/loading space.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(a).

(e) Street lighting:

Circumstances: Where new roads or accessways are formed or upgraded as part of a proposed development, the Council may require the provision or upgrading of street lighting to improve the safety of road users and pedestrians.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of providing the street lighting.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(a).

(f) Earthworks:

Circumstances: Where earthworks are required as part of a development to provide building areas, roads or services, or to enable better utilisation of the land, the Council may require the earthworks to be carried out to specified standards.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of carrying out the earthworks.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(a).

(g) Water supply:

Circumstances: Where any development is proposed, the Council may require a potable water supply to be established or connection to reticulated services to be made, in order to ensure that there is a satisfactory supply of water (for domestic, commercial and industrial use, or for fire-fighting and irrigation, as applicable),

Maximum amount: The maximum amount of contribution that may be required is the actual cost of providing the new, extended or upgraded water supply, including reticulation and connections within the development.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(b).

(h) Sewage/wastewater disposal:

Circumstances: Where any development is proposed, the Council may require either connection to an existing reticulated sewage system, the upgrading of such existing system if capacity is inadequate, or the

establishment of an on-site treatment and disposal system to the satisfaction of the Council, in order to ensure that all sewage/wastewater is able to be adequately disposed of in a manner that maintains the health and amenity of the occupants and the quality of the environment.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of providing the new, extended or upgraded sewage disposal system, including reticulation and connections within the development as applicable.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(b).

(i) Stormwater:

Circumstances: Where a development is proposed, the Council may require stormwater drainage facilities to be installed to the satisfaction of the Council, in order to reduce the adverse effects of uncontrolled run-off of stormwater from new roads, subdivisions, impervious surfaces and developments.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of providing the new, extended or upgraded stormwater drainage system, including reticulation and control structures within the development as applicable.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(b).

(j) Landscape treatment/fences:

Circumstances: Where landscape treatment or fences are desirable to reduce the adverse visual effects of a proposed development, or any existing activities, or to enhance the rehabilitation or restoration of an area, or provide increased privacy, the Council may require landscape treatment to be carried out and/or fences to be erected.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of implementing and maintaining the landscape treatment or fences.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(c).

(k) Open space, reserves and public recreational facilities:

Circumstances: Where major new developments (residential, commercial or industrial) are proposed which will generate a significant increase in demand for, and usage of, reserves and public recreational facilities, or where there is an opportunity to protect and enhance important natural features, open space, conservation values or heritage and cultural features (such as archaeological sites and waahi tapu), the Council may require financial contributions to help provide and maintain adequate reserves, facilities and open space in the area or town concerned.

Maximum amount: The maximum amount of contribution that may be required is:

- (i) in relation to a building development: 0.5% of the assessed value of the building development, as determined by the Council.
- (ii) in relation to a subdivision: 5% of the value of the additional allotments created as shown on the plan of subdivision.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(c).

(l) Esplanade reserves/strips/accessways:

Circumstances: Where a development (including subdivision) is proposed along the margins of watercourses/waterbodies (including the coast) that are identified in the District Plan or through the resource consent process as priority areas for riparian management, public access, recreation or the conservation of natural features and habitats, the Council may require financial contributions (vesting of land in the Council) to create an esplanade reserve, strip or access strip.

Maximum amount: The maximum amount of contribution that may be required is the actual cost of vesting a reserve or strip up to 20 metres wide adjacent to the watercourse/waterbody, or an access strip to such watercourse/waterbody, including the value of the land or interest in land and the conveyancing and survey costs.

Purpose: The contribution may be used for any of the purposes listed in section 5.1.6.4(c).

5.1.6.4 Purpose for which contributions may be used

(a) *Road Environment*

To provide, upgrade and maintain the District's roads and road environment, including:

- provision of new roads and streets;
- upgrading and widening of existing roads;
- private rights of way, accessways and vehicle crossings;
- off-street vehicle parking/loading spaces;
- street lighting;
- earthworks.

(b) *Services*

To provide, upgrade and maintain the District's servicing networks, including:

- water supply;
- sewage/wastewater disposal;
- stormwater disposal;

(c) *Recreation and amenity*

To provide, upgrade and maintain the District's recreational facilities and level of amenity, including:

- landscape treatment/fences;
- Esplanade reserves/strips/accessways;
- open space, reserves and public recreational facilities.

5.1.7 NATURAL HAZARDS

5.1.7.1 Introduction

In order to achieve the objectives and policies contained within Section 2.5 of this District Plan, a number of rules have been developed to control the use of land to avoid, remedy or mitigate the adverse effects of natural hazards.

Policy 9-1 of the Manawatu-Wanganui Regional Council's One Plan sets out the responsibilities for hazard management within the Region. For the Tararua District Council, these responsibilities include:

- (i) developing objectives, policies and methods (including rules) for the control of the use of land to avoid or mitigate natural hazards in all areas and for all activities except the following (which are Regional Council responsibilities):
 - all land use activities in the coastal marine area,
 - erosion protection works that cross or adjoin mean high water springs,
 - all land use activities in the beds of rivers and lakes, for the purpose of avoiding or mitigating natural hazards.
- (ii) identifying floodways (as shown in Schedule J1 of the One Plan) and other areas known to be inundated by a 0.5% annual exceedance probability (AEP) flood event on planning maps in district plans and controlling land use activities in these areas in accordance with Policies 9-2 and 9-3 of the One Plan.

None of the floodways as shown in Schedule J1 of the One Plan are within the Tararua District.

Policy 9-2(b) of the One Plan states that TA's must not allow the establishment of any new structure or activity, or an increase in the scale of any existing structure or activity, within an area which would be inundated in a 0.5% AEP flood event unless:

- (i) flood hazard avoidance is achieved or the 0.5% AEP (1 in 200 year) flood hazard is mitigated, or
- (ii) the non-habitable structure or activity is on production land, or
- (iii) there is a functional necessity to locate the structure or activity within such an area

The District Plan contains provisions that limit development in recognised natural hazard areas in order to reduce risk to human life, property and infrastructure. Rule 5.1.7.2 applies to the Natural Hazard Areas that are identified on the planning maps. No areas are currently identified on the maps.

The District Plan does however contain a series of maps at a scale of 1:50,000 which identify areas of land that could potentially be adversely affected by flooding or surface flooding. Areas affected by poor drainage are also shown as floodable areas. These maps have been prepared using a variety of sources such as photographs of and reports about flood events, anecdotal information and field visits. They have not been prepared using data modelling to identify areas of land likely to be inundated by a 0.5% annual exceedance probability

(AEP) flood event. They are indicative only and have been prepared solely for the purpose of showing areas in which the nature, extent and risk of flooding requires further investigation prior to any subdivision, development or change in land use occurring.

In addition to these District Plan 'Flood Maps', the Council is also able to consider Natural Hazard Area (Flooding) information (the 0.5% AEP flood modelling) provided by the Manawatu-Wanganui Regional Council for the Upper Gorge (including Woodville), Mangatainoka, Pahiatua and Herbertville. One in 100 year (1% AEP) flood modelling information, in respect of coastal inundation at Akitio, is also able to be referenced. When considering applications for building permits, subdivision of land or changes of use the Council will consider all the above-mentioned information and take this into account in the decision making process.

Persons intending to develop or purchase a property within an area identified by the Council as being floodable, will be advised to contact the Manawatu-Wanganui Regional Council (Horizons) for assistance in obtaining more detailed, site-specific information.

The Regional Council's Long Term Plan makes provision for a number of hazards information projects to be carried out in the Tararua District, over a period of 6 years, including 0.5% AEP flood modelling. Once these information gathering projects have been completed it ought to be possible to identify the areas at risk of inundation in a 0.5% AEP event on the District Planning maps and therefore become subject to Rule 5.1.7.2.

5.1.7.2 Standards

(a) Permitted Activities

The permitted and controlled activities in a natural hazard area (as shown on the planning maps) are those specified in Part 4 of this Plan for the underlying Management Area, subject to meeting the following standards:

- (i) Activities shall not involve any of the following:
 - The erection of, or extension to, any building or structure (other than temporary structures associated with temporary activities - refer to Part 6, Interpretation).
 - land subdivision;
 - any activity which requires vegetation clearance and ground disturbance;
 - the use, disposal or storage of hazardous substances.

(b) Natural Hazard Area (Flooding)

The permitted and controlled activities on land falling within the definition of a 'Natural Hazard Area (Flooding)' are those specified in Part 4 of this Plan for the Management Area concerned, subject to meeting one or more of the following standards:

- (i) the adverse effects of the identified 0.5% AEP (1 in 200 year) flood hazard are able to be avoided or mitigated; or
- (ii) the activity, including any non-habitable structure, is on farming (production) land; or
- (iii) there is a functional necessity to locate the activity or structure within the identified area.

5.1.7.3 Non-compliance with Standards

Where activities cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.1.7.4 Information Requirements

In addition to the information requirements specified in section 7.3.2, a resource consent application for any activity proposed to be undertaken within a natural hazard area shall include the following:

- (a) a detailed written description of the proposal and its purpose;
- (b) any known historical data relating to the hazard prevalent in that area;
- (c) any proposed measures to ensure that the activity will not be adversely affected by the occurrence of a natural hazard at that area. A report from a suitably qualified expert may be required;
- (d) details of consultation undertaken with the relevant Regional Council.

5.1.7.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.1.7.3 for a discretionary activity:

- (a) views of the relevant Regional Council;
- (b) estimated probability of a natural hazard occurring;
- (c) estimated risk and the likely consequences of a natural hazard event;

- (d) mitigation measures proposed;
- (e) likely cost to the Council in terms of its natural hazard response and recovery programme should the activity be allowed to proceed and should such a natural hazard occur.

[Note: In order to meet the requirements of 5.1.7.4(d) and 5.1.7.5(a), persons wanting to change or intensify a land use, subdivide land or erect or extend any building or structure in an area identified as being floodable or within 1 kilometre of the District's coastline, are advised to contact the Manawatu-Wanganui (Horizons) Regional Council for assistance and/or advice in respect of any detailed, site-specific hazard risk related thereto.]

5.1.8 HAZARDOUS SUBSTANCES

5.1.8.1 Introduction

Numerous agencies share overlapping responsibilities for controlling the use storage, transportation and disposal of hazardous substances and managing contaminants in the environment. Their statutory functions and responsibilities are derived from the following statutes and regulations:

- Hazardous Substances and New Organisms Act 1996 and related Regulations (HSNO).
- Health and Safety at Work Act 2015 and Regulations relating to hazardous substances (HSWA).
- Resource Management Act 1991 (RMA).
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Soils).

In terms of the latter (the NES Soils), these regulations are administered by the Council and relate directly to the Council's S31(1)(b)(iia) RMA function, namely "... the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:"

The NES Soil regulations apply when a person wants to carry out an activity specified in the regulations, on land as described in the regulations which is contaminated or potentially contaminated.

The activities covered in the regulations include removing or replacing a fuel storage system, soil sampling (to determine if the soil is contaminated or not), soil disturbance for a particular purpose, subdividing land or changing the use of the land where such change of use could be harmful to human health, on land that is described in the Ministry for the Environment's Hazardous Activities and Industries List (commonly referred to as HAIL).

In terms of the former statutes (the HSNO and HSWA Acts), the HSNO Act will continue to be the primary legislation for the regulation of hazardous substances. Administered by the Environmental Protection Authority (EPA) the HSNO regulatory regime is responsible for:

- assessment and approval of all hazardous substances;
- classifying all hazardous substances;
- setting controls (EPA controls) that apply to all hazardous substances, including controls for labelling, material safety data sheets (MSDS), and disposal;
- setting content controls (i.e. allowable levels of hazardous substances) for substances that affect human health and safety and the environment (e.g. cosmetics, domestic cleaning products, and pesticides);
- setting controls for hazardous substances that adversely affect the environment;
- setting controls for hazardous substances that affect human health and safety used outside the workplace; and

Worksafe New Zealand, through the HSWA's regulatory regime, is primarily responsible for regulating substances that affect human health and safety within the workplace, including:

- incorporating or referring to EPA controls, where appropriate;
- setting controls on the use, handling, generation, and storage of hazardous substances at the workplace;
- quality assurance mechanisms, e.g. test certification; and
- generally regulating such substances within the legislative framework for work health and safety.

The HSWA (S212) enables regulations relating to hazardous substances to be implemented for a number of purposes, including (inter alia):

- prescribing controls to avoid or mitigate illness or injury to people or damage to the environment or chattels from any hazardous substance:
- prescribing requirements to manage any emergency involving a hazardous substance:
- prescribing systems for tracking hazardous substances, including requirements that—
 - (i) the whereabouts of the substances be recorded at all times or from time to time:
 - (ii) the quantity of the substances be recorded:
 - (iii) a person be identified as being in charge of the substances:

When these HSNO and HSWA responsibilities are combined, the Council considers there is no need or justification to provide any further regulations (rules) or other provisions in the District Plan.

5.2 Land Subdivision Rules

5.2.1 INTRODUCTION

The subdivision rules contained in this section are designed to give effect to the Council's objectives and policies for land subdivision outlined in section 2.4 of this Plan. They also aim to achieve the desired environmental results specified in Part 3 in relation to each Management Area. The rules in this section should be read in conjunction with the environmental standards specified elsewhere in Part 5.

NZS 4404: 2010 Land Development and Subdivision Infrastructure is a model for subdivision which is to be used by Council to assess urban subdivision. This code already uses a performance standard approach and the rules set out for subdivision in this Plan complement that established approach.

In addition to Plan rules, the other primary means of controlling subdivision is the provision (and non-provision) of Council services such as reticulated sewerage and water supply schemes. The provision of such Council services can act as a control over the timing, location and scale of subdivision. Council, as the provider of public infrastructure, can use the provision (or non provision) of that infrastructure as a tool to manage subdivision patterns. This means of control is particularly important in relation to Council's primary goal of containing and consolidating urban development in the District, and sustainably managing the District's resources.

Monitoring of subdivision consents and enforcement action to achieve compliance with consent conditions and environmental standards will be undertaken on an ongoing basis in the future (refer to Part 8), to establish whether or not the subdivision conditions and standards are satisfactorily achieving the desired environmental results or whether they require amendment by way of a change to the plan.

5.2.2 GENERAL RULES FOR SUBDIVISION

5.2.2.1 Subdivision Plan to be Approved before Work Commences

Before any work, other than essential investigatory work, involving disturbances of the land surface or excavation of the land surface is undertaken or other work on the land for the purpose of the subdivision is commenced, a subdivision plan shall be submitted to and approved by Council. This obligation is subject to any agreement which may be entered into between the Council and an owner under the RMA which allows such preparatory works to be undertaken in terms of such an agreement.

5.2.2.2 Approval of Survey Plan

Once a Certificate of Compliance has been issued pursuant to Section 139 of the RMA or a subdivision consent has been granted pursuant to Sections 104A or 104B of the RMA, the survey plan may be submitted for Council approval pursuant to Section 223 of the RMA. A full-size transparency of the survey plan and a copy (not necessarily full-size) of the survey plan shall be supplied at the time of seeking a Section 223 approval. The original transparency will be returned to the subdivider while the copy will be retained for Council's records.

5.2.2.3 Deposit of Survey Plan

The survey plan shall not be deposited until Council has certified pursuant to Section 224 of the RMA that all requirements of this District Plan have been met and that all conditions imposed under the subdivision consent have been satisfied.

5.2.2.4 Bonds

Council may enter a bond agreement to cover subdivisional works only, when the subdividing owner can establish that the works cannot be carried out in reasonable time for reasons beyond his or her control. Such reasons may include matters such as weather, legal or tenure problems and unexpected additional works.

Cash bonds only will be entered into and the term of the bond shall be for the shortest period practical in the circumstances.

The subdividing owner must also satisfy Council that a bond is the best alternative available and that other alternatives such as extending the subdivision approval time are not practical.

5.2.2.5 Applications for Subdivision

- (a) Any person wishing to subdivide land (where that subdivision is not a permitted activity) shall make an application for subdivision consent as a controlled, discretionary or non-complying activity as applicable.
- (b) The subdivision shall be assessed in relation to the standards and criteria specified for each Management Area. Even where a proposed subdivision complies with minimum standards, conditions may be imposed in order to create a more practical subdivision design (in respect of the number, arrangement, area, frontage and shape of the allotments and access to them).
- (c) In some situations (e.g. the division of buildings into separate allotments, common areas associated with buildings), Council may require that the allotments be held under a cross lease, company lease or unit title tenure even when the subdivision may have been submitted in expectation of a freehold tenure. This change in tenure shall only be required where Council is of the opinion that the co-ordinated development and any subsequent redevelopment would be easier to achieve using an alternative tenure system.

5.2.2.6 Information Requirements

The information required to be submitted with subdivision applications is specified in section 7.3.2 and 7.3.3 of this District Plan.

5.2.2.7 Notification of Subdivision Applications

Applications for subdivision consent as a controlled activity shall not be publicly notified and no affected person approvals shall be required.

Notwithstanding the above, Council may require any application for subdivision consent to be publicly notified in accordance with Sections 95A to 95G of the RMA, where Council considers the subdivision would create effects that require wider public consideration than could be achieved by non-notified means.

[Note:

- *Reference should be made to section 7.3.5 for further information on notification of resource consent applications, including parties to be notified.*
- *That Regional Councils have requirements relating to the discharge of contaminants to land (i.e. effluent disposal) so it is advisable to consult with the relevant Regional Council to clarify any requirements (particularly in relation to effluent disposal) at an early stage.]*

5.2.2.8 Refusal of Subdivision Consent

Section 106 of the RMA specifies the circumstances in which the Council shall not grant consent to any subdivision application (i.e. where the land may be, or is, subject to erosion, falling debris, subsidence, slippage, or inundation). In addition to the requirements of that section, the Council may refuse to grant its consent to an application for a subdivision which is a discretionary activity in one or more of the following circumstances:

- (a) the subdivision is inconsistent with the objectives and policies of this Plan and the desired characteristics of the management area in which the subdivision is located.
- (b) the subdivision is inconsistent with the purpose and principles of the RMA.
- (c) the degree of non-compliance with the Plan's standards is such that significant adverse effects on the environment or amenity of an area cannot be avoided, remedied or mitigated by conditions (i.e. rather than granting a consent with "unachievable" conditions, it is preferable that Council should be both "transparent" and certain in its decision making and refuse its consent).
- (d) the orderly and sustainable use of land would not be achieved by the proposed subdivision.

- (e) where the subdivision is in a hazard-prone area and the subdivision, or any activity arising as a result of the subdivision or subsequent use of the land, would increase or exacerbate the degree of hazard risk.

5.2.2.9 Other restrictions on use of land - consent notices

Pursuant to S221 RMA, the Council may grant a subdivision consent subject to a condition that the subject land will only be used for a specified purpose or purposes on a continuing basis. For the purposes of Section 224 RMA, the Council shall issue a consent notice specifying any such condition.

5.2.3 SUBDIVISION STANDARDS

5.2.3.1 Development Standards

- (a) Unless otherwise specified in this Plan, all subdivisions in the Residential, Commercial, Industrial and Settlement Management Areas shall be assessed in accordance with NZS 4404: 2010 Land Development and Subdivision Infrastructure.

[Note: The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Soils) are required to be considered in relation to any subdivision of land (refer to explanation in Section 5.1.8.1 of this District Plan)]

5.2.3.2 Dimension and design

- (a) Each lot shall be designed so that the size and the shape of the lot will not prejudice the practical utilisation of the land within that lot or the practical utilisation of the balance area, having regard to the Plan's environmental standards (rules) for activities in the Management Area concerned.
- (b) Each lot created shall be of sufficient size and shape to contain the intended activity/development in a manner that complies with all relevant environmental standards in this Plan, such as on-site parking requirements, sewage disposal requirements (particularly important in areas without sewerage reticulation) and, in relation to residential activities, recession plane, outdoor living court and service court requirements, as applicable.

[Note: The Manawatu-Wanganui Regional Council's One Plan' contains requirements relating to minimum allotment sizes where on-site discharges of domestic wastewater are proposed and resource consent from the Regional Council may be necessary.]

- (c) Each lot shall be designed to take into account the following considerations:

Environmental Standards

- local topography and climatic conditions;
- environmental features identified as requiring protection from development and/or land use activities, including heritage items and archaeological sites;
- the location of network utilities such as high-pressure gas transmission lines or electricity transmission lines;
- stormwater management and the protection of land and subsequent development from erosion, falling debris, subsidence, slippage and inundation;
- needs of cyclists and pedestrians;
- notional building platform;
- principles of optimum energy efficiency and solar energy gain, in relation to the size and shape of each proposed lot, and the design and orientation of the subdivision as a whole;

(d) The minimum subdivision size in "Urban Buffer Areas" is 8000m².

[Note: the "Urban Buffer Areas" apply only to land adjoining the urban boundaries of Dannevirke, Woodville, Pahiatua and Eketahuna, as shown on the Planning Maps.]

5.2.3.3 Frontage

- (a) Each lot shall have frontage of not less than the minimum standard specified below for the particular management area in question, unless the lot is to be held in the same certificate of title as another lot (or lots) or the lot is a rear lot and the Council is satisfied that legal access to the lot is to be provided pursuant to a registered right of way easement or access lot.

Management Area	Minimum Frontage Permitted
Residential	3.0 metres
Commercial	7.0 metres
Industrial	6.0 metres
Settlement	3.5 metres
Rural	6.0 metres

5.2.3.4 Access

- (a) Each lot shall be provided with practical, physical access to a formed legal road, unless:

- (i) The Council is satisfied that adequate access to the allotment is provided over other land pursuant to a registered right of way running with the land and appurtenant to that allotment or pursuant to a condition imposed under section 220(1)(b) of the RMA.
 - (ii) A new road, or an unformed road to be formed to the satisfaction of the Council, is designed as part of the proposed subdivision to provide practical, physical legal access to each lot. The total cost of developing new roads and streets (including unformed legal roads and streets) required to serve a subdivision shall be met entirely by the subdivider.
- (b) Access to each lot shall be located and formed in accordance with the standards set out in Section 5.3.3 of this Plan.

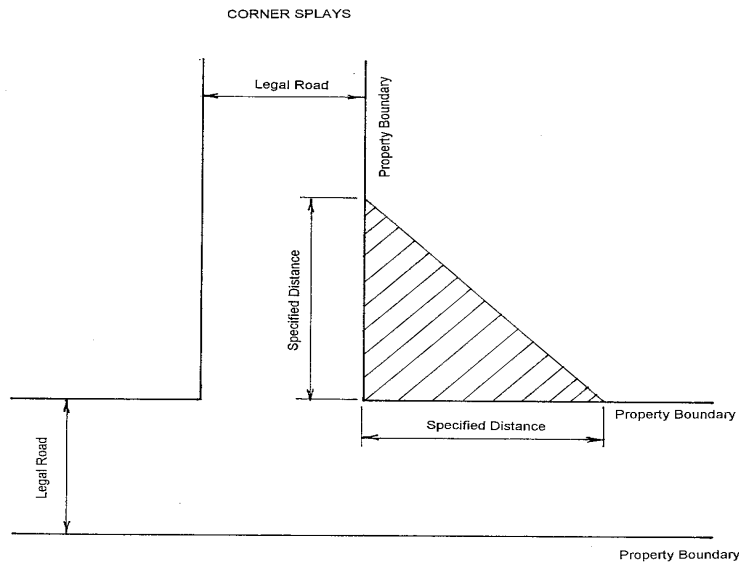
5.2.3.5 Limited and Restricted Access Roads

- (a) A Limited Access Road (LAR) is deemed by Section 93 of the Government Roading Powers Act 1989 not to be a road for the purposes of obtaining access in relation to a subdivision (i.e. rule 5.2.3.4 above) or use of road, unless specifically authorised under that section by the Minister of Transport (at the request of NZTA). Unless such special authorisation is given, land adjoining a Limited Access Road cannot be subdivided unless legal frontage to an alternative road is provided.
- (b) Any subdivision which proposes to create an allotment or allotments requiring vehicular or pedestrian access to a restricted access road requires the written approval of the road controlling authority (or authorities if the road is a territorial authority boundary) for it to be considered as a controlled activity.

[Note: Where this Standard is not met, the proposed subdivision will be considered as a discretionary activity under Rule 5.2.4.4(b).]

5.2.3.6 Corner Splays

- (a) Where land fronting two roads is subject to subdivision, or where a new subdivision involves creating an intersection, corner splays to the dimensions set below shall be shown on the subdivision plan and shall be shown as "Road" to vest in the Council on the survey plan to be certified by Council pursuant to Section 223 of the RMA.



The corner splays shall be measured by a diagonal line joining two points the required distance from the corner of the property boundary (see diagram above), as follows:

(i) *Residential, Commercial and Industrial Management Areas*

Arterial and Collector Roads:

6 metres (minimum) - 10 metres (preferred)

Local Roads:

3 metres (minimum) - 6 metres (preferred)

(ii) *Rural and Settlement Management Areas*

All Roads: 15 metres, unless the following criteria are met

Exemption Clause (Applicable to all Management Areas)

Corner splays [refer 5.2.3.6(a)] are not required where all of the following criteria are met:

- i. The site has less than 100 traffic movements per day.
- ii. The site has no or a low record of accidents.
- iii. The site will have no hedges, trees, signs, screens or other obstructions to sight lines above 1.0 metre (see p5-50) of ground level within 15 metres of the corner of the subject site.
- iv. The site is not situated on either a primary arterial or a secondary (district) arterial road.
- v. The intersection has clear visibility (sight lines) of no less than 250 metres.

If only some of these criteria are met, the relevant corner splay requirement can still be waived in its entirety or dispensation granted to provide a lesser splay distance where it can be demonstrated in the circumstances of the particular intersection that sight lines meet accepted standards.

[Note: In order to ensure appropriate site distances are provided and maintained either with or without a corner splay, the Council may impose a condition of consent requiring that there be no hedges, trees, signs, screens, fences, walls or other obstructions to the required sight lines above 1.0 metre of ground level within 15 metres of the corner of the subject site in Rural and Settlement Management Areas and 6 metres in Residential, Commercial and Industrial Management Areas.]

5.2.3.7 Building Platform

- (a) Each lot shall be able to be provided with a stable and sufficiently sized building platform and stable access to that platform for a dwelling and accessory buildings.
- (b) 5.2.3.7 (a) above shall not apply where the Council is satisfied that the lot is not intended to be used as a site for a dwellinghouse or other buildings and the Council's resolution to this effect is a condition of consent (refer Rule 5.2.2.9).

5.2.3.8 Esplanade Reserves and Esplanade Strips

- (a) *Transitional provisions for esplanade reserves:* Until such time as "priority areas" for riparian management and esplanade reserves are identified in Appendix 15 (by way of a Plan Change), where any allotment:

- of less than 4 hectares; or
- 4 hectares or more where riparian management issues or values (such as bank stabilisation or protection, indigenous vegetation protection, or public access) are evident at the time of subdivision and application,

is created when land is subdivided, an esplanade reserve 20 metres in width shall be set aside from that allotment along the mark of mean high water springs of the sea, and along the bank of any river or along the margin of any lake, as the case may be, and shall vest in the Tararua District Council, in accordance with Section 231 of the RMA.

- (b) *Esplanade provisions applicable following identification of "priority areas" in Appendix 15:*

From such time as "priority areas" for riparian management and esplanade reserves have been identified and included (by way of a Plan Change) in

Appendix 15, where any allotment is created (regardless of size) which adjoins a section of river, lake or coastline which is identified in Appendix 15, an esplanade reserve 20 metres in width shall be set aside from that allotment along the margin of the waterbody concerned, and shall vest in the Tararua District Council, in accordance with section 231 of the RMA.

- (c) Notwithstanding (b) above, where a new allotment is subdivided from a larger block (the balance area) which adjoins a section of river, lake or coastline which is identified in Appendix 15, and no part of the new allotment is within 200 metres of the waterbody concerned, an esplanade reserve or strip will not be required on the balance area of the subdivision.
- (d) For the purpose of (a) above, a "river" means a river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment; and a "lake" means a lake whose bed has an area of 8 hectares or more].
- (e) In respect of any subdivision where an esplanade reserve is required, the Council may, at its discretion, accept, or seek to secure, an esplanade strip. The strip width will be specified at the time of Council approval of the subdivision plan and shall be not less than 10.0 metres or more than 20.0 metres wide and the contents and method of registration of the registered instrument are to be to the satisfaction of Council.
- (f) Any esplanade reserve or strip that Council wishes to secure that is in excess of that required in 5.2.3.8(a) or (b) above (width, location, or extent), may only be obtained by negotiation and agreement between the parties concerned.
- (g) A subdivision where a reduction in, or a waiver of, a requirement for an esplanade reserve or strip is sought, is a discretionary activity (refer to section 5.2.4.4 and 5.2.4.7 for details)
- (h) Section 345(3) of the Local Government Act 2002 shall not apply within the Tararua District unless the subject land is identified in Appendix 15 "Schedule of Priority Water Margins for Riparian Management and Esplanade Reserves/Strips" in the Plan.

5.2.3.9 Wastewater and Sewage Disposal

The general development standards in Section 5.1.2 shall apply.

5.2.3.10 Water Supply

The general development standards in Section 5.1.3 shall apply.

5.2.3.11 Stormwater Drainage

The general development standards in Section 5.1.4 shall apply.

5.2.3.12 Exemptions from Subdivision Standards

The subdivision standards under Sections 5.2.3.1 to 5.2.3.11 shall not apply to the following subdivisions (although they will be used as guidelines for assessment where appropriate):

- (a) special purpose lots (refer to Part 6, Interpretation)
- (b) boundary adjustments and relocations (refer to section 5.2.4.2(c) below)
- (c) the subdivision of different floors or levels of a building, or different parts of a floor or level of a building.

5.2.3.13 Financial Contributions

Refer to general development standards (Section 5.1.6)

5.2.4 CLASSIFICATION OF ACTIVITIES

5.2.4.1 Permitted activities

- (a) In any management area, an **amendment** (to provide for a new building) to a cross lease, company lease or unit plan which has been approved, and a Certificate of Title issued by the District Land Registrar, shall be a permitted activity, subject to compliance with the following conditions:
 - (i) The dimensions and areas of the amendment shown on the subdivision plan shall be the same as those for the relevant building consent which has been approved by Council.
 - (ii) The building complies with all the relevant performance standards of the District Plan and a Certificate of Compliance pursuant to Section 139 of the RMA has been issued by Council.
 - (iii) A consent notice in accordance with Section 221 of the RMA has been prepared by the subdivider and issued by the Council, to the effect that the dimensions and areas of the buildings shown on the plan are binding on the subdividing owner(s) and subsequent owner(s) and shall not be varied, changed or modified without the consent of Council.

5.2.4.2 Controlled activities

- (a) **In all Management Areas, subdivision which complies with the standards in 5.2.3 above, and all other relevant standards in Part 5 of this Plan, shall be a controlled activity, unless otherwise specifically stated.**
- (b) Subdivision for special purpose lots.

(c) Subdivision by means of boundary adjustment or relocation between two or more adjoining and existing Certificates of Title, provided that:

- the number of Certificates of Title involved in the subdivision shall be the same or less after the subdivision has occurred.
- no lot shall be reduced to a size inconsistent with section 5.2.3.2(a) or, if already non complying, reduced to less than what it was prior to the subdivision.

[Note: Subdivisions of land where on-site disposal of waste water and/or effluent is likely to occur may require resource consent from either the Manawatu-Wanganui Regional Council or Greater Wellington Regional Council.]

5.2.4.3 Matters over which the Council reserves control in relation to controlled activities

In respect of the controlled activities listed in 5.2.4.2 above, the matters over which the Council shall exercise control by the imposition of conditions are:

- (a) the imposition of financial contributions in accordance with Section 5.1.6 of this Plan;
- (b) the granting, reserving or modification of easements;
- (c) the alteration of any lot boundary;
- (d) the provision, location and dimension of outdoor living areas;
- (e) the upgrading of accessways to comply with the access standards in Section 5.3.3 of this Plan.
- (f) the registration of a no complaints covenant in order to ensure that existing, legally established activities are not actually or potentially adversely affected by the subdivision or subsequent development associated with it.
- (g) the measures necessary to avoid or mitigate adverse effects on indigenous bio diversity, including those required to protect vegetation and habitat consistent with this Plan's 2.6.4.2 Policies.

5.2.4.4 Discretionary activities

- (a) Where any part of a lot being subdivided is within 1 kilometre of the coastline (which for the purposes of this rule shall be defined as the coastal marine area landward boundary which is the line of Mean High Water Springs), the subdivision shall be considered as a discretionary activity.

- (b) Where any proposed subdivision does not meet any one or more of the standards specified in 5.2.3 or 5.2.4, or does not meet one or more of the other relevant standards in Part 5 of this Plan, it shall be considered as a discretionary activity.
- (c) Where any subdivision application, in any management area, is made in conjunction with an application for a land use consent for an activity specified as discretionary, it shall be considered as a discretionary activity.
- (d) Subdivision where a reduction in, or waiver of, a requirement for an esplanade reserve or esplanade strip is sought, shall be considered as a discretionary activity.

5.2.4.5 General assessment criteria

- (a) In assessing an application for a controlled, discretionary or non-complying activity for any subdivision, the following general criteria as appropriate to the situation shall be used:
 - (i) Whether the area, shape and design of all lots is appropriate to their specified purposes and intended use(s), taking into account any relevant environmental standards specified in this Plan.
 - (ii) Whether the boundaries of each new lot are appropriately located, taking into account the following factors:
 - topography
 - practical management of existing and potential activities on the site
 - protection of the land from flooding, erosion and instability
 - location of existing buildings, roads, fencelines, drains, shelter belts/hedges, streams and rivers, internal roading and other physical features
 - surface and ground water conditions, including the quality and quantity of the water, the direction of the water flow and the effects that the subdivision and its subsequent uses may have on them
 - local climatic conditions, especially the orientation of the lots in a manner that will allow buildings to be positioned to maximise winter solar gain and to act as a barrier to prevailing winds

- the extent to which the subdivision meets the Energy Efficiency Policies and objectives of the District Plan, namely objectives 2.2.3.1 and 2.4.3.1 and Policies 2.2.3.2 (a) and (b) and Policy 2.4.3.2 (d)
 - environmental features that have been identified as requiring protection from development, including, but not limited to, heritage items, archaeological sites, and significant natural features and landscapes
 - where on-site disposal of stormwater and septic tank effluent is required for existing and potential developments, whether there is sufficient area of land of a suitable type available for servicing purposes within each lot, or to service a number of lots by means of a community scheme.
 - any existing resource consents and the conditions attached to them that need to be accommodated within any lot
- (iii) In relation to any boundary adjustment or relocation, the following factors will be taken into account:
- whether the uses of land and buildings on all lots involved in the boundary adjustment or relocation are permitted as of right and/or have been authorised by resource consent and/or do not involve any increase in the extent to which it or they fail to conform to the District Plan performance standards.
 - whether the usefulness of the lot(s) will improve following the boundary adjustment or relocation.
 - where on-site effluent disposal is proposed, whether the allotments are of a size and shape that accommodate the disposal of domestic and/or non-domestic effluent in accordance with the General Development Standards in section 5.1.2 of this Plan.
- (iv) In relation to any application to reduce the corner splay requirements, the following factors will be taken into account:
- whether the taking of a corner splay will not significantly improve visibility for motorists due to the structures (buildings, land or vegetation) between the corner and the necessary sight line, or there is a difference in road levels.
 - whether a lesser standard will give a similar and adequate level of sight visibility and turning areas because of factors such as reduced traffic speeds in the area, low volumes of traffic or the nature of the traffic.

- whether the full corner splay cannot be provided due to existing physical factors which cannot be reasonably removed.

5.2.4.6 Assessment Criteria for Subdivisions as a Discretionary Activity

The following criteria shall be used to assess a subdivision application as a discretionary activity:

- (a) The Environmental Standard(s) and Assessment Criteria applying to the management area in which the subdivision is located.
- (b) The General Assessment Criteria contained in Section 5.2.4.5
- (c) The degree to which the proposed subdivision (in terms of matters such as shape, size, access) will facilitate the establishment of the proposed land use activity.
- (d) The objectives and policies for subdivision in general and the environmental results sought for the management area in which the subdivision is proposed.
- (e) The requirements of the RMA.
- (f) Whether the written approval of every person considered to be adversely affected by the application has been given.
- (g) Whether there is a need for a no-complaints covenant to be registered on any new title created in order to ensure that existing, lawfully established activities are not actually or potentially adversely affected by the subdivision or subsequent development associated with it.

5.2.4.7 Assessment criteria where a reduction in, or waiver of, a requirement for an esplanade reserve or esplanade strip is sought

The following criteria shall be used to assess a subdivision application as a discretionary activity where a reduction in, or waiver of, a requirement for an esplanade reserve or esplanade strip is sought:

- (a) the objectives and policies of Part 2 and Section 2.4 in particular, and of the management area in which the land concerned is situated, and the provisions of Section 5.1.6 "Financial Contributions".
- (b) the extent to which the natural functioning of the water body, water quality, and land and water based habitats will be affected by any reduction in the width, size or non provision of the reserve or strip.
- (c) the extent to which the public's access and recreational enjoyment of the reserve or strip is reduced or removed.

Environmental Standards

- (d) the degree of protection of the natural values associated with the reserve or strip that will remain.
- (e) whether the effects of natural hazards on the conservation values of the riparian margin will be compromised.
- (f) the degree to which the purpose of the reserve or strip can be, or is already, achieved by other mechanisms (e.g. covenants, rules in the District or Regional Plans, conditions of resource consents).
- (g) whether the loss of the reserve or strip will severely restrict the landowner in carrying out a viable activity on the balance area.
- (h) whether the access by, and presence of, the public will significantly interfere with the legitimate land use activities on the balance area, in terms of safety, security, animal wellbeing, amenity (particularly residential) in a manner that cannot be compensated by other actions.
- (i) the extent to which the public benefits gained with respect to the reserve or strip justify the costs of acquiring and maintaining them, while recognising that benefits in terms of improved water quality, habitat, and access have important value which cannot readily be expressed in monetary terms.

5.3 Infrastructure

5.3.1 MANAGEMENT OF ROADS (ROAD HIERARCHY)

5.3.1.1 Introduction

Roads are defined in the RMA as having the same meaning as in Section 315 of the Local Government Act 1974 and include motorways as defined in Section 2(1) of the Government Roading Powers Act 1989. For the purpose of this rule, 'road' means the full legal width of a road, including the carriageway.

Roads in the District generally serve a dual purpose. They provide access to properties and they provide for the movement of people and goods from one part of the District or country to another (i.e. through traffic). Some roads have local access as their main function; others are more important for through-traffic. A technique which has been commonly used in the past and which continues to be promoted by the NZTA is the development of a road hierarchy which classifies roads according to their main function and traffic volumes. This enables priorities to be set for the management of the road network and for the management of the effects of activities which impact on the efficiency and safety of the road network. It should also be noted that there is an interdependency between the efficiency of the transportation network and the efficiency of other activities.

By giving roads the status of designations and providing for road activities "as of right" with the designation, there is a statutory authorisation that recognises the importance of roads to the functioning of the District. Also recognised as 'restricted access roads' are those identified and listed roads which delimit the boundary between the Tararua District and a neighbouring district.

A range of standards are included in the District Plan, which are designed to protect the road resource and ensure its safe and efficient operation. These include:

- number and location of parking, manoeuvring and loading spaces.
- vehicle access and crossings.
- protection of traffic sight lines.
- corner splays.
- glare and lighting.
- signs.

Compliance with these standards allow activities to establish and operate without unacceptable adverse effect on the road network.

5.3.1.2 Road Hierarchy

The four-tier road hierarchy adopted in this Plan, and identified in Appendix 5 (Part 9) is as follows:

- *Primary Arterials* - roads which form part of the network of strategic arterial roads of national or regional importance. In the Tararua District, this classification applies only to State Highways, managed by the NZTA, on the basis of high traffic volumes. These routes predominantly carry through traffic and it is important to maintain a high level of user service. For this reason, primary arterial roads have a higher degree of access control than other roads, which is based on the traffic volumes served by the access. Access standards are also higher than for other roads. **[Note: Access may also be restricted to any road listed in Appendix 5 as a 'restricted access road'.]**
- *Secondary (District) Arterials* - roads which are important at the District level for carrying traffic between major areas within the District and as alternative routes to neighbouring Districts. Traffic movement is the main function but they often also serve as local roads.
- *Collector Roads* - These roads collect and distribute traffic to and from the arterial road network. These roads complement arterial roads in that through-traffic is an important function but property access is also important.
- *Local Roads* - are all other roads which have the provision of access to properties as their primary purpose. Some local roads have a minor role to play in the collection and distribution of traffic, but through traffic is generally to be discouraged due to the effect on the amenity of the surrounding area and the physical capability of the roads.

5.3.1.3 Designation of roads

All existing roads shown on the Planning Maps, whether formed or unformed, are deemed to be designated for this purpose and the activities that may be carried out in compliance with this designation include:

- road construction, upgrading and maintenance;
- bridge, culvert and drain construction, upgrading and maintenance;
- activities directly related to the movement of pedestrians and vehicles and shall include roadside rest areas, information centres and weigh stations.
- Signs within the road reserve as set out in Section 5.4.3 - Signs.

The District Planning Maps shall be used to determine the underlying Management Area which applies to any road, or section of road. Where a Management Area is not the same on both sides of the road, the Management Area provisions to apply shall be the more intensive of the two. For the purposes of applying this rule, and for the avoidance of doubt, the least intensive area is the Rural Management Area followed, in increasing intensity, by the Settlement, Residential, Industrial and Commercial Management Areas.

[Note: Some roading activities may also be subject to Regional Council requirements, particularly where steep or vulnerable land is affected, so consultation with the relevant Regional Council in those cases is recommended to identify potential issues or requirements.]

5.3.1.4 Rules

Notwithstanding the designation of existing roads (refer to 5.3.1.3 above), this section of the Plan specifies permitted, controlled and discretionary activities in relation to activities on land classified as legal road. Where there is reference in these rules to "roads", the rule shall apply also to proposed roads (i.e. proposed new roads, and widening and realignment of existing roads).

(a) Permitted activities - All roads

- (i) Subject to standard 5.1.7.2(a) in relation to natural hazard areas, the construction of any new road or the realignment or widening of any existing road where this involves works outside the existing road reserve, is a permitted activity providing one of the following criteria apply:
 - it is in accordance with an approved designation or is a minor variation thereof;
 - it is otherwise provided for in the District Plan as proposed road or indicative road;
 - it is proposed as an incidental part of an approved subdivision;
 - it is in accordance with any other approved resource consent.
- (ii) Site investigations (including geotechnical, survey and other preliminary investigations) associated with the construction of new roads, deviations, and realignments and which are outside a designated road.
- (iii) The reconstruction and realignment or the establishment of a corner splay complying with the dimensions set out in section 5.2.3.6, provided that the works involved do not entail the creation of severances and the written approval of every landowner directly affected has been obtained.

- (iv) Network utilities which are deemed to be a permitted activity in section 5.3.6 of this Plan.
- (v) Vehicle crossing places which are deemed to be a permitted activity in section 5.3.3 of this Plan

(b) Permitted activities - All roads except Primary Arterial Roads

- (i) The use of roads for the movement of traffic (including pedestrians and cyclists) and any associated activity, including maintenance and improvements in safety and efficiency, emergency works, road and traffic signs, and amenity planting;
- (ii) The use of unformed roads for public access;
- (iii) Markets, fairs, stalls, mobile shops, races and other temporary festive or recreational events providing that the written approval of the road controlling authority has been obtained.

(c) Controlled Activities - All roads

- (i) Network utilities which are deemed to be a controlled activity in section 5.3.6 of this Plan. *[Note: the matters over which the Council reserves control are also specified in section 5.3.6.]*

(d) Discretionary Activities - Primary Arterial Roads

On Primary Arterial roads (State Highways) the following activities are discretionary:

- (i) Significant changes to Primary Arterial roads, including new roads, intersections and major realignments (unless designated);
- (ii) Any activity on roads which is not related to traffic movement;
- (iii) Signs in road reserves other than road or traffic signs.
- (iv) Vehicle crossing places which are deemed to be a discretionary activity (including where a crossing place does not meet the criteria for permitted activity status) in section 5.3.3 of this Plan

(e) Discretionary Activities - All roads

- (i) Any activity which is not a permitted or a controlled activity, shall be a discretionary activity.

5.3.1.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.3.1.4 above for a discretionary activity:

- (a) The nature of the activity;
- (b) The extent to which the siting of the activity provides sufficient buffer to adjacent properties;
- (c) Whether there will be any significant adverse effect on levels of amenity or environmental quality of surrounding areas;
- (d) Any recommendations in a report of a traffic engineer or other suitably qualified traffic expert;

[Note: Refer to section 5.3.3.5 for the criteria for assessment of vehicle crossing places which are a discretionary activity.]

5.3.2 PARKING

5.3.2.1 Introduction

Convenient parking spaces are valued by the community. In many instances parking spaces can be provided on the edge of the carriageway. However, when such parking occurs adjacent to a road with a high traffic volume it is possible that the smooth progression of traffic moving on to or along the road will be impeded. To avoid this, it may be appropriate (but not necessary) to provide for car parking spaces when establishing a new activity.

5.3.2.2 Standards - Requirements for Car Parking Spaces

[Note: In accordance with Policy 11(a), Clause 3.38, of the National Policy Statement on Urban Development 2020, all objectives, policies, and rules (standards in this Plan) that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use or activity, have been removed from this District Plan, other than in respect of accessible/disabled persons parking spaces.]

5.3.2.3 Standards - Requirements for Loading Spaces

- (a) There shall be 1 on-site loading space per each general business, bulk retail or industrial activity (refer Part 6 - Interpretation).

5.3.2.4 Standards - Design and Construction of Parking Spaces, Loading Spaces, Access and Manoeuvring Areas

- (a) The minimum car park, manoeuvring and loading space dimensions shall be in accordance with the standards in Appendix 6.
- (b) Parking spaces for disabled persons shall have dimensions in accordance with NZS 4121:2001.**
- (c) Parking areas must be provided with access drives and aisles for ingress and egress of vehicles to and from the road, and for the manoeuvring of vehicles (manoeuvring of vehicles shall be based on the tracking curve standards for 90 percentile cars and trucks, as shown in Figures 7.1 and 7.2 respectively in Appendix 7.)
- (d) Gradients for service and manoeuvring areas shall be less than 1:12.5.
- (e) The area used for parking, including access, manoeuvring and loading, shall be sealed in urban areas, or metalled in rural areas (unless the development requires sealing), drained and marked out to the satisfaction of the Council.
- (f) Car parking and loading spaces, including access, must be kept clear and available at all times for vehicles used in conjunction with the particular activity to which the parking and loading relates.
- (g) For parking areas of four or more spaces adjoining a property used for residential or open space purposes, the parking area shall be screened from the adjoining property by a screen of not less than 1.8 metres in height, consisting of a densely planted buffer or fence or wall constructed in brick, timber, concrete or stone.
- (h) For parking or manoeuvring areas adjoining a road, a kerb or similar barrier of not less than 150 mm high and at least 600 mm wide shall separate the area from the road boundary.

5.3.2.5 Standards - Payment-in-lieu of Parking (Commercial Management Area)

[Note: Refer to Note in 5.3.2.2 above.]

5.3.2.6 Non-compliance with Standards

Where activities cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.3.2.7 Information Requirements

In addition to the information requirements specified in section 7.3.2 of this Plan, a resource consent application for a discretionary activity, as required by section 5.3.2.6 above, shall include:

- (a) a detailed plan showing the location of the access points, buildings, and proposed car park layout;

5.3.2.8 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application, under section 5.3.2.6 above, for a discretionary activity:

- Whether it can be demonstrated that the specified standard is inappropriate in the circumstances.

5.3.3 ACCESS AND INTERSECTIONS

5.3.3.1 Introduction

Roads have two important functions, they provide a means of access onto the adjoining land, and they provide for the movement of people and goods. These two different functions, if not managed appropriately, have the potential to cause conflicts and thus reduce the safety and efficiency of the road network.

These conflicts can be avoided through the use of controls on development and access. The level of controls placed on access is dependent on whether the road is more important in terms of its through-traffic function or its access function. The most important function of primary arterial roads (State Highways) is to facilitate the movement of traffic safely and efficiently from one point to another. To maintain efficiency of use and ensure the safety of users, a higher level of access control is required on these roads. References to "TNZ, 1994" in this section relate to Transit New Zealand's document "Highway Planning under the Resource Management Act 1991" unless specified otherwise. In most instances, the Council has adopted the guideline suggested by TNZ as a standard in the District Plan.

5.3.3.2 Standards

(a) Permitted activities - Primary Arterial Roads

Any new or relocated vehicle crossing place to a Primary Arterial Road (State Highway) shall be a permitted activity providing all of the following criteria are met:

- (i) no alternative legal access is available to another formed road;

- (ii) there shall be just one vehicle crossing per property (as held in one Certificate of Title);
- (iii) where the speed limit is above 50 km/hr, there shall be less than 30 “car equivalent movements” daily (24 hour period) where less than 2.5 m of sealed road shoulder widening exists or less than 50 “car equivalent movements” daily where sealed road shoulder widening of 2.5 m or greater exists, or where the speed limit is 50 km/hr or less, there shall be less than 90 “car equivalent movements” daily [**Note:** refer to definition of “car equivalent movements” in Part 6 of this Plan]; and
- (iv) the vehicle crossing place complies with the relevant “access design and construction standards” in section 5.3.3.2 below and in Appendix 10 of this Plan.

(b) Permitted activities - All roads other than Primary Arterial Roads

Any new or relocated vehicle crossing place shall be a permitted activity, provided that:

- (i) the vehicle crossing place complies with the relevant “access design and construction standards” in section 5.3.3.2(d) or (e) below and in Appendix 10 of this Plan.

(c) Access and intersection design and construction standards - Primary Arterial Roads in all Management Areas

- (i) Approved vehicle crossings (crossing places) to a Primary Arterial Road (State Highway) shall meet the standards specified in Appendix 8 and 9 (in relation to design and dimensions).
- (ii) All vehicle crossings and intersections to a Primary Arterial Road (including where an accessway crosses a railway line) shall meet the standards in Appendix 10 of this Plan (in relation to physical and sight distances from other crossing places and intersections).
- (iii) Vehicle crossings for heavy vehicles shall be designed and constructed to carry the volume and weight of traffic likely to use the crossing. The surface shall be constructed to the same standard as the adjacent road carriageway. This requirement shall be deemed to have been complied with if the first 12 metres of the vehicle crossing measured from the near edge of the carriageway, is so constructed.
- (iv) Vehicle crossings for heavy vehicles shall be designed and constructed so that heavy vehicles do not have to cross the road centre line when making a left turn.

- (v) In Rural and Settlement Management Areas, the width of the vehicle crossing at the property boundary is to be no greater than 6 metres, except when the crossing is to be used by heavy vehicles and a greater width is necessary in order to meet (iv) above.
- (vi) Access to a Primary Arterial Road (State Highway) in Residential, Commercial and Industrial Management Areas shall be constructed so that:
 - the vehicle crossing shall intersect the property boundary at an angle of 90 degrees, plus or minus 15 degrees;
 - the vehicle crossing shall intersect with the carriageway at an angle of between 45 degrees and 90 degrees;
 - for activities with a low propensity to attract vehicles, the vehicle crossing shall be not greater than 3.5 metres wide when measured at the edge of the carriageway;
 - for activities with a high propensity to attract vehicles the accessway, dimension shall be:
 - between 3.5 metres and 6.0 metres for a one way operation, or
 - between 6.0 metres and 9.0 metres for a two-way operation.

(Refer to Appendix 9 for diagram)

- (vii) Where an accessway crosses a railway line, it shall be a requirement that 20 metres each side of the railway is constructed generally at the same level as the railway.
- (viii) In respect of an accessway which crosses a railway line and there is less than 25 metres separation between the primary arterial road (state highway) and the railway (i.e. insufficient space for large vehicles to wait), the sight distance (specified in Appendix 10) shall be measured from a point:
 - on the accessway, and
 - 5 metres back from the side of the railway furthest from the primary arterial road.

(d) Access design and construction standards - Roads other than Primary Arterial Roads in Residential, Commercial and Industrial Management Areas.

Environmental Standards

- (i) All vehicle crossings/accessways shall be sealed and designed in accordance with the standards set out in Appendix 11 of this Plan.
- (ii) Minimum widths of accessways for private access to residential activities shall be:
 - 1 to 3 dwellinghouses: 3 metres
 - 4 to 6 dwellinghouses: 4 metres
 - 7 or more dwellinghouses: 6 metres
- (iii) Minimum widths of accessways for access to other activities shall be:
 - 6 metres, or ingress and egress accessways of 3 metres width each.
- (iv) A site with a total road frontage of 60 metres or less may have only 1 vehicle crossing.
- (v) A site with a total road frontage of more than 60 metres may have up to 2 vehicle crossings.
- (vi) Access to any road which intersects with a primary arterial road shall be set back a minimum distance from the boundary of the primary arterial road as set out in Appendix 10.

(e) Access design and construction standards - Roads other than Primary Arterial Roads in Rural and Settlement Management Areas.

- (i) Access to any road which intersects with a primary arterial road shall be set back a minimum distance from the boundary of the primary arterial road as set out in Appendix 10.
- (ii) All accessways shall be designed in accordance with the standards set out in Appendix 12 to this District Plan.
- (iii) Within the first 6 metres from the road boundary, the grade of accessway shall not be steeper than 1:5 for residential activities, and 1:8 for other activities. Any accessway shall be graded so as to abut the road boundary at the relative level of the roadway or footpath.

(f) Access to Rural Selling Places

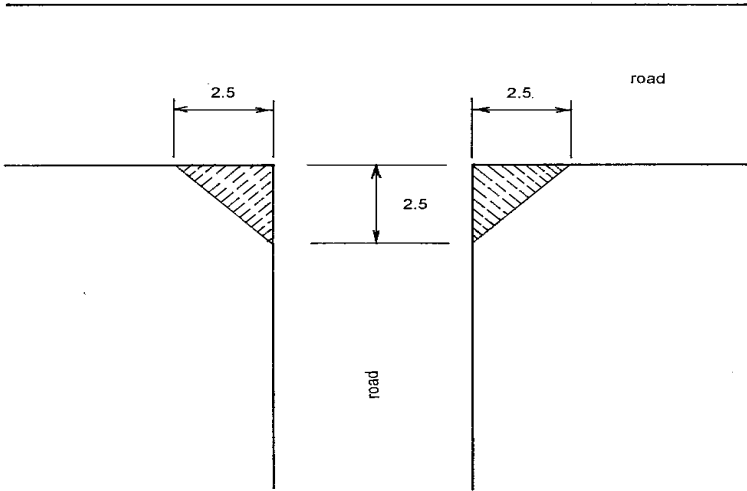
Vehicular access for rural selling places in the rural area shall be designed and constructed in accordance with the standards of the "Guidelines for Establishing Rural Selling Places", Road and Traffic Standards Section,

Safety Standards Branch, Land Transport Division, Ministry of Transport,
August 1992.

(g) Visibility to and from Access Points onto all Roads

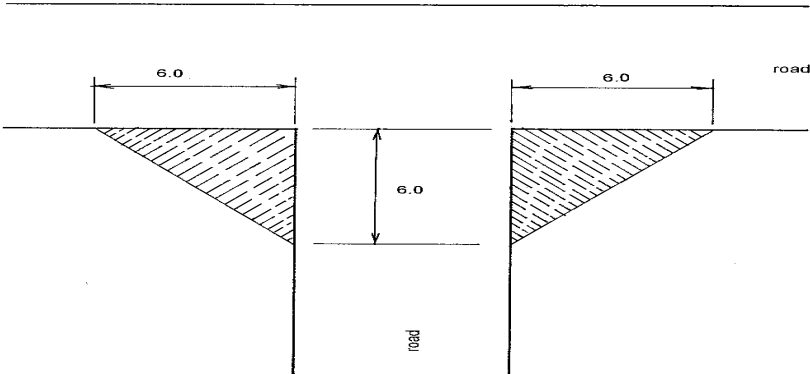
No construction of buildings, fences or other structures, placing of obstructions or the growth of vegetation shall be permitted on the immediate vicinity of road and railway intersections as shown in the following diagrams and text:

(i) Road Intersections in Residential, Commercial and Industrial Management Areas

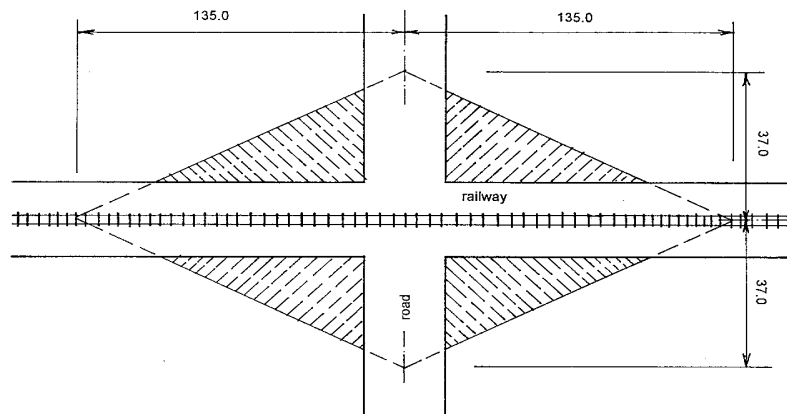


except when the building, fence, structure, obstruction, or vegetation is less than 1 metre in height.

(ii) Road Intersections in Rural and Settlement Management Areas



except when the building, fence, structure, obstruction, or vegetation is less than 1 metre in height.

(iii) Railway Intersections in all Management Areas**except**

- when the building, fence, structure, obstruction, or vegetation is less than 1 metre in height; or
- dispensation to dimensions have been approved by NZ Rail Limited; or
- where a corner splay has already been vested and cleared in accordance with Standard 5.2.3.6.

5.3.3.3 Non-compliance with Standards

Where activities cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.3.3.4 Information Requirements

In addition to the information requirements specified in section 7.3.2 of this Plan, a resource consent application for a discretionary activity, as required by section 5.3.3.3 above, shall include:

- a detailed written description of the proposal and its purpose;
- the existing frequency and volume of traffic on the adjacent road;
- the potential for increased traffic volumes and frequencies;
- the location and number of existing access points, and the distances between successive access points regardless of which side of the road they are on;
- the standard of construction of access points and roads.

A resource consent application for a discretionary activity for an access/crossing place onto a Primary Arterial Road (State Highway) may be considered without notification where the written approval of the NZTA is obtained and where the Council considers that the NZTA is the only affected party.

5.3.3.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.3.3.3 for a discretionary activity:

- (a) existing and potential volume of traffic using the road;
- (b) existing and potential frequency of traffic using an access point;
- (c) available sight distance from an access;
- (d) whether access points to properties from State Highways have been located to ensure that minimum spacings between access points or between access points and intersections are achieved;
- (e) the potential effect of the activity on the safety and efficiency of the road network;
- (f) whether there is an area where vehicles can queue without adversely affecting the free flow of traffic on the primary arterial road;
- (g) the location, formation, construction, maintenance or change to character, intensity and scale of use of a crossing place;
- (h) whether there is any reasonably practicable alternative legal access to a road other than a State Highway;
- (i) whether there is sufficient and appropriate off-street parking to meet the needs of the site activity and avoid or minimise any adverse effects on the safe and efficient operation of the State Highway;
- (j) the degree of non-compliance with any standard or performance criteria;
- (k) any topographical and/or site constraints;
- (l) relevant NZTA guidelines, and any specific recommendations of NZTA including whether or not a notice pursuant to Section 93 of the Government Roadway Powers Act 1989 has been received from the NZTA.

(m) In respect of visibility:

- whether the existence of traffic management methods (stop signs, railway signals) provide a level of traffic safety that cancel out the need for sight lines;
- whether factors such as traffic speed are such that traffic safety is maintained without the need for sight lines;
- whether train movements (time of day, speed of train) such that traffic safety is maintained without the need for sight lines;
- whether the consent of the controlling authority for the railway facility has been received. This will be required before Council will consider granting an application to reduced sight lines.

5.3.4 DANNEVIRKE AERODROME PROTECTION AREA

5.3.4.1 Introduction

The Dannevirke Aerodrome is a site that has been designated by the Council. The designated site includes the airspace above the land necessary for the approach surfaces, take off surfaces, transitional surface, and horizontal surface. It is recognised that some activities may be required to be undertaken on this site that are not subject to the provisions of the designation. It is necessary therefore to include controls relating to such activities.

5.3.4.2 Dannevirke Aerodrome Protection Area

The Aerodrome Protection Area is defined in Appendix 13. The provisions of the Rural Management Area, and the standards below, shall apply.

5.3.4.3 Standards

- (a) No building, structure, tree or hedge shall be constructed or located within the Dannevirke Aerodrome Protection Area that will penetrate the approach surfaces, take off surfaces, transitional surface, or horizontal surface as shown in Appendix 13.
- (b) Within 1 kilometre of the boundary of the Dannevirke Aerodrome Protection Area, no activity shall be established which, in the Council's opinion, could increase the number and density of birds above existing levels in the surrounding area (i.e. landfills and wildlife reserves) and subsequently hinder the safety and efficiency of the Dannevirke Aerodrome.

5.3.4.4 Non-compliance with Standard

Where activities cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.3.4.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.3.4.4 above for a discretionary activity:

- (a) the nature of the activity;
- (b) the extent to which the siting of the activity encroaches into the approach surface, take off surfaces, transitional surfaces or horizontal surfaces;
- (c) the degree of risk the activity may pose in respect of aircraft and aerodrome operations
- (d) any recommendations in a report of an aviation expert or other relevant professional.

5.3.5 RAIL CORRIDOR

5.3.5.1 Introduction

New Zealand Railways Corporation, as an approved network utility operator pursuant to section 166(f) of the RMA, is the requiring authority for a designation placed over railway land. For the purposes of this District Plan the area of land designated for rail purposes is termed the "rail corridor". It is recognised that in some instances the activities required to be undertaken on this designated land will be outside the scope of the designation. In these circumstances the provisions relating to the Industrial Management Area shall apply. It is considered that the desired environmental results specified for the Industrial Management Area are applicable to any areas designated for railway purposes.

5.3.5.2 Standards

All activities within the designated rail corridor, other than those activities which are undertaken in accordance with the designated purpose, shall be managed as for the Industrial Management Area. The standards applicable to permitted and controlled activities in the Industrial Management Area shall apply.

5.3.5.3 Non-compliance with Standard

Where activities cannot meet the standards referred to in section 5.3.5.2 above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.3.5.4 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.3.5.3 above for a discretionary activity:

- (a) the nature of the activity;
- (b) the extent to which the siting of the activity will affect the safety and efficiency of the rail service;
- (c) any recommendations in a report of a transport engineer or other relevant professional.

5.3.6 NETWORK UTILITIES

5.3.6.1 Introduction

The District's infrastructure includes the physical resources, plant, equipment and networks necessary for the provision of electricity, gas, water supply, radio and telecommunications, sewage treatment and disposal, stormwater, drainage, roads, rail and air transport. The above services are provided by "network utility operators" as defined in Section 166 of the RMA (refer to Part 9 of this District Plan, "Interpretation").

The services provided by network utility operators are essential to the health, safety, social, economic and cultural well-being of the people of the Tararua District, and it is in the community's interest that services are provided in an economically and practically viable manner. It is often the case that there will be some temporary effects during construction and maintenance operations (the effects of roadworks for example) but these are generally acceptable to the community as they are inevitable, short term effects as a result of providing essential services. The potential for post-construction, or on-going, adverse effects of network utility facilities varies widely. Many network utilities have little or no adverse effect (underground pipes and equipment) whereas large-scale facilities such as power generating plants, transmission lines, or major transportation developments may have significant effects which need to be assessed. These potential effects include:

- **visual effects**, particularly in relation to large scale facilities, and radio and telecommunication facilities which require prominent locations on hilltops;
- **noise**, such as from humming and from wires moving as a result of wind;
- **health**, for example, the issue of electromagnetic radiation;
- **vehicle movements/access** to and from facilities;

- **effect on heritage items** - including disturbance of archaeological sites and waahi tapu.

This plan therefore classifies a wide range of network utility activities as permitted and controlled activities where there will be no significant adverse effects. Major works, where there is the potential for significant environmental effects, are classified as discretionary activities to enable an assessment of environmental effects, alternatives and mitigation measures to be undertaken, with third party input.

The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 apply to telecommunication facilities generating radiofrequency fields and to those located in road reserves. They also place controls on antennae, utility structures, cabinets and noise emissions and conditions designed to protect trees, vegetation, historic heritage values, amenity values and the coastal marine area. These regulations take precedence over the District Plan's provisions and must be considered if the activity involves or affects any of the abovementioned matters.

5.3.6.2 Standards

[NB. Refer to section 5.3.1 for standards relating to roads, section 5.3.4 for standards relating to the Dannevirke Aerodrome and 5.3.5 for standards relating to rail facilities, all of which are also network utilities and to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 or successor.]

(a) Permitted activities in all Management Areas

The following activities shall be permitted in all Management Areas, subject to compliance with all relevant environmental standards in Part 5 of this Plan:

- (i) Transformers and lines for conveying electricity at a voltage up to and including 110KV with a design capacity up to and including 100MVA per circuit;
- (ii) Household, commercial and industrial connections to gas, electricity, water, drainage and sewer pipes and lines;
- (iii) Water and irrigation races, drains, channels and pipes and necessary incidental equipment;
- (iv) Equipment for broadcasting and telecommunications (including radiocommunication and meteorological data collection) purposes, provided it meets the following standards:
 - masts, aerials and poles (including supporting structures for antennae) do not exceed 15 metres in height and, above 10

metres in height, shall have a maximum cross section dimension of no greater than 600 mm;

- antennae do not exceed 3 metres in dimension;
 - any antenna attached to a mast does not project above the maximum height of the mast, or where the antenna is attached to a building it does not project above the highest part of the building by more than 3 metres;
 - all radio frequency emissions comply with NZS2772.1:1999: Radio frequency fields.
- (v) Line(s) as defined in section 5 of the Telecommunications Act 2001.
- (vi) Underground pipes for the distribution (but not transmission) of natural or manufactured gas, at a gauge pressure not exceeding 2000 kilopascals and necessary incidental equipment, including regulator stations and metering equipment not exceeding 20m² in area;
- (vii) Underground pipes for the conveyance or drainage of water or sewage, and necessary incidental equipment including household connections;
- (viii) Maintenance, upgrading, replacement and repairs to network utility apparatus, subject to prior notification of Transit New Zealand in respect of any work on State Highways;
- (ix) Ancillary buildings not exceeding a gross floor area of 50m²;
- (x) Network utilities in existence at the date of public notification of the Proposed Plan (22 April 2008), unless subject to a specific resource consent or designation;
- (xi) The development, use and maintenance of tracks that provide access, and are ancillary, to existing network utilities and/or infrastructure or to network utilities and/or infrastructure that is deemed to be a permitted activity in section 5.3.6 of this Plan.

(b) Permitted activities in Rural and Industrial Management Areas

In addition to the activities permitted in (a) above, the following activities shall be permitted in Rural and Industrial Management Areas, subject to compliance with all relevant environmental standards in Part 5 of this Plan:

- (i) Automatic weather stations, weather recording devices, and facilities for the distribution of meteorological information, subject to the standards in clause (iii) below;

- (ii) Lighthouses, navigational aids and beacons, and survey monuments;
- (iii) Network utilities for telecommunications and radio communications purposes provided they do not exceed the following standards:
 - masts, poles and other supporting structures are no greater than 20 metres in height;
 - masts, poles and other supporting structures do not exceed 3 metres in diameter;
 - telecommunications and radio communications equipment attached to masts, poles and other supporting structures including attached equipment does not exceed 3 metres in any dimension;
- (iv) Anemometer towers.

(c) Controlled Activities in Rural and Industrial Management Areas

- (i) Electricity substations which receive lines having a voltage up to and including 110KV and which have a design capacity up to and including 100MVA per circuit;
- (ii) Pipes for the transmission of natural gas at a gauge pressure exceeding 2000 kilopascals and necessary incidental equipment, including compressor stations, provided that:
 - the written approval of all landowners through which the pipeline will be laid has been obtained; and
 - land is reinstated to its original condition after the pipeline has been laid; and
 - there is compliance with the relevant industry Code of Practice, the Petroleum Pipeline Regulations and Land Access Code.
- (iii) Regulator stations exceeding 20m² in area and gate stations which are part of the natural gas distribution network;
- (iv) Depots for the maintenance, upgrading, alteration, construction or security of lines or pylons associated with the National Grid, provided that they are situated within a substation property;
- (v) The construction use and maintenance of structures for:
 - the investigation of sustainable energy generation by solar or hydro means.

(d) Matters over which the Council shall exercise its control are as follows:

- (i) The design and external appearance of all buildings and structures and signage;
- (ii) The landscape design and site layout, including fences and screen planting, and lighting;
- (iii) The location and design of vehicular and pedestrian access to and from the site, including emergency access;
- (iv) Vehicle parking and loading and manoeuvring areas on site;
- (v) The location and nature of possible noise generating equipment to be used on site, and hours of operation;
- (vi) Other potentially adverse effects, including dust, glare, vibration, odours, electromagnetic radiation, use or storage of hazardous substances, and effects on any important natural or heritage feature.

5.3.6.3 Non-compliance with standards

Where a network utility does not meet the standards specified above, or is not listed as a permitted or controlled activity, it shall be deemed to be a discretionary activity, requiring a resource consent.

Discretionary activities therefore include, but are not limited to:

- (a) Lines (and support structures) for conveying electricity at a voltage exceeding 110kV and which have a design capacity exceeding 100MVA per circuit, and electricity substations and transformers which receive such lines;
- (b) Weather radars.

5.3.6.4 Information requirements

In addition to the information specified in section 7.3.2 of this Plan, a resource consent application for a network utility which is a discretionary activity, shall include:

- (a) The design and external appearance of all buildings and structures and signage;
- (b) Landscape design and site layout, including fences and screen planting, and lighting;
- (c) The location and design of vehicular and pedestrian access to and from the site, including emergency access;

- (d) Vehicle parking and loading and manoeuvring areas on site;
- (e) The location and nature of possible noise generating equipment to be used on site, and hours of operation;
- (f) Other potentially adverse effects, including dust, glare, vibration, odours, electromagnetic radiation and use or storage of hazardous substances.

5.3.6.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application for a discretionary activity:

- (a) Whether any alternative locations have been considered;
- (b) Whether the visual, noise and other effects of the proposed network utility facility are compatible with the character, scale and visual appearance of the surrounding area, having regard to the following factors:

(i) Visual effects:

- scale of the facility
- height of structures
- signage
- separation of structures to site boundaries
- site location - in terms of general locality, topography, geographical features, adjoining land uses and consideration of alternative sites
- planting, fencing, use of colour and other landscape treatment
- lighting - in terms of intensity and positioning

(ii) Noise effects:

- background noise levels in the neighbourhood of the site
- probable noise levels from the utility or any part of it
- any proposed noise mitigation measures

(iii) Other effects:

- any fumes, odour, dust, vibration, radio frequency emissions (including compliance with NZS 2772.1:1999), glare, hazardous substances
- traffic related effects, such as location of access, parking and manoeuvring areas
- any adverse effect on any important natural or heritage feature (having regard particularly to matters specified in Part II of the RMA).

(c) Whether adequate mitigation or avoidance measures can be put in place, having regard to the best practicable option and economic considerations, as well as the technical and operational constraints of the network utility operator.

5.3.7 RENEWABLE ELECTRICITY GENERATION FACILITIES

5.3.7.1 Introduction

Electricity generation is essential to everyday life and benefits the entire community of New Zealand. The generation of electricity from renewable sources has additional benefits in terms of environmental impact and sustainability. The Tararua District has a number of existing wind farms and there is the potential for more to be developed. The provisions included in this Plan for renewable electricity generation facilities seek to ensure that resource consent applications for such activities are considered on a case by case basis in order that the community benefits of generation are recognised and that the actual and potential environmental effects of generation are managed. The provisions also seek to provide guidance as to the information to be included in resource consent applications for generation facilities, including wind farms, and the matters that the Council will consider when making decisions about any such applications.

5.3.7.2 Standards

(a) Permitted activities in all Management Areas

The operation and maintenance of facilities generating electricity from renewable energy sources including wind farms, in existence as at the date this Plan became operative.

[Note: For the purpose of this standard, 'operation and maintenance' means activities necessary for the effective and ongoing operation of a facility and includes the replacement and/or upgrading of equipment and/or maintenance

of existing access tracks, provided such activities do not change the nature or increase the scale of the effects of the activity being undertaken, as at the date this Plan became operative.]

Domestic scale electricity generation from renewable energy sources subject to meeting the following performance criteria:

- (i) the facility generating the electricity meets all the applicable amenity standards for permitted activities in section 5.4 of this Plan;
- (ii) the facility generating the electricity is not located on land identified as a scheduled heritage feature including its curtilage.

[Note: *Any connection to the distribution network arising from domestic scale electricity generation from a renewable energy source must meet the requirements of the relevant electricity service provider and specific electricity sector legislation.*]

(b) Discretionary Activities in all Management Areas

The construction, operation and maintenance of renewable electricity generation facilities, including wind farms, not otherwise provided for as permitted activities, shall be considered as discretionary activities in all Management Areas.

5.3.7.3 Information Requirements

In addition to the information specified in section 7.3.2 of this Plan, a resource consent application for a renewable electricity generation facility, including a wind farm, shall include (but not be limited to), sufficient information to enable an assessment of the application with regard to the criteria set out in Section 5.3.7.4 of this Plan.

5.3.7.4 Criteria for Assessment

- (a) The contribution that the proposed renewable electricity generation facility will make to the achievement of energy policy objectives and/or renewable energy generation targets of the New Zealand government;
- (b) The local, regional and national benefits to be derived from renewable electricity generation and use;
- (c) The extent to which the facility will adversely affect the amenity values of the locality, having particular regard to the impact of the development on existing residential dwellings, and including (but not limited to) the following effects:

- (i) Electromagnetic interference to broadcast or other signals
 - (ii) Glint resulting from the reflection of the sun off of turbine blades
 - (iii) Shadow flicker resulting from shadows generated by moving turbine blades.
- (d) The visual and amenity effects of the facility with regard to the existing character of the area to which the proposal relates, the desired characteristics for the relevant Management Area as set out in Section 3.2 of this Plan, any significant landscapes or natural features identified in this Plan and/or any Regional Policy Statement and/or Regional Plan that applies to the area in which the site of the proposal is located;
- (e) The ecological effects of the facility, including any effect on significant natural areas including areas and habitats of indigenous flora and fauna, as identified in this Plan or any Regional Policy Statement or Plan that applies to the area in which the site of the proposal is located;
- (f) The effects of the facility on recognised archaeological and/or historic heritage features identified in this Plan or in other heritage registers;
- (g) The expected noise effects arising from the construction, maintenance and operation of the facility, with particular regard to the impact of noise on existing dwellings and the ability of the proposal to meet any relevant standards such as NZS6808:2010 Acoustics – Wind Farm Noise and the NZS6803:1999 Construction Noise or any subsequent versions of these standards.
- (h) The effects of the facility on aviation, navigation and existing network facilities.
- (i) The ability of the land to accommodate the earthworks, roads, building platforms or other infrastructure necessary to construct, maintain and operate the facility.

5.4 Amenity

5.4.1 NOISE AND VIBRATION

5.4.1.1 Introduction

Noise (including vibration) is a significant health and environmental quality issue and an important factor contributing to the varying levels of amenity in different areas of the District. Section 31(d) of the RMA assigns Council the function of controlling the emission of noise and the mitigation of the effects of noise. This function is supported by the abatement and enforcement provisions in Part XII of the RMA, particularly Sections 326 to 328 which relate to "excessive noise".

This District Plan sets minimum environmental standards in respect of noise, using New Zealand Standards to determine acceptable levels and methods of assessment, as there is currently no locally developed data base on noise levels in the District.

The following New Zealand Standards are applicable:

- NZS 6801:2008 Acoustics - Measurement of Environmental Sound
- NZS 6802:2008 Acoustics – Environmental Noise
- NZS 6803:1999 Acoustics - Construction Noise
- NZS 4403:1976 The Storage, Handling and Use of Explosives
- NZS 6805:1992 Airport Noise Management and Land Use Planning
- NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas
- NZS 6808:2010 Acoustics – Wind Farm Noise

The purpose of the District Plan's noise standards is to control noise levels to ensure that there is no degradation of amenity levels within the District, especially in residential, settlement and rural management areas. Reaction to noise varies considerably, not only between individuals but also between and within communities. The standards aim to provide a degree of certainty to the community and to developers as to what noise levels are acceptable in different Management Areas. At the same time, the Council wishes to avoid unnecessary restrictions within industrial areas, particularly given that all activities still have a duty under Section 16 of the RMA to avoid unreasonable noise and that the Council has

abatement and enforcement powers in relation to excessive noise. For example, by measuring noise levels at the Management Area boundary (not site boundaries) in Industrial Management Areas, a less restrictive standard is able to be set.

Vibration from land use activities can range in effect from structural damage to buildings (relatively extreme levels of vibration) to disturbance of sleep and reduction of amenity resulting from people being able to perceive vibration. The following New Zealand Standard is applicable:

- **NZS/ISO 2631.2-89 Mechanical Vibration and Shock - Evaluation of Human Exposure to Whole-Body Vibration:**

Part 1: General Requirements

Part 2: Continuous and Shock-Induced Vibration in Buildings (1-80 Hz)

5.4.1.2 Standards

(a) All noise levels shall be measured in accordance with NZS6801: 2008 and shall be assessed in accordance with NZS6802: 2008. Where NZS6802: 2008 does not include the type of noise in question, the appropriate standard or regulation which covers that type of noise shall be used.

(b) The following noise limits shall apply to all activities in the **Residential, Settlement and Rural Management Areas** of the District, with the exception that these standards shall not apply to the following:

- audible bird-scaring devices in the Rural Management Area;
- forestry activities which are undertaken during daylight hours only and for a period not exceeding 7 days duration, in any Management Area;
- temporary military training activities in any Management Area

7.00 am - 7.00 pm daily 55 dBL_{Aeq(15 min)}

7.00 pm - 7.00 am daily 45 dBL_{Aeq(15 min)} and 75 dBL_{AFmax}

These noise limits are not to be exceeded at any point within the boundary of any site used for residential activities or, in the Rural Management Area, at any point within the "notional boundary" of any dwellinghouse on land held in a separate certificate of title or, if the complainant's dwellinghouse is on the same certificate of title, at any point within the notional boundary of the complainant's dwellinghouse.

Environmental Standards

- (c) The following noise limits shall apply to all activities (except to temporary military training activities) in the **Commercial Management Areas** of the District:

7.00 am - 10.00 pm daily	60 dBL _{Aeq(15 min)}
10.00 pm - 7.00 am daily	45 dBL _{Aeq(15 min)} and 75 dBL _{AFmax}

These noise limits are not to be exceeded at any point outside the site boundary, **except** that at any such point that is within a Residential, Settlement or Rural Management Area, the noise limits applying in that Management Area shall apply.

- (d) The following noise limits shall apply to all activities (except to temporary military training activities) in the **Industrial Management Areas** of the District:

There are no specific noise limits applicable at any point outside site boundaries, except that at any such point that is within a Residential, Settlement, Rural or Commercial Management Area, the noise limits applying in that Management Area shall apply.

- (e) **Blasting noise** and any vibration created by blasting shall comply with the limits set in NZS 4403:1976 and shall be conducted in a manner that does not cause a nuisance or adversely affect any person.

- (f) **Construction noise** shall be measured and assessed in accordance with NZS6803: 1999 or any successor and shall not exceed the noise limits recommended therein.

- (g) **Audible bird-scaring devices (including firearms)** may be operated in Rural Management Areas in accordance with the following conditions:

- not earlier than 7.00 am and not later than 8.00 pm
- the sound from any bird-scaring device shall not exceed 85 dBC peak (unweighted) level at the boundary of any adjoining property, or 20 metres from the facade of the closest dwelling on any adjoining property;
- where the sound from any bird-scaring device exceeds 70 dBC peak (unweighted), but is less than 85 dBC peak, at either the boundary of any adjoining property or 20 metres from the facade of the closest dwelling on any adjoining property, then it shall be operated at a frequency of not more than six events per hour. The term "events" includes clusters of up to 3 shots from gas operated devices or three multiple shots from firearms, in rapid succession. At lower noise levels, there is no restriction on frequency of use;

- These conditions may be waived at the boundary of any adjoining property if the owner agrees and notifies the Council of such agreement in writing.
- (h) **Vibration:** No activity may create any vibration which exceeds the limits in NZS/ISO 2631.2-89.
- (i) **Temporary military training activities:** The following noise limits shall apply to temporary military training activities in all Management Areas of the District. These noise limits are not to be exceeded at any point outside the site boundary.

Time	Limits (dB)	
	L _{Aeq} (15 min)	L _{AFmax}
(Any day)		
0630 - 0730	60	70
0730 – 1800	75	90
1800 – 2000	70	85
2000 – 0630	45	-
Noise resulting from the use of explosives is not to exceed 122 dBC (between 0730 and 1800 only).		

5.4.1.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.1.4 Information requirements

In addition to the information specified in section 7.3.2 of this Plan, a resource consent application to exceed any noise or vibration standard shall include:

- (a) A noise report from an acoustic engineer assessing the effect of the proposal on the locality, having regard to background noise levels;
- (b) Assessment of the best practicable option (BPO) in relation to noise/vibration and the activity concerned;
- (c) Details of any mitigation measures proposed.

5.4.1.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.4.1.3 above for a discretionary activity:

- (a) The existing background noise level in the area concerned;
- (b) Whether there will be any significant adverse effect on levels of amenity or environmental quality of surrounding areas;
- (c) The ability to undertake noise reduction measures at a later date when the nature of changing adjacent activities may require lower noise levels to be met;
- (d) Any recommendations in a report of an acoustic engineer or other relevant professional.

5.4.2 DUST, SMOKE AND ODOUR

5.4.2.1 Introduction

Primary responsibility for air quality management lies with Regional Councils. However, the "control of any actual or potential effects of the use, development or protection of land" (Section 31(b) of the RMA) is a function of the District Council. In this respect, dust, smoke and odour caused by particular activities may result in a significant adverse effect on the amenities of surrounding properties.

With respect to that part of the District that is within the Manawatu-Wanganui Region, the MWRC's One Plan contains policies, methods and rules for controlling discharges to air, including smoke, dust and odour. It is recognised that the Regional Council is the lead authority in respect of these "air" discharges and, therefore, this Plan seeks only to complement the Regional Council's requirements, not to duplicate or supplant them.

In relation to odours, it is a largely subjective matter whether an odour is offensive or not, depending on the opinion of the individual concerned. The hedonic tone of an odour is the judgement of the relative pleasantness or unpleasantness of the odour. It is this aspect which primarily dictates whether an odour nuisance occurs, since it is influenced by such factors as subjective experience, frequency of occurrence, odour character, intensity and duration. How pleasant or unpleasant an odour is perceived is often a matter of association.

It is, therefore, a complex matter to attempt to quantify performance standards for odour (and also for dust and smoke) and, to the Council's knowledge, no effective and practical numerical standards have yet been devised and widely accepted. Nevertheless, while the Council will liaise with the relevant Regional Council to use

the abatement and enforcement provisions of the RMA to mitigate nuisances as required, it is considered that it is necessary to also give some guidance to the community and developers as to what is likely to be acceptable, to avoid activities establishing in unsuitable locations and then encountering problems when operations commence.

To take an example, "home occupations" which create a dust, odour or smoke nuisance are unacceptable in Residential, Settlement and Rural Management Areas. Furthermore, oxidation ponds or factory farms which may produce significant odour should not be located in proximity to, or upwind of, residential areas or other sensitive land use activities or users.

The NZ Pork Industry Board's Enviropork™: pork industry guide to managing environmental effects (V1.0, 2005) provides recommended buffer distances for pig farms which are designed to mitigate the effects of odour. These have been adopted in slightly modified form as standards in this Plan.

5.4.2.2 Standard

- (a) No part of an outdoor (extensive) pig farm shall be located within 500 metres of a Residential or Settlement Management Area.
- (b) Intensive pig farms shall comply with the buffer distances specified in the following table:

Description	Minimum distance in metres
Piggery to Residential or Settlement Management Area:	$D^* = P^* \times 1.00$, with a minimum separation distance of 150 metres
Piggery to a marae, public hall, church, school or recreation area:	$D = P \times 0.75$, with a minimum separation distance of 150 metres
Piggery to an isolated rural residence:	$D = P \times 0.25$, with a minimum distance of 150 metres

* D is the required distance and P is the number of pigs contained within the piggery.

- (c) **Odour:** Except as specified in (a) and (b) above, no activity shall cause an odour which, having regard to the frequency, intensity, duration and offensiveness of the odour, is objectionable or creates a nuisance beyond the boundaries of the site.
- (d) **Dust and smoke:** No activity may produce dust or smoke which has a significant adverse environmental effect, or that creates a nuisance beyond the boundaries of the site or which causes a visibility hazard for highway or road users.

5.4.2.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent, except that this shall not apply where the discharge is specifically covered by a rule in a relevant operative or proposed regional plan.

5.4.2.4 Information requirements

In addition to the information specified in section 7.3.2 of this Plan, a resource consent application required under section 5.4.2.3 shall include:

- (a) Details of the proposed activity and processes used;
- (b) Assessment of the best practicable option (BPO) in relation to dust/smoke and the activity concerned;
- (c) Details of any mitigation measures proposed;

5.4.2.5 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.2.3 above for a discretionary activity:

- (a) The nature of the activity;
- (b) The extent to which the siting of the activity provides sufficient buffer to adjacent properties, including any road or State Highway;
- (c) Whether there will be any significant adverse effect on levels of amenity or environmental quality of surrounding areas;
- (d) Whether the emissions can be programmed in a manner that ensures they will only be emitted at times when the effects will not be objectionable (e.g. certain wind directions or velocities, or times of the day);
- (e) Any recommendations in a report of any relevant professional;
- (f) When assessing an application for intensive pig farming as a discretionary activity, the Council shall be guided by the Code of Practice - Pig Farming, 2nd edition, August 1993;
- (g) The provisions of any relevant regional plans, and the views of the relevant Regional Council.

5.4.3 SIGNS

5.4.3.1 Introduction

Signs play an important role in the District by providing information on public services, providing directions, identifying places of interest and advertising goods and services. There is a need, however, for some controls on location, number, size, type and nature of signs in order to protect the amenities of the District and to maintain traffic safety. In the absence of a signs bylaw for the District, this Plan addresses the safety and aesthetic aspects of signs on both private property and legal roads (road reserves).

The NZTA is the organisation responsible for the provision of an integrated and safe road network throughout New Zealand, and it has particular responsibilities in relation to the State Highway network, in terms of the Government Roding Powers Act 1989. It is the policy of the NZTA to generally avoid extraneous roadside signs (except legitimate road and traffic signs) on state highways and motorways. The Council has a similar policy in respect of all other roads for amenity and traffic safety reasons, with the exception that authorised footpath signs are permitted in commercial and industrial management areas, as well as some remote location signs, subject to meeting the environmental standards in Section 5.4.3.2.

This Plan's standards for signs on private properties are less restrictive in Commercial and Industrial Management Areas than they are in Rural, Residential and Settlement Management Areas. Signs are generally more acceptable in commercial and industrial areas because of the mutual benefit of advertising both to businesses in these areas and to the public that they serve. There is no limit on the size or number of signs in Commercial and Industrial Management Areas, but some locational controls are necessary to ensure that signs do not become unsightly or a hazard.

In Residential, Rural and Settlement Management Areas, advertising signs are generally less acceptable due to their potential effect on the amenities of those areas, but there is still a need to provide for some legitimate signs for permitted activities, subject to strict controls on the size and number of such signs. Any proposed deviation from these rules will be carefully assessed on the basis of their effect on the qualities of the area which the rules are designed to protect.

All signs must comply with the Building Act 2004 to ensure that they are structurally sound.

5.4.3.2 Standards

(a) General standards applicable to all signs

- (i) The standards in this section apply to all signs in the District whether located on private property, public property or legal roads.
- (ii) No sign shall be permitted where it will detrimentally affect traffic safety and control by either:
 - obstructing drivers' vision; or
 - causing confusion or distraction for drivers; or
 - creating a situation hazardous to the safe movement or direction of traffic.
- (iii) No sign shall be permitted which restricts or blocks sight distances at intersections or accessways.
- (iv) No sign shall obstruct, or predominate over, road users' views of official signs and no sign shall be designed so as to resemble, or potentially cause confusion with, official traffic signs.
- (v) No sign shall be permitted which is offensive, poorly constructed, poorly maintained, or otherwise adversely affects the amenities of the area in which it is sited or the area from which it can be seen.
- (vi) Signs using light (including illuminated signs, neon lights, flashing or revolving lights) are permitted only in Commercial and Industrial Management Areas. No sign shall be permitted to cause glare or dazzle which could detract from traffic safety.

(b) Permitted activities (signs) in all Management Areas

- (i) Road directional, traffic safety, motorist service, tourist or name signs erected by the Council or the NZTA, whether or not within the road reserve.
- (ii) Neighbourhood watch signs, subject to compliance with the following performance standard:
 - Maximum area for each sign is 0.5m².
- (iii) Community Welcome to Towns and District signs, subject to compliance with the following performance standards:
 - Maximum area of each sign is 6.5m²;

[Note: the written approval of the NZTA (as road controlling authority) must first be obtained if the sign is to be located on the state highway road reserve.]

- (iv) Temporary signs for statutory notice, auctions, sale of land/buildings, and for trades/consultants' signs on construction projects, subject to compliance with the following performance standards:
 - Maximum area of each sign is 3m²;
 - Must be located on the subject property;
 - Must be removed within 7 days of completion of the activity or sale of land/building.

- (v) Signs on public open space (other than formed legal roads), reserves and recreational facilities, subject to compliance with the following performance standards:
 - The written consent of the landowner (normally the Council) shall be obtained;
 - One sign not exceeding 3m² is permitted at each entrance to the public open space, reserve or recreational facility;
 - One sign not exceeding 3m² is permitted for each club or code with facilities on the reserve or in the building or complex;
 - Signs for commercial advertising/sponsors signs, not exceeding 2m² each, and located so that they are visible primarily to spectators/participants in the reserve/recreational facility.

- (vi) Temporary signs for elections subject to compliance with the following performance standards:
 - The area of any sign is no more than 4 m²;
 - Signs are erected no more than 3 months prior to the election and removed by the eve of the day before the election day;
 - Signs are located on private property or on road reserve (legal road) with the approval of the road controlling authority.

- (vii) Signs within the site of any heritage resource included in the Schedules in Appendix 2 of this Plan, provided that the written approval to the erection of any such sign has been obtained from Heritage New Zealand.

- (viii) Advisory or warning signs erected by, or on behalf of, the Council except where such signs front State Highway in which case the written approval of the New Zealand Transport Agency, as the Road Controlling Authority, is required for such signs to be deemed a permitted activity.

(c) Permitted activities (signs) in Residential and Settlement Management Areas

In addition to the permitted activities specified in section 5.4.3.2(b) above, the following are permitted in Residential and Settlement Management Areas:

- (i) One sign for each lawfully established activity, subject to compliance with the following performance standard:
- Maximum area of sign is 1.5m².
- (ii) Signs not on the site in the Tararua District to which they relate, provided they meet all of the following standards:
- Maximum area of sign is no more than 2.0m²; and
 - No more than two signs not on the site in the Tararua District to which they relate are erected per lawfully established activity.

(d) Permitted activities (signs) in Rural Management Area

In addition to the permitted activities specified in section 5.4.3.2 (b) and (c) above, the following are permitted in Rural Management Areas:

- (i) One sign at the entrance to a rural selling place, subject to compliance with the following performance standard:
- Maximum area of sign is 3m²;
 - Sign to be located on subject property.
- (ii) One advance warning/directional sign either side of an entrance indicating the proximity of a rural selling place, subject to compliance with the general standards in 5.4.3.2(a) above and with the following performance standards:
- Maximum area of sign is 1.5m²;
 - Sign is located on private property but not necessarily the subject property.
- (iii) One sign for each lawfully established activity, subject to compliance with the following performance standard:

- Maximum area of sign is 1.5m²;
 - Written notice has been provided to the Council, advising details of the size, location and content of the sign, its planned date of construction and expected date of completion
- (iv) Signs not on the site in the Tararua District to which they relate provided they meet all of the following performance standards:
- Maximum area of the sign is no more than 3.0m²; and
 - No more than two signs not on the site in the Tararua District to which they relate are erected per lawfully established activity; and
 - The sign does not include telephone numbers or internet addresses, although physical or road addresses directing readers to the site to which the sign relates are permitted; and
 - The sign is located not less than 1 km from any other sign not on the site in the Tararua District to which it relates except for those signs provided for in Rule 5.4.3.2 (b) (i) to (vi).
 - Written notice has been provided to the Council, advising details of the size, location and content of the sign, its planned date of construction and expected date of completion.

(e) Permitted activities (signs) in Commercial and Industrial Management Areas

In addition to the permitted activities specified in section 5.4.3.2 above, the following are permitted in Commercial and Industrial Management Areas:

- (i) Signs attached to buildings, subject to compliance with the following performance standards:
- Signs do not protrude more than 1 metre above the roof line of the building;
 - Under veranda signs must maintain at least 2.6 metres clearance between the bottom of the sign and the footpath and a minimum horizontal clearance of 0.5 metres from the kerb line.
- (ii) Fixed free-standing signs, subject to compliance with the following performance standards:
- Signs are not to exceed a total of 4m² in area per property;

- No sign shall be more than 1 metre higher than the roof line of the highest building on the subject site;
 - All fixed free-standing signs to be located on subject property.
- (iii) Footpath signs, subject to compliance with the following performance standards:
- One footpath sign or "sandwich board" per business, except for corner sites where one sign is permitted per frontage;
 - Maximum area of each face of sign is 1m²;
 - Signs must be located either adjacent to the building or secured against the kerb, and in all cases shall not be allowed to cause obstruction to pedestrian movement or the opening of parked vehicle doors.

(f) Controlled activities (signs) in all Management Areas

- (i) Temporary signs for community events such as festivals, galas and reunions, subject to compliance with the following performance standards:
- Maximum area of each sign is 3m²;
 - Signs are to be erected no more than 3 months prior to the event and removed within 7 days of the event having taken place;
 - Sign to be located on private property;
 - In respect of signs designed to be read from the road, there shall be a maximum of one on-site sign for each road frontage, and three off-site signs.
- (ii) Unless otherwise permitted as of right, one sign at entrance to tourist attractions, subject to compliance with the following performance standards:
- Maximum area of sign is 3m²;
 - Sign to be located on subject property.
- (iii) One directional/advance warning sign indicating proximity to tourist attraction, subject to compliance with the general standards in 5.4.3.2(a) above, and with the following performance standards:
- Maximum area of sign is 1.5m²;

- Sign to be located on private property but not necessarily the subject property.

(g) Matters over which Council reserves control

The matters over which the Council shall exercise its control are:

- (i) the extent to which the sign creates a potential traffic hazard due to its siting or orientation;
- (ii) the availability of other locations or ways in which the sign could be orientated or located that would reduce the potential for the sign to create a traffic hazard.

5.4.3.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.3.4 Information requirements

In addition to the information specified in section 7.3.2 of this Plan, a resource consent application for a sign which is a controlled or discretionary activity shall include:

- (a) The address and legal description of the site;
- (b) Where the applicant is not the owner of the land on which the proposed sign is to be erected, the written consent of the owner;
- (c) Plans and illustrations to enable the Council to understand the nature and design of the sign (including method of support, building materials, shape, size, colour and information to be displayed on the sign) and the proposed location of the sign;
- (d) an assessment against the criteria in Rule 5.4.3.5 below.

5.4.3.5 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application for a discretionary activity:

- (a) That the sign relates well to built and natural features existing in the vicinity of the proposed location of the sign, and is visually appropriate to the area;
- (b) That the sign is tidy in appearance and does not detract from the amenities of the area, while still being able to be easily read by drivers (where applicable) without creating a traffic hazard;

- (c) That the sign will not cause a nuisance to any person, nor any adverse effect on traffic safety;
- (d) That there is a demonstrable need for the sign and sufficient reason why the Plan's standards cannot be met;
- (e) That any sign to be erected adjacent to the State Highway has been given written approval from the NZTA.

5.4.4 HEIGHT AND RECESSION PLANE CONTROLS

5.4.4.1 Introduction

Height and recession plane controls are physical standards which aim to ensure that the height of buildings is compatible with the landscape, amenity and character of the area concerned, having regard to the activities permitted in each Management Area. The recession plane controls aim to ensure that no building or structure unreasonably overshadows any neighbouring residential property so that all residential properties can have access to reasonable sunlight for passive solar heating and outdoor living areas. This contributes to reducing the use of non-renewable energy sources. In the Residential and Settlement Management Areas, the height and recession plane controls also aim to ensure that properties may maintain a reasonable degree of privacy.

The Council considers it unnecessary to have additional "yard" requirements in the District Plan as the application of the recession plane control in Residential, Rural and Settlement Management Areas serves to achieve a setback of buildings in most cases (i.e. any building more than 2 metres high). This does mean that some buildings/structures can be built up to a boundary if they are 2 metres or less in height at the boundary and have a roof pitch which meets the recession plane control, but they will still have to comply with any fire rating, structural or other requirements of the Building Regulations under the Building Act 2004. By using the recession plane as the sole control over the setback for buildings, the Council is enabling more creative and effective layout of sites and less "wasted" space.

The Plan's height and recession plane controls apply to buildings and structures, but not to trees. The Council recognises that trees do cause shading but is of the opinion that in the event of any disputes between neighbours over such matters, civil remedies should be sought in the first instance. Should such problems repeatedly arise, the Council will consider changing the Plan to apply a recession plane control to trees, particularly evergreen trees.

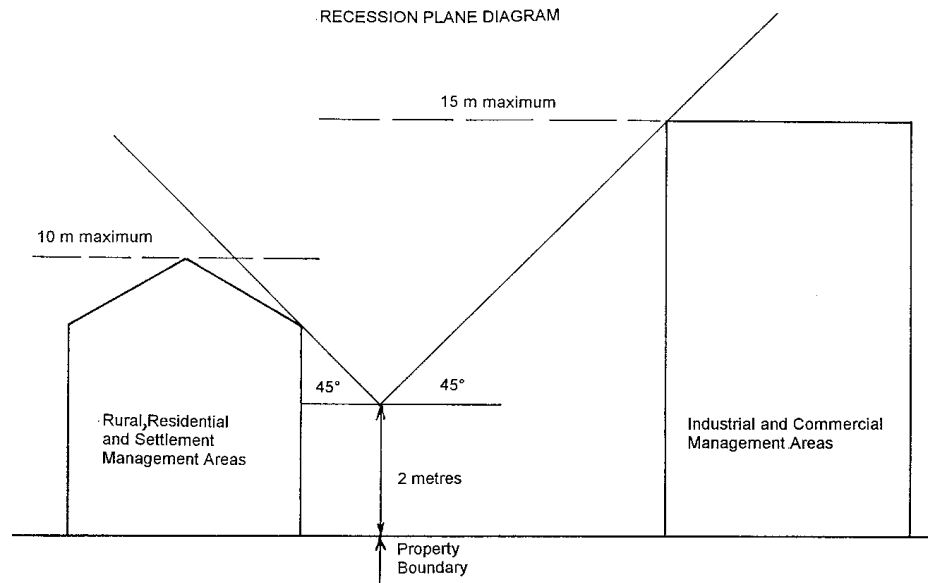
5.4.4.2 Standards

- (a) In Residential, Settlement and Rural Management Areas, the maximum height of any building or structure shall be 10 metres;

- (b) In Commercial and Industrial Management Areas, the maximum height of any building or structure shall be 15 metres;
- (c) In addition to the above height controls, all new buildings and structures, and additions to existing buildings and structures, shall be designed and constructed to fit within a recession plane (or height-to-boundary plane) which begins at 2 metres above the existing ground level at all site boundaries (including front boundaries) and then projects from this line inwards at a 45 degree angle, except that:
- In Commercial and Industrial Management Areas, this control shall only apply in relation to any site boundary which is adjacent to a Residential, Settlement or Rural Management Area.
- (d) The following structures are exempt from the above height and recession plane controls in this section: *[Note: the standards in section 5.3.6 (network utilities) shall apply (as applicable).]*
- Activities permitted under standards 5.3.6.2(a) and (b).
 - Flagpoles
 - Wires
 - Television and radio antennae
 - Chimneys
 - Vertical ventilation shafts
 - Solar heating devices
 - Up to one-third of the height of gable end roofs, and dormer windows not more than 3 metres wide.

[Note: Any structures over 60 metres in height may require approval from the Civil Aviation Authority of New Zealand.]

- (e) Where garages, carports and other accessory buildings are proposed to be constructed up to the boundary of a site in the Residential or Settlement Management Area, the recession plane controls shall not apply where the owner(s) and occupier(s) of the adjacent property have given their written consent.



5.4.4.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.4.4 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under section 5.4.4.3 above for a discretionary activity:

- (a) Topographical or other site constraints;
- (b) The desirability of maintaining consistency in design and appearance with existing buildings on the site;
- (c) The desirability of protecting existing trees, vegetation or other significant physical feature on the site;
- (d) Whether the boundary to which the standard relates is a common boundary with an area of permanent open space, the use of which will not be detrimentally affected by any increased shading;
- (e) The extent to which the neighbouring property will be affected by increased shading, loss of daylight (having regard to the orientation of the boundary in relation to the sun), amenity value and privacy;
- (f) The extent to which the building or structure visually intrudes on any significant ridgeline or skyline or significant landscape, the degree of necessity for the location due to operational and technical requirements, and what measures are proposed to reduce the visual impact of that intrusion;

- (g) In relation to front boundaries, the extent to which the development will be compatible with the existing character of the streetscape;
- (h) Details of any other mitigation measures proposed.

5.4.5 OUTDOOR LIVING COURT

5.4.5.1 Introduction

It is important that all residential activities (such as houses, flats and retirement/convalescent homes) have adequate areas of useable and accessible open space for the recreation and leisure of occupants. The Council wishes to encourage innovation and flexibility of design within the District and for this reason it has aimed to avoid unnecessary rules and, where rules are necessary, it has preferred standards which are directly linked to the environmental outcome sought rather than standards which are, to an extent, arbitrary and inflexible. In relation to outdoor space requirements, therefore, this Plan does not specify minimum site areas, maximum site coverage, minimum yards or other such requirements which, while ensuring a minimum amount of outdoor space, may in some cases stifle excellence or innovation in design and the provision of useable and attractive outdoor space. It is the latter which the Council seeks to encourage and this is the reason for specifying outdoor living court requirements for residential activities in the District. The outdoor living requirements are particularly important where there is more than one residential unit (dwellinghouse/flat) on a site, so that each residential unit has its own private open space available to residents. The outdoor living court standard is less for self-contained housing which is purpose-built for elderly people, in recognition of the fact that many elderly people would prefer, for maintenance reasons, to have a small, manageable outdoor living area.

Other residential activities, such as institutional and community homes, are often occupied on a room basis rather than self-contained units. Outdoor living court areas for these activities are based on the number of occupants.

Where there is more than one residential unit on a site, there is a requirement that the outdoor living court be screened with a solid fence (or similar effective visual barrier) to provide privacy. The Council prefers this mechanism to ensure reasonable privacy for residents rather than specifying particular separation distances or other such rules.

5.4.5.2 Standard

- (a) In all Management Areas, all residential units and accommodation shall be provided with an outdoor living court as follows:

Environmental Standards

- Residential units (including dwellinghouses and flats): the minimum area of the outdoor living court for each unit is 36m² and it shall be of a shape that is able to contain a circle which is 6 metres in diameter;
 - Retirement villages or other self-contained units built specifically for elderly/retired/disabled people (including "granny flats"): the minimum area of the outdoor living court for each unit is 25m² and it shall be of a shape that is able to contain a circle which is 5 metres in diameter;
 - Other residential uses (including resthomes and convalescent homes): a minimum outdoor living area of 10m² per person intended to be accommodated shall be provided, with at least 40% of this area being adjacent to the main living area.
- (b) the outdoor living court shall be for the exclusive use of the residential unit/activity and shall be free of driveways, drying or other service functions or facilities, parking spaces, manoeuvring areas and accessory buildings;
- (c) the outdoor living court shall be unoccupied and unobstructed from the ground upwards, except that structures designed to enhance the use and enjoyment of the outdoor living court (e.g. garden structures, garden furniture, pergolas), eaves and upper storey projections not exceeding 0.6 metres, and decks at ground level or on a downwards sloping outdoor living court site where the deck is at the same level or lower than the ground floor of the dwelling house are permitted;
- (d) the outdoor living court shall be located to the north, north-west, or north-east of the residential unit/activity, as appropriate in the circumstances to receive the maximum amount of sun, and it shall be located so that it is adjacent to, or readily accessible from, the main living areas (i.e. kitchen, living room, lounge) of the dwelling unit;
- (e) where there is, or is intended to be, more than one residential unit on the site, the outdoor living court shall be screened by the developer at the time the units are constructed, from the windows and outdoor living courts of other residential units on the site, to a minimum height of 1.5 metres;
- (f) where a residential unit is proposed on a site already containing one or more residential units, outdoor living courts must be provided for the existing as well as the proposed residential unit(s).

5.4.5.3 Non-compliance with standard

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.5.4 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.5.3 above for a discretionary activity:

- (a) the extent to which a living court can be provided which may not meet the standards but still provides a useable outdoor area which meets the purpose of the outdoor living court and provides a similar level of amenity and privacy;
- (b) the existence of topographical or other site constraints;
- (c) the availability of adjoining permanent open space (e.g. park or reserve) that is useable by occupants of the residential unit/activity and which may reduce the need for outdoor space on-site;
- (d) whether there is communal outdoor space provided which is accessible to the occupants of the residential unit/activity, and provides similar levels of amenity;
- (e) whether the residential unit is designed for a specific purpose not requiring an outdoor living court either of normal standards, or at all;
- (f) details of any mitigation measures proposed.

5.4.6 OUTDOOR SERVICE COURT

5.4.6.1 Introduction

It is important that all residential accommodation (such as dwellinghouses, flats and retirement/convalescent homes) have adequate areas of useable and conveniently located outdoor space available for household service activities such as clotheslines, garden/storage sheds and refuse containers. It is also important that such space is not the same space that is set aside for the outdoor living court as this would compromise the latter's value for amenity purposes. The service court should, wherever possible, be orientated generally to the north in order to receive the maximum amount of sunshine for activities such as drying clothes, although refuse disposal and storage areas may best be located in the shade. Given this situation, however, and as outdoor living courts are to have a northerly aspect, it is not a requirement for all service courts to have a similar orientation. In fact a service court may involve two separate areas of land. There is no difference between residential units for the elderly and other residential units in relation to service court requirements, as all residents of self-contained residential units have certain basic servicing needs.

5.4.6.2 Standard

- (a) In all Management Areas, all residential units shall be provided with a useable outdoor service court located near the service areas of the unit (laundry, kitchen, garage) of at least 20m² in total area, with a minimum dimension of 3 metres. The service court may be provided by means of one or two distinct areas of land on the site, provided the minimum dimensions are met.
- (b) The outdoor service court shall be for the exclusive use of the residential unit/activity and shall be free of driveways, parking spaces, and vehicle manoeuvring areas.

5.4.6.3 Non-compliance with standard

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.6.4 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.6.3 above for a discretionary activity:

- (a) the extent to which a service court can be provided which may not meet the standard above but still provides a useable outdoor area which meets the purpose of the service court.
- (b) the existence of topographical or other site constraints;
- (c) whether the residential unit is designed for a specific purpose not requiring an outdoor service court either of normal standards, or at all;
- (d) details of any mitigation measures proposed.

5.4.7 GLARE / ARTIFICIAL LIGHTING

5.4.7.1 Introduction

Some building materials, particularly glass and unpainted corrugated iron, create glare in certain sunlight conditions which has the potential to detract from the amenity of adjoining areas and, in some cases, to be a hazard to motorists. Artificial lighting has a similar potential to glare, in creating a hazard and/or a detraction from amenities. In addition, because it is in operation during night-time, lighting can be a cause of disturbance to residential amenities. Lighting can be associated with security, advertising signs, sports fields, or to allow night-time work outside. Glare from buildings can be avoided or minimised by using screens or vegetation, non-reflective surfaces and orientation of walls to reflect glare away

from sensitive adjoining properties. Lights can be orientated or shaded in order that the spill of lighting remains within the site.

5.4.7.2 Standards

- (a) In all Management Areas, buildings are to be constructed and finished in such a manner as to ensure reflection (glare) from the building surfaces does not reflect into adjoining properties or adversely affect the vision of motorists on a street or road.
- (b) In all Management Areas, any exterior lights shall be installed, designed, shaded and arranged in order that the level of lighting measured on the boundaries of the site are no greater than 8.0 lux (lumens per square metre).

5.4.7.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.7.4 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.7.3 above for a discretionary activity:

- (a) luminance, size and direction of the light source;
- (b) luminance of the background against which the lighting is viewed;
- (c) hours of operation;
- (d) compatibility of building materials with the surrounding environment;
- (e) whether the level of brightness from the surface or lighting is such that it could create a traffic hazard or interfere with the operation of activities on properties outside the site;
- (f) whether the nature of activities on adjoining sites is such that any glare or lighting spill would not be noticeable and would not have a detrimental effect.

5.4.8 LANDSCAPE TREATMENT/SCREENING

5.4.8.1 Introduction

In this Plan, the provision of appropriate landscape treatment is a requirement in Industrial and Commercial Management Areas where an industrial or commercial activity is located adjacent to, or within 20 metres of, a Residential, Settlement or Rural Management Area. It is also required for car parks in all Management Areas,

and for any exterior storage areas related to any activity (including domestic storage/hobbies) which detract significantly from the amenities of the area. In addition, in respect of applications for resource consent in any Management Area, the Council may impose a condition requiring a landscape plan to be submitted, approved and implemented.

The purpose of landscape treatment (such as dense planting of trees and/or shrubs or fences) is often to provide a visual barrier in order to reduce the potential or perceived adverse effects of an activity on the amenity of the surrounding area. Such visual barriers can have a physical effect in terms of filtering wind-blown debris and screening unsightly buildings, storage areas or parking areas. Landscape treatment may also have a psychological effect which can make an activity (and its adverse effects) more acceptable to neighbours and the community. People often perceive, for example, that noise is reduced by vegetation even where little or no physical noise reduction can be measured.

In order for a natural visual barrier or screen (other than a fence) to be effective, it must:

- be located in the correct place;
- have sufficient depth to allow the vegetation to grow and provide an effective buffer;
- use plants that are suitable for the particular environment;
- have a maintenance programme in place to ensure that plants survive and are replaced if necessary (i.e. should any plants die);

5.4.8.2 Standards

- (a) In Industrial and Commercial Management Areas, where an industrial or commercial activity is located adjacent to, or within 20 metres of a Residential, Settlement or Rural Management Area, effective screening of the activity from such areas shall be provided (if not already in existence) in accordance with the standards for landscape treatment/screening below.
- (b) In all Management Areas, where an activity detracts in a significant way from the visual amenity of the surrounding area (including exterior storage associated with home occupations, hobbies or other activities), effective screening of the activity from the road and neighbouring properties shall be provided in accordance with the standards for landscape treatment/screening below;
- (c) In all Management Areas, all car parking areas in excess of 4 spaces shall be provided with effective screening from any adjacent property used for residential or open space purposes and from the road (if screening is not

already in existence), in accordance with the standards for landscape treatment/screening below;

- (d) Any landscape treatment/screening required by this Plan or by resource consent shall be completed within 6 months of any activity commencing on the site and shall be maintained in a satisfactory manner while the activity or development remains;
- (e) Any landscape treatment/screening required by this Plan shall consist of a densely planted buffer strip, or a fence or wall constructed in brick, timber, concrete or stone, and shall be constructed, or designed to grow, to a height of not less than 1.8 metres (except for screening of car parking areas from the road which is exempt from the height requirement).
- (f) Any landscape treatment/screening required by this Plan shall comply with the requirements of standard 5.4.10.2. Where compliance with the requirements of standard 5.4.10.2 prevent compliance with the requirements of standard 5.4.8.2, the requirements of standard 5.4.10.2 shall override the requirements of standard 5.4.8.2. No resource consent shall be required for an activity that cannot meet the requirements of standard 5.4.8.2 due to the obligation to meet the requirements of standard 5.4.10.2, provided all other relevant requirements of this plan for permitted activities are met.

5.4.8.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.8.4 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.8.3 above for a discretionary activity:

- (a) effect on the amenity of the surrounding area;
- (b) presence of existing natural or physical features;
- (c) existence of any landscape treatment plan (including suitability of materials/plants, screening potential, timeframe for implementation, maintenance programme);
- (d) any other mitigation measures proposed.

5.4.9 PEDESTRIAN AMENITY (VERANDAHS)

5.4.9.1 Introduction

In the commercial/retail areas of the District's towns, verandahs are an important part of the streetscape, particularly in the Main Streets. As well as being a design feature, verandahs provide shoppers and other pedestrians with protection from both sunshine and/or precipitation, as the case may be. The standards below aim to maintain and improve pedestrian amenity in the Commercial Management Areas of the District.

5.4.9.2 Standards

- (a) Any new building(s) located along a section of road within a Commercial Management Area which is specified in Appendix 16 must include a veranda along its street frontage, except that this is not required where adjacent buildings on both sides do not have such verandas. For the avoidance of doubt, in respect of a new building development along the specified frontages, where an adjacent building on one side has a veranda, and the adjacent building on the other side does not have a veranda, a veranda is required.
- (b) Verandas shall be not less than 2.6 metres above the footpath at their lowest point (including under veranda signs) and shall have a minimum horizontal clearance of 0.5 metres from the kerb line;
- (c) Verandas shall be constructed so as to provide continuity with adjacent verandas.

5.4.9.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.9.4 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.9.3 above for a discretionary activity:

- (a) whether the pedestrian amenity of shelter can be provided in another way to the same or similar level that the standards seek to achieve;
- (b) the nature and location of the activity, and existing and potential pedestrian numbers;
- (c) whether the adjacent buildings have, or are likely to have in the future, verandas;

- (d) whether non-compliance with the standards would enable a veranda or other structure to be constructed which would achieve better harmony in design and character with an existing building which has architectural merit or historical significance.

5.4.10 SETBACKS

5.4.10.1 Introduction

As outlined in Section 5.4.4, "Height and Recession Plane Controls", this Plan includes a recession plane (height-to-boundary) rule to ensure that reasonable levels of amenity, privacy and daylight are maintained for properties adjacent to new developments in (or adjoining) Residential, Settlement and Rural Management Areas. The recession plane requirement also serves to ensure that most buildings are set back from boundaries, without having to impose a "minimum yard" requirement as such. There are, however, a number of cases where setbacks are appropriate for activities.

In relation to forestry, minimum setback distances from boundaries and residential uses on neighbouring properties are specified. The purpose is to maintain visual amenity, to avoid undue icing of roads in winter due to prolonged shading, and to act as a firebreak. Setback distances from roads and State Highways are also specified for forestry and other plantings in order to ensure that they do not have any adverse effect on the safe use and operation of roads and State Highways.

[Note: "Forestry" now falls within the ambit of "Plantation Forestry" as defined and regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.]

In relation to water bodies and the drainage network (public drains, lakes, rivers and streams) it is important that buildings and structures are set back for flood control and maintenance purposes. In some cases, reserves or easements in favour of the District or Regional Council are in place but where they are not, the setback of structures from drains and watercourses achieves a similar result.

5.4.10.2 Standards

- (a) No forestry (except for a single or double row of protection or amenity forestry) shall be located within 40 metres of an existing residential dwellinghouse on an adjacent property, except that this distance may be reduced where the written approval of the owner and occupier of the dwellinghouse concerned is obtained.
- (b) No forestry (except for a single or double row of protection or amenity forestry) shall be located within 10 metres of any property boundary (where the adjacent property is under separate Certificate of Title and different ownership) except that this distance may be reduced where the written approval of the owner and occupier of the land concerned is obtained.

- (c) Forestry or other planting shall comply with the following standards:
- (i) No forestry or other planting shall be planted or allowed to grow in a position which will prevent the driver of a vehicle from having a clear and unobstructed view of official traffic signs or signals, approaching or merging traffic or any corner, bend, intersection or vehicle crossing.
 - (ii) No forestry or other planting shall be planted or allowed to grow in a position that will reduce the effectiveness of road lighting.
 - (iii) In areas where ice can form on roads, no forestry or other planting shall be planted or allowed to grow in a position that will shade the carriageway of a state highway between the hours of 10 am and 2 pm on the shortest day of the year. This rule shall not apply where:
 - (a) The topography of the site is already preventing the direct access of sunlight onto the state highway.
 - (b) The forestry or vegetation existed at the time this Plan is operative.
 - (iv) Forestry and other planting shall be maintained in a condition which:
 - (a) Prevents damage to road surfaces, road structures, or drainage devices:
 - (b) If blown over or felled would not fall on the state highway carriageway or be a danger to passing vehicles.
- [Note: Written approval of any proposed forestry or other planting from the road controlling authority, being the NZTA in relation to state highways and the Tararua District Council in relation to all other roads, shall be deemed to show compliance with this standard.]***
- (d) Where written approval is not obtained in (a) above, the planting of forestry which does not comply with the specified setbacks shall be a discretionary activity.
 - (e) No forestry (except protection and amenity forestry) shall be located within 5 metres of the bank of a watercourse with a bed width of less than or equal to 3 metres or within 10 metres of the bank of a watercourse with a bed width of 3 metres or more.
 - (f) No building or other structure is permitted within 20 metres of each side of the centre-line of high voltage electricity transmission lines which are designed to operate at or over 110kV.

- (g) No building or other structure is permitted within 20 metres of any open drain that is under the control of the Tararua District Council, the Manawatu-Wanganui Regional Council, or the Wellington Regional Council, unless the written approval of that controlling authority is obtained.
- (h) No building or structure is permitted within 20 metres of each side of the centre-line of high pressure gas transmission pipelines which are designed to operate at or over 2000 kPa without the approval of the operator of the pipeline.
- (i) No building or structure shall be located within 20 metres of the nearest river, stream, lake or watercourse, unless the written approval of the relevant Regional Council is obtained. The distance shall be measured as follows:
- from the edge of the bank contiguous with the bed of the river or lake;
- or, where there is no bank,
- for any river, from the limit of the bed covered by the annual fullest flow;
 - for any lake, from the limit of the bed covered by the annual highest water level.

[Note: Lakes, rivers and streams are as defined in the RMA.]

- (j) No dwelling house or visitor accommodation shall be located within the dairy factory noise control boundary shown in Figure 4.1.2.2A unless:
- The site on which the dwelling house or visitor accommodation is subject to a no-complaints covenant in favour of the owner/occupier of the dairy factory permitted by rule 4.1.2.2(a) of this Plan, and
 - Any habitable room in the dwelling or visitor accommodation is protected from noise arising outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$$DnT,w + Ctr > 35 \text{ dB}$$

Where a bedroom, being a room intended for the primary purpose of sleeping, with openable windows is proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum airflow rate of 7.5 litres per second per person.

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed

by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

5.4.10.3 Non-compliance with standards

Where an activity cannot meet the standards specified above, the activity shall be deemed to be a discretionary activity, requiring a resource consent.

5.4.10.4 Criteria for assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.10.3 above for a discretionary activity:

- (a) the extent to which the function of the drain or watercourse can be continued without significant impediment to its function(s), including cleaning and other maintenance works;
- (b) the likelihood of an esplanade reserve, strip or access strip being formed in the future;
- (c) whether there are other mitigation measures proposed, or agreements able to be entered into, which will allow the structure to be established without impeding the functions of the drain or watercourse or any necessary maintenance from being carried out;
- (d) any topographical or physical constraints;
- (e) whether the potential adverse effects of any reduction in a setback are significant (including visual impact, fire risk, shading, obstructions and, where relevant, water quality effects) and whether these would be offset by any positive effects;
- (f) the guidelines in Transit New Zealand's publication "Guidelines for planting for road safety" (August 1991);
- (g) the recommendations of the Regional Council or other relevant agency.

5.4.11 ENERGY EFFICIENCY AND CONSERVATION

5.4.11.1 Introduction

One of the Council's policies [2.4.3.2(d)] is to "require developers to take into account principles of energy conservation in the design and development of subdivisions". The standards (rules) in section 5.2.3 'Subdivision Standards' of this

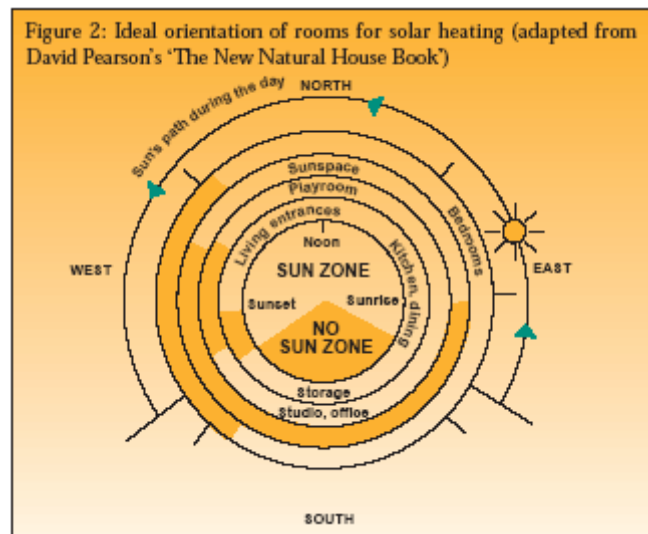
Plan require that each lot on a plan of subdivision be designed to take into account the principles of optimum energy efficiency and solar energy gain in relation to the size and shape of each proposed lot and the design and orientation of the subdivision as a whole.

The standards of this section are designed to give effect to Objective 2.4.3.1 and Policy 2.4.3.2(d) in relation to the development stage of an approved subdivision or the development and use of land for permitted activities and buildings. All applications for building consent for buildings to be occupied are therefore to be assessed against the standards in rule 5.4.11.2 below.

Energy efficiency, conservation and the use of renewable energy (such as passive solar) have a direct impact on health and social wellbeing and amenity values and indirectly lessen the impact of climate change. The Council is committed to encouraging energy efficiency and the utilisation of renewable energy. In Residential and Settlement Areas, in particular, this commitment applies to enabling and ensuring forms of development which incorporate sustainable and energy efficient building design principles. In particular, those based on simple energy efficiency design principles such as orientation to the sun, and maximisation of passive solar gain (i.e. passive solar design) in buildings. Ensuring a building is well insulated is the other key to maximising solar gain and thereby reducing space heating costs. Central Government and the Council will encourage builders to design for conservation of energy use by means of incentives to insulate buildings to an appropriate standard and to optimise solar gain by means of design and building orientation respectively.

5.4.11.2 Standards

- (a) Any new habitable building shall be located on a site and designed in such a way as to maximise its passive solar gain between 10:00 a.m. and 2:00 p.m. in winter and, in particular, on the shortest day. It must be demonstrated that the design and location of any new habitable building has taken into account the following passive solar design principles:
- (i) The living areas are located on the northern side of the building and are generally in accordance with the position of rooms as shown in Figure 2 below:



SOURCE: Passive Design for New Zealand Homes. Energy Efficiency and Conservation Authority, Energy-Wise Renewables Information Sheet.

- (ii) Sufficient land area is provided to the south of the building to enable planting, earth mounding, or fencing for the purpose of protecting and sheltering the building from southerly winds without infringing upon the height and recession plane requirements of the relevant zone in the Plan.

[Note: Any new habitable building must also be constructed and insulated to the standard required by the New Zealand Building Code, Clause H1 Energy Efficiency, in order to obtain the necessary building consent.]

5.4.11.3 Non-compliance with standards

Where it cannot be demonstrated that a habitable new building is able to meet the standards specified above (i.e. that all the specified principles have been incorporated into the design and layout of the building), the building shall be deemed to be a controlled activity, requiring a resource consent.

5.4.11.4 Criteria for assessment

In addition to the criteria specified in Section 5.2.4.5(a)(i) and (ii) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.11.3 above for a controlled activity consent:

- (a) Whether it has been demonstrated that (passive) solar gain has been optimised in respect of the particular building and its location on the site, notwithstanding that all of the passive solar design principles in 5.4.11.2(a) have not been fully accounted for in its design and location.

5.4.12 LOCAL EYESORES (DETRIMENTS TO AMENITY VALUES)

5.4.12.1 Introduction

Throughout the District, derelict buildings, vehicles and sites which are unsightly and widely considered to be community eyesores can be deemed to be detracting from "amenity values". One of the primary objectives of the District Plan is "to ensure a high level of environmental quality and amenity" in both the urban and rural areas of the district (see objectives 2.2.4.1 and 2.3.4.1). The provisions of the Plan seek to achieve a balance between maintaining the amenity values of an area in the public interest and not unduly constraining the property rights of individuals to develop their own sites in an environmentally acceptable manner. This is a fine balance and a qualitative one, in the sense that one person's eyesore may be another person's 'thing of beauty'. That being the case, the following standards are designed to give effect to Objectives 2.2.4.1 and 2.3.4.1 and limit the extent to which derelict buildings, vehicles and sites may become community eyesores.

5.4.12.2 Standard

Any activity permitted by this Plan, in any Management Area, is only permitted provided the activity is not carried out on a derelict site.

[Note: see the definition of 'derelict site' in this Plan.]

5.4.12.3 Non-Compliance with Standard

Where an activity cannot meet the standard specified in 5.4.12.2 above, the activity shall be deemed to be a discretionary activity, requiring resource consent. An application for such a consent shall be publicly notified.

5.4.12.4 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.12.3 above for a discretionary activity:

Environmental Standards

- (a) the degree and significance of any adverse effect on the amenity values of the locality;
- (b) the existence of any proposed screening and/or landscape treatment plan (including suitability of materials/plants, screening potential, timeframe for implementation, maintenance programme);
- (c) any other avoidance or mitigation measures proposed.

5.5 Heritage and Natural Features

5.5.1 INTRODUCTION

Part II of the RMA requires territorial authorities to recognise and provide for matters of national importance which include the protection of outstanding natural features and historic heritage from inappropriate subdivision, use and development. To achieve this, Section 2.6 of this District Plan establishes policies which aim to achieve the protection of:

- heritage features (including buildings, monuments, structures, places/sites, waahi tapu and archaeological sites);
- significant natural features and landscapes;
- significant individual trees and groups of trees;
- reserves (administered by either the Tararua District Council or the Department of Conservation)

Significant heritage and natural features in the District (i.e. those which warrant regulatory protection) have been identified and included in Schedules in the appendices to this District Plan. The rules in this section of the Plan apply to those heritage and natural features which are included in the Schedules (Appendices 2, 3 and 14).

These rules complement the non-regulatory methods of achieving the goals and objectives set out in Section 2.6. The purpose of the rules is to ensure that those resources of heritage or natural value that have been identified in the Schedules, are protected from the adverse effects of development. Protection will be achieved by rules which classify activities such as minor repairs, modification, damage, removal or destruction of a feature as either a "permitted", "controlled", "discretionary" or "prohibited" activity. This effectively means that adverse effects can be avoided, remedied or mitigated and that appropriate conditions for the protection of the specified feature can be placed on any consent granted.

Under the RMA, the Council is a heritage protection authority and, in that role, it shall advocate heritage protection within the District (refer to section 2.6.3 of the Plan for details). Statutory protection of significant heritage features can be achieved by way of a Heritage Protection Order (refer Section 7.4.4).

Under the Heritage New Zealand Pouhere Toanga Act 2004, all archaeological sites whether recorded (and therefore noted in this plan) or unrecorded are

protected and the consent of Heritage New Zealand is required before any work can be undertaken on these sites.

Within the Tararua District are a number of reserves and open spaces which contribute to the amenity of the District. Reserves in the District are the responsibility of either the Department of Conservation or, to a lesser extent, the Council. In many cases the reserves are subject to legislative controls prescribed through other Acts such as the Reserves Act 1977.

In accordance with Policy 6-1 of the MWRC's One Plan, the Regional Council is responsible for developing objectives, policies and methods (including rules) for maintaining and protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna throughout the Region, including the Tararua District.

5.5.2 CLASSIFICATION OF SCHEDULED FEATURES

The District Plan rules relating to heritage resources and natural features have been formulated to provide differing levels of protection. Two categories of protection are used in this Plan. Category A provides the highest level of protection and Category B provides a moderate level of protection, (refer to Table One for a summary of the Plan's heritage and natural features rules). In respect of heritage features, Category A includes items registered as Category I by Heritage New Zealand (under Section 22 of the Heritage New Zealand Pouhere Toanga Act 2004), while Category B includes items registered as Category II by Heritage New Zealand. Category B also includes recorded archaeological sites identified by the Department of Conservation and the New Zealand Archaeological Association Filekeeper, as well as other heritage items of local importance identified by the community. It should be noted that additions to, or removal of, items listed in the Schedules in Appendices 2, 3 and 14 requires a Plan Change.

5.5.3 RULES APPLYING TO ACTIVITIES AFFECTING, OR WITHIN, ANY AREA IDENTIFIED IN APPENDIX 2, 3 OR 14 OF THIS PLAN

5.5.3.1 Heritage Features (in Appendix 2)

(a) Permitted activities

- (i) Minor repairs to any Category A or B heritage item, providing the activity does not alter the size, scale or layout of the item. *[Note: refer to definition of "minor repairs" in Part 6.]*

(b) Discretionary activities (refer to 5.5.3.6 below for criteria for assessment)

- (i) Modification (excluding minor repairs) of any Category A or B heritage item
- (ii) Removal, damage or destruction of any Category B item
- (iii) Removal or destruction of any Category A item where necessary to ensure the health and safety of the community.

(c) Prohibited Activities

- (i) Any activity involving the removal, damage, or destruction of any Category A item, except where specified as a discretionary activity.

5.5.3.2 Significant Trees (as listed in Schedule 3.1 in Appendix 3)

(a) Permitted activities

- (i) Maintenance to any Category A or B item

(b) Discretionary activities (refer to 5.5.3.6 below for criteria for assessment)

- (i) Modification to any Category A item;
- (ii) Modification or damage to, or destruction of, any Category B item.

(c) Non-complying activities

- (i) Damage to, or destruction of, any Category A item.

For the purposes of rule 5.5.3.2, “maintenance” means any work undertaken in relation to one or more of the following:

- Removal of diseased, dead or dying vegetation;
- Removal or clearance for the purpose of flood control activities undertaken by or approved by a local authority;
- Removal or clearance where necessary to maintain or restore existing essential services or emergency works to avoid injury to persons or damage to property;
- Removal of exotic species;

Environmental Standards

- Activities carried out subject to and in accordance with any specific covenant or other legal agreements entered into with the District Council, Regional Council, Department of Conservation or QEII Trust.

And "modification" includes:

- timber and firewood extraction;
 - subdivision.
- and "damage and destruction" includes:
- clearance of indigenous vegetation;
 - dumping of fill or waste;
 - burning of vegetation;
 - earthworks with powered machinery.

[Note: These provisions cover only listed items and areas. Provisions for areas of indigenous vegetation not specifically listed are detailed in Section 5.5.4.]

5.5.3.3 Natural Features and Landscapes (as listed in Schedule 3.3 of Appendix 3)

Where an item listed in Schedule 3.3, Appendix 3, is also a reserve, or part of a reserve, which is listed in Appendix 14 (Schedule of Reserves), the rules applying to reserves in 5.5.3.4 shall prevail over the rules below.

(a) Permitted activities

- (i) Maintenance to, or within, any Category A or B item

(b) Discretionary activities (refer to 5.5.3.6 below for criteria for assessment)

- (i) Modification to any Category A item;
- (ii) Modification or damage to, or destruction of, or within, any Category B item.

(c) Non-complying activities

- (i) Damage to, or destruction of, or within, any Category A item.

[Note: For the purpose of this rule, "modification" refers to an activity that will affect the values identified in Schedule 3.3 of this Plan.]

5.5.3.4 Reserves (in Appendix 14)

(a) Permitted activities

- (i) Activities permitted under any Reserve Management Plan, or under the provisions of the Management Area in which the reserve is located provided that prior written approval has been obtained from the organisation responsible for administering the reserve.

(b) Discretionary activities (refer to 5.5.3.6 below for criteria for assessment)

- (i) Any other activity

Table One: Summary of rules applying to any activity within an area which is Identified in Appendix 2, 3 or 14 of this Plan

	CATEGORY A	CATEGORY B
HERITAGE FEATURE (Appendix 2)	<p>Permitted Minor repairs</p> <p>Discretionary Modification; Removal or destruction where necessary to ensure health and safety of community</p> <p>Prohibited Removal, damage or destruction</p>	<p>Permitted Minor repairs</p> <p>Discretionary Removal, damage, modification or destruction.</p>
SIGNIFICANT TREES (Schedule 3.1 in Appendix 3)	<p>Permitted Maintenance</p> <p>Discretionary Modification</p> <p>Non-complying Damage or destruction</p>	<p>Permitted Maintenance</p> <p>Discretionary Modification, damage or destruction</p>
NATURAL FEATURE OR LANDSCAPE (Schedule 3.3 in Appendix 3)	<p>Permitted Maintenance</p> <p>Discretionary Modification</p> <p>Non-complying Damage or destruction</p>	<p>Permitted Maintenance</p> <p>Discretionary Modification, damage or destruction</p>

	CATEGORY A	CATEGORY B
RESERVES (Appendix 14)	<p>Activities permitted under any Reserve Management Plan, or under the provisions of the Management Area in which the reserve is located provided that prior written approval has been obtained from the organisation responsible for administering the reserve.</p> <p>Discretionary Any other activity</p>	

5.5.3.5 Information requirements applying to activities adjacent to, or affecting, any feature identified in Appendix 2, 3 or 14 of this plan

Where any activity is located on land adjacent to an area or item identified in Appendix 2, 3 or 14, or would otherwise affect such an item, the provisions of the relevant Management Area shall apply. Where those provisions require a resource consent application to be made, the Assessment of Environmental Effects shall include (in addition to the information requirements specified in section 7.3.2 of this Plan) the following information:

- (a) a statement outlining the consultation that has occurred with the person or body responsible for managing the listed feature. This statement shall include the views of those parties consulted, detail any agreements made, and/or any areas of concern highlighted by the interested parties;
- (b) an explanation of the nature of the heritage resource or natural feature affected, including plans and photographs;
- (c) a statement as to whether the activity will affect the whole or part of the heritage resource or natural feature;
- (d) where it is likely that a significant adverse effect will result, a description of any possible alternative location or methods of undertaking the activity;
- (e) the preferred option for protecting the heritage resource or natural feature;
- (f) a statement of the actual and potential effects of the proposal on heritage and/or natural values.

5.5.3.6 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following matters when assessing applications for a discretionary activity pursuant to the above heritage and natural features rules:

(a) Heritage items

- (i) the nature of the proposed activity, and any actual or potential effect on the heritage item or its surrounding area that would arise as a result of the activity;
- (ii) the original reasons for inclusion of that item in the District Plan Schedule, the registration (if applicable) and the reasons for this registration of the heritage item under the Heritage New Zealand Pouhere Toanga Act 2004 ;
- (iii) the assessment of environmental effects submitted with an application for resource consent;
- (iv) the recommendations made by Heritage New Zealand and local conservation groups;
- (iv) the provisions of any relevant conservation plan, heritage inventory, or iwi management plan;
- (vi) proposed mitigation measures to avoid any detrimental effect on the heritage value of the item;
- (vii) whether the item can be resited to another location;
- (viii) whether the item is structurally unsound or has the potential to cause damage or risks to the surrounding infrastructure or to human health and safety;
- (ix) whether the costs to the community or individual of maintaining the item are shown to significantly outweigh the community and/or environmental benefits of maintaining the item;
- (x) methods, techniques and materials to be used in the work proposed;
- (xi) landscape works, parking areas and location of vehicle access points;
- (xii) any proposed signs, banners, flags, exterior lighting and any other fixture which may affect the characteristics for which the feature was scheduled;
- (xiii) whether there is a need for the Council to obtain photographs and exact details as to the state and location of the item, prior to any proposed work commencing;
- (xiv) the degree to which a proposal reflects the conservation principles of the ICOMOS (National Committee of the International Council on

Monuments and Sites) NZ Charter for the Conservation of Places of Cultural Heritage Value;

- (xv) the significance of the item or place to tangata whenua.

(b) Significant tree, group of trees, vegetation or habitat

- (i) the nature of the proposed activity, and any actual or potential effect on the natural feature that would arise as a result of the activity;
- (ii) the original reasons for inclusion of that item in the District Plan Schedule;
- (iii) the assessment of environmental effects submitted with an application for resource consent;
- (iv) proposed mitigation measures to avoid any detrimental effect on the natural values of the vegetation and/or habitat;
- (v) whether the costs to the community or individual of maintaining the item are shown to significantly outweigh the community and/or environmental benefits of maintaining the item;
- (vi) whether the tree(s) or vegetation is:
- dying or dead, or at risk of falling over wholly or in part
 - badly storm damaged or vandalised
 - causing adverse effects on other parts of the infrastructure of the District, e.g. restricting motorists' sight lines, encroachment onto a road or footpath, encroaching on overhead power lines, or disturbing underground pipes or lines
 - likely to be adversely affected by other works designed to enhance amenity and environmental quality, e.g. road works
 - in the way of a proposed state highway deviation, realignment or widening, where there is no practical or economic way the alignment of the proposed road can avoid the tree/vegetation, or when the tree/vegetation cannot be replanted.

(c) Natural features or landscapes

- (i) the nature of the proposed activity, and any actual or potential effect on the natural feature or landscape that would arise as a result of the activity.

- (ii) the reasons in Schedule 3.3 of Appendix 3 for inclusion of that item in the District Plan Schedule.
- (iii) the assessment of environmental effects submitted with an application for resource consent.
- (iv) proposed mitigation measures to avoid any detrimental effect on those values of the natural feature or landscape for which it is significant.
- (v) whether the costs to the community or individual of maintaining the item are shown to significantly outweigh the community and/or environmental benefits of maintaining the item.

(d) Reserves

- (i) the nature of the proposed activity, and any actual or potential effect on the reserve that would arise as a result of the activity.
- (ii) the assessment of environmental effects submitted with an application for resource consent.
- (iii) the provisions of any relevant reserve management plan, conservation plan or iwi management plan.
- (iv) the opinions of the organisation responsible for administration of the reserve.
- (v) proposed mitigation measures to avoid any detrimental effect on the value of the reserve.
- (vi) the safety, health and wellbeing of the community.
- (vii) landscape design and site layout, including fences, screen planting, and lighting.

6 INTERPRETATION

PART 6

6.1	DEFINITIONS	6-1
6.2	Explanation of Maori Terms used in the Plan	6-12

6.1 Definitions

Unless otherwise defined in this Plan, the following definitions shall apply for the purposes of administering the District Plan:

Act means the Resource Management Act 1991.

Accessory building means any building or part of a building, or activity, which is ancillary and secondary to any lawful existing activity on a site.

Accessway means land which provides physical and legal access for one or more properties and which is held by an individual owner or in-common, and it includes entities such as a driveway, right-of-way, private way and common access lot.

Allotment means an allotment as defined in Section 218 (2) of the RMA.

Amenity forestry refer to definition of "Protection and amenity forestry"

Amenity values means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

Antenna means any device including any dish, panel, yagi, whip or aerial that receives or transmits radio communication or telecommunication signals.

Bed, in relation to a waterbody, has the same meaning as defined in Section 2 of the Resource Management Act 1991.

Bulk retail means the use of land or premises for retail or wholesale sales of bulky goods or other goods where a large amount of space is required, including, but not limited to, hardware and D.I.Y centres, garden centres, vehicle showrooms and yards and other low-density retail and wholesale activities.

Car equivalent movement is defined as follows:

- 1 car movement to and from the site = 2 car equivalent movements
- 1 truck to and from the site = 6 car equivalent movements
- 1 truck and trailer to and from the site = 10 car equivalent movements

provided that a single residential dwelling is deemed to generate 8 car equivalent movements per day (24-hour period).

Commercial forestry means forestry principally for commercial gain. It does not include protection and amenity forestry (refer also to definitions of "forestry" and "protection and amenity forestry").

[Note: "Forestry" now falls within the ambit of "Plantation Forestry" as defined and regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.]

Community business means an activity serving the needs of the local area or neighbourhood as its *primary* function, from premises having a gross floor area of less than 150m², including dairies and other small shops/businesses.

Community facility means the use of land or buildings for the provision of a community service to the general public and includes educational facilities (including, but not limited to, kohanga reo and childcare centres), hospitals, medical facilities and clinics, places of worship, community halls, libraries, police and fire stations.

Controlled activity means an activity which the Plan specifies as a controlled activity and which is allowed only if a resource consent is obtained from the Council in respect of that activity. The Council shall assess the activity only in respect of those matters specified in the Plan over which it has retained control and it shall grant consent subject to conditions relating only to the specified matters.

Council means the Tararua District Council or any committee, sub-committee or person to whom the Council's powers, duties and discretion under the provisions of the RMA or this Plan has been delegated pursuant to the provisions of the RMA or the Local Government Act 2002.

Crossing place means the point on the property boundary where there is authorised access to a legal road.

Derelict site means any land which detracts, or is likely to detract, to an observable, significant degree from the amenity, character or appearance of land in the neighbourhood of the subject site because of -

- (a) the existence on the subject site of buildings or structures which are in a ruinous, derelict or dangerous condition, or
- (b) the neglected, unsightly or objectionable condition of the land or any structures on that land, or
- (c) the presence, deposit or collection on the land in question of any litter, rubbish, debris, waste, or more than one derelict vehicle visible beyond the site, except where the presence, deposit or collection of such litter, rubbish, debris, waste or derelict vehicles results from the exercise of a right conferred by the District Plan or a resource consent.

Derelict vehicle means any car, truck, bus, tractor or other vehicle which is not currently registered or warranted as required by law and which is unable to be driven under its own power.

Designation means a provision made in a district plan to give effect to a requirement made by a requiring authority under Section 168 or Section 168A of the Resource Management Act 1991, or Clause 4 of the First Schedule of the Act.

Development means any subdivision or any proposed activity to be undertaken on land, whether or not a resource consent is required.

Discretionary activity means an activity which the Plan specifies as being allowed only if a resource consent in respect of the activity is obtained from the Council, which must exercise its discretion whether or not to grant consent in accordance with the criteria specified in the Plan and the RMA.

Domestic scale electricity generation from renewable energy sources means generating electricity on a site to meet the needs of the users of that site and includes the export from the site of any surplus electricity to a local electricity distribution network.

Dwellinghouse means a self-contained detached residence designed for, or occupied exclusively by, one household.

Energy conservation means a reduction in energy use.

Energy efficiency means a change to energy use that results in an increase in net benefits per unit of energy.

Entertainment and sports premises means any land or buildings used by the public, or members of a club, for indoor recreation, entertainment or sports, and includes premises licensed under the Sale of Liquor Act 1989, theatres, cinemas, amusement galleries, gymnasiums, sports clubs, saunas and premises controlled by the Prostitution Reform Act 2003.

External sound insulation level means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) described using $D_{nT,w} + C_{tr}$ as defined in ISO 717-1:1996 *Acoustics – Rating of Sound Insulation in Buildings and Building Elements* using spectrum No.2 (A-weighted traffic noise spectrum) and ISO: 140-5: 1998 *Acoustics – Measurement of Sound Insulation in Buildings and of Building Elements – Part 5: Field Measurements of Airborne Sound Insulation of Façade Elements and Façades*.

Factory farming means the production of plant or animal produce, or the keeping of plants or animals, where the process is carried out largely indoors or in a restricted space and which is not dependant on the soil characteristics of the site on which it is situated and includes for example, poultry farms, pig farms where groundcover is not maintained, apiaries, rabbit farms, fitch farms, opossum farms,

mushroom farms, feedlots for commercial livestock such as cattle, and animal boarding establishments such as kennels and catteries. It does not include glasshouse production and nurseries for pot grown plants where production is dependent on the soils of the site, calf-rearing where the calves are inside or in a restricted space only for the purpose of rearing (ie for only part of their lifespan), the wintering of farm animals in sheds or on pads and the stabling of horses.

Factory shop means a retail shop on the same site and secondary and ancillary to a permitted industrial use selling only items manufactured, processed, repaired or serviced on the site, or items reasonably associated with the principal use such as parts and accessories.

Farming means the use of land and accessory buildings for the purposes of growing vegetative matter or raising and/or breeding animals, and includes pastoral farming, dairy farming, horticulture, glasshouse production, tree or plant nurseries, seed orchards, vineyards, cropping and horse breeding and training where production primarily depends upon the soil characteristics of the site. Farming does not include factory farming or goat farming (refer separate definitions).

Forestry means the planting, replanting, management and harvesting of forests or tree plantations for soil conservation, catchment management, production of timber, or other forest produce, recreational, aesthetic, or scientific purposes.

[Note: "Forestry" now falls within the ambit of "Plantation Forestry" as defined and regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.]

Forestry Development Notice means a notice submitted to Council within one year of the completion of planting of a commercial forest in a continuous block of 10 hectares or more, and which contains the following information:

- the legal description and the area of the land planted in forestry;
- a site plan showing the area planted, any significant stands of indigenous trees/bush (and protective buffer areas as appropriate) and any known or potential archaeological remains;
- the species of trees planted;
- general details of forestry management which includes site preparation, stocking, timing of tending (pruning and thinning), weed control, fire control and protection, and measures to protect riparian margins adjacent to waterbodies;
- approximate timetable (years) for future harvesting of trees;
- date (generally when trees are about 15 years old) when the forest owner (or nominee) will advise the Council of the anticipated transportation routes that will be used for transporting timber, logs and machinery during harvesting.

General business means any business activity, including retail, wholesale, food service (eat in or takeaway), office and service activities, but excluding entertainment and sports premises and industrial (manufacturing and processing) activities.

Goat farming means the keeping of more than 10 goats.

Hazardous facilities means activities involving hazardous substances, sites where hazardous substances are stored or handled or which might be contaminated by hazardous substances, and installations containing hazardous substances, including vehicles for their transport. A hazardous facility does not include:

- the incidental use and storage of hazardous substances in minimal domestic scale quantities (i.e. household cleaners, swimming pool chemicals, lawn mower fuel and garden sprays);
- fuel in motor vehicles, boats, farm machinery and other small engines;
- retail outlets for hazardous substances used on a domestic scale (i.e. dairies, supermarkets, hardware shops, pharmacies, home garden centres);
- gas and oil pipelines;
- trade waste sewers and sewerage waste treatment and disposal facilities.

Hazardous substances as defined in Part 1 Section 2 of the Hazardous Substances and New Organisms Act 1996.

Healthcare facilities means facilities used by one or more health professionals (including dentists) for the purpose of providing a health care service to the public and includes medical laboratories but does not include a healthcare institution, such as a hospital, in which there is overnight accommodation of patients.

Height, in relation to a building means the vertical distance between the actual ground level and the highest part of the building (excluding aerials, lightning rods, flagpoles, chimneys and other attachments to the building not exceeding 0.2 metres in diameter or width) immediately above that point.

Heritage Protection Authority has the same meaning as defined in Section 187 of the RMA.

Heritage Resource means any place, site, structure, monument or area that the Council, in consultation with the community, has identified in the District Plan as significantly contributing to the amenity of the District.

Interpretation

Household means the person(s) inhabiting a dwellinghouse or household unit on a permanent basis including:

- Family occupancy (including extended families)
- A group of people in a domestic situation (e.g. flats)

Home occupation means any business, profession, craft or hobby which is undertaken from a site or premises used primarily for residential use and which does not give rise to significant adverse environmental effects.

Industry (and industrial activity) means premises used for the manufacturing, processing, packing, storage, distribution or servicing of goods, materials, equipment or other products.

Infrastructure means any of the following:

- (a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy:
- (b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001:
- (c) a network of the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989:
- (d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person-
 - (i) uses them in connection with the generation of electricity for the person's use; and
 - (ii) does not use them to generate any electricity for supply to any other person:
- (e) a water supply distribution system, including a system for irrigation:
- (f) a drainage or sewerage system:
- (g) structures for transport on land by cycleways, rail, roads, walkways, or any other means:
- (h) facilities for the loading or unloading of cargo or passengers transported on land by any means:

- (i) an airport as defined in section 2 of the Airport Authorities Act 1966:
- (j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990:
- (k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988:
- (l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166".

Loading space means a space on a site suitable and available for fuelling or loading and unloading of commercial vehicles.

Lot means "allotment" (refer above).

Marae means a defined area of land set apart for the common use of a Maori community and may include a complex of buildings such as a meeting house, dining hall, accommodation, ablution block, urupa and other community, recreational and educational facilities associated with the marae.

Minor repairs, in relation to any heritage item (such as an historic building), means the repair of materials by patching, piecing in, splicing and consolidating existing materials and including replacement of minor components such as individual bricks, cut-stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than existing.

Natural Hazard Area (Flooding) means land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 years) flood event."

Network utility means an activity or operation of a network utility operator (see below) and generally includes those facilities which provide an essential service to the public in terms of telecommunications, radiocommunications, electricity and gas reticulation, water supply (including irrigation), sewerage reticulation, sewage treatment and disposal, drainage and stormwater systems, roads, railway and airports. Network utilities also include navigational aids and meteorological facilities.

Network utility operator has the same meaning as defined in Section 166 of the RMA.

No-complaints covenant means a restrictive covenant registered on the Title to a site ("Site") by the landowner or a binding agreement by that landowner ("covenantor") to covenant, that:

Interpretation

- (i) Is in a form agreed to by and in favour of the owner/occupier of a specified activity or site existing at the time at which the agreement to covenant is entered into (“existing activity”);
- (ii) Is binding on any successors in title;
- (iii) Requires that the owner/occupier of the Site not complain about or otherwise seek to limit or restrict (directly or indirectly) any effects generated by the lawful operation of the existing activity, including any effects that could be generated as of right at the time at which the agreement to covenant is entered into; and
- (iv) Unless in conflict with (iii) and unless otherwise agreed between the covenantor and the owner/occupier of the existing activity, does not require the covenantor to forego any right to lodge submissions in respect of any resource consent application or plan change in relation to the existing activity.

Non-complying activity is an activity which contravenes a rule in the District Plan and is allowed only if a resource consent is obtained from the Council in respect of that activity.

Notice of Requirement means a notice lodged with a territorial authority by a Requiring Authority, which has financial responsibility for a public work or project, for a designation:

- (a) for a public work
- (b) in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe and efficient functioning or operation of a public work.

A Notice of Requirement should be made in the prescribed form (i.e. Form 18 in the Resource Management (Forms, Fees and Procedure) Regulations 2003), or to like effect.

Notional boundary means a line 20 metres from any side of a dwelling, or the legal boundary where this is closer to the dwelling.

Plan means the Tararua District Plan, unless otherwise stated.

Prospecting means the use of standard geological survey techniques (including geophysical surveys, seismic surveys, geochemicals surveys, grid and line surveying) to assess the mineral potential of an area, in accordance with a Prospecting or Exploration Permit under the Crown Minerals Act 1991. It does not include detailed exploration (i.e. bulk sampling, drilling, trenching or tunnelling) or mining activities.

Protection and amenity forestry means forestry principally for river protection (including management of water quality and/or mitigation, avoidance or

remediation of the adverse effects of land use on rivers), erosion control, soil stabilisation, visual and recreational use, and the provision of shelter and general amenity, and includes the sale of timber from thinning or replacement operations.

Public work means every work which the Crown or any local authority is authorised to construct, undertake, establish, operate, or maintain, and every use of land which the Crown or any local authority is authorised to establish and continue, by or under this or any Act (including any existing or proposed public reserve within the meaning of the Reserves Act 1977 and any National Park purposes under the National Parks Act 1980); and includes anything required directly or indirectly for any such work or use.

Renewable energy has the same meaning as defined in Section 2 of the RMA.

Requiring Authority has the meaning set out in Section 166 of the RMA.

Residential unit means a self-contained dwelling house, flat, or unit which is used primarily for permanent or long-stay residential activity and may be either attached to, or detached from, other activities or residential units on the site.

Residential accommodation means the use of any land or premises primarily for permanent or long-stay residential activity and, in addition to dwellinghouses and other residential units, it includes retirement and convalescent homes. It does not include those activities included under the definition of "visitor accommodation".

Restaurant means any premise, including any land, building or part of a building, where meals are sold to the public for consumption on site.

Restricted Access Road means any road listed in Appendix 5: Road Hierarchy as a road to which access is restricted.

Riparian margin means a strip of land of varying width adjacent to a water body which contributes to the natural functioning, quality and character of the water body, the land margin, and their ecosystems. Riparian planting or riparian vegetation is vegetation in a riparian margin that help to mitigate adverse effects from the use or development of adjacent land, such as contaminated stormwater (run-off) discharges.

RMA means the Resource Management Act 1991, including all subsequent amendments to that Act.

Road reserve means the area of land situated between the edge of the formed section of a legal road and its boundary with adjoining land.

Rural industry means industry which serves or supports the rural area or has some specific feature which justifies a rural location, and includes, but is not limited to, operations for the processing or packing of agricultural or horticultural produce

Interpretation

or by-products, stock and saleyards, and rural transporting and agricultural contractors yards.

Rural selling place means any land, building or part of a building that is used for the sale of fruit, vegetables, or other natural products produced or grown on the site, or the products of home occupations produced or created on the site. Where the purchaser harvests the produce (i.e. "pick your own" activities) the rural selling place means any land, building or part of a building in which such produce is weighed, packaged or sold.

Sign means any name, figure, character, outline, display, notice, placard, delineation, poster, handbill, advertising device or appliance, or any other thing of a similar nature, which is designed to attract attention for the purpose of directing, identifying, informing or advertising. A sign includes any frame, background, structure or support and shall also include any of the foregoing things when displayed on a vehicle.

Site refers, as appropriate in the circumstances, to:

- (a) An area of land, comprising one or more lots, which is contained in a single Certificate of Title; or
- (b) An area of land, comprising one or more lots, which contain a proposed or existing development or land use.

Soil conservation and river control works means works undertaken for the mitigation of soil erosion or flood hazards, including any associated structures and construction and maintenance activities.

Special purpose lot means an allotment created for any of the following purposes:

- (a) to be owned in common for access or similar other special purposes as part of a subdivision;
- (b) network utility purposes;
- (c) a public work;
- (d) an esplanade reserve or strip;
- (e) an access denial or segregation strip;
- (f) an access strip from one public place to another public place;

(g) the protection of significant heritage and environmental features from development and the adverse effects of land use activities as specified below:

- a heritage protection site
- waahi tapu land gazetted under the Maori Affairs Act 1953
- any feature listed and described in Section 5.5
- a statutory acknowledgement area.

(h) Reserves under the Reserves Act 1977 and Conservation Act 1987.

Temporary activities means any use of land, building or other structures for the purposes of:

- (a) a building, construction or demolition project (excluding any feature protected in the Schedule of Heritage Resources or Schedule of Natural Features in this Plan), for a duration of not more than 6 months;
- (b) a sporting or recreational event, public meeting, gala and market days, or other public event, for a duration of not more than 7 days;
- (c) temporary storage of goods or materials (excluding hazardous substances) for a duration of not more than 6 months;

Temporary military training means temporary training undertaken for defence purposes. Defence purposes are those in accordance with the Defence Act 1990. The Defence Act also enables access to Defence Areas, which includes areas utilised for temporary military training activities to be restricted.

Timber includes trees when they have fallen, or have been felled, and whether sawn, hewn, split, or otherwise fashioned; and includes tree ferns, woodchips, timber products, and the roots and stumps of trees.

Urban buffer area means the land around Dannevirke, Woodville, Pahiatua and Eketahuna which is shown as being in the “urban buffer area” on the planning maps.

Vehicle crossing means the formed area of accessway which is located on legal road and which is used to gain physical access from the formed part of the legal road to the property boundary.

Visitor Accommodation means the use of any land or premises for the provision of temporary accommodation and includes private hotels, motels, hostels and boarding houses, holiday or tourist flats, camping grounds, bed-and-breakfast facilities and other short-stay rented residential accommodation. *[Note that bed-and-breakfast activities may also be home occupations.]*

6.2 Explanation of Maori Terms used in the Plan

[Note: This section does not form part of the District Plan rules.]

This section of the Plan provides a guide to the meaning of various Maori terms used in this Plan, particularly in Section 2.10 which sets out the Council's policies in relation to the Treaty of Waitangi and Maori resource management values. This section of the Plan has been adapted in part from the Regional Policy Statement for Manawatu-Wanganui Region. It is intended only as a **guide** for readers unfamiliar with the Maori language and, as such, it gives rather simplified explanations for sometimes complex Maori concepts. It is not the purpose of this section to provide a comprehensive definition of all Maori terms used.

Hapu means a social, economic and political unit comprised of **whanau** (extended families) each recognising descent from a common ancestor(s). Whanau belonging to a hapu combine in socio-political and economic activities and live, or own land, in a localised area. A hapu boundary will exist within which are situated marae, kainga and pa - hapu gathering places or villages).

Iwi means a political grouping comprised of several hapu, each recognising descent from a common ancestor(s). The hapu within an iwi recognise not only genealogical ties but geographical, political, and social ties. Today, iwi are represented by many organisations, including trust boards, runanga, iwi authorities etc., but only in specific areas where the mandate to do so has been given by their constituent hapu.

Kaitiakitanga means the exercise of guardianship (spiritual or physical) which, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.

Mana means legitimacy to act in an authoritative and responsible capacity.

Marae means spiritual, social, political and economic gathering places of iwi, hapu, whanau, and all manner of Maori groups and organisations. Marae may be whanau, hapu or iwi based. Strict observance of tikanga Maori ensures the retention of Maori language, lore, customs, values, and beliefs. Many whanau, hapu and iwi initiatives are run from this marae base (e.g. kohanga reo, kokiri administration centres, health clinics)

Rahui refers to a social system of prohibition which recognises the tapu state of a resource or used as a regulatory device to ensure wise management of a resource.

Tangata whenua refers to the iwi, hapu or whanau holding mana in a particular locality.

Taonga means all things prized or treasured, both tangible and intangible.

Tapu (or taapu) means a religious or superstitious restriction or condition affecting, or protecting, persons, places, and things.

Tikanga Maori refers to the social norms, practices and lore adhered to by Maori.

Te Tiriti O Waitangi is Maori for "the Treaty of Waitangi", and it refers to the Maori text which most iwi and hapu signed and which contains for Maori the fullest expression of the spirit (principles) of the Treaty.

Urupa is a graveyard or burial site. These can include registered and unregistered graveyards or places where skeletal remains are kept (caves, hollow trees etc). They are tapu because they are associated with death.

Waahi tapu are sites, areas, or localities associated with tapu (sacred places). These may include urupa, places where baptismal rites are performed, historic battlegrounds etc. Only tangata whenua may identify their waahi tapu.

Whanau is the basic unit of Maori social structure and is an extended family comprising children, parents, grandparents and cousins, uncles, aunties and so on. Today, whanau members may live separately yet share a mutual existence.

Whenua means the land.

7 PROCEDURES AND INFORMATION REQUIREMENTS

PART 7

7.1	INTRODUCTION	7-1
7.2	Resource Consents	7-2
7.2.1	CATEGORIES OF ACTIVITY	7-2
7.2.2	TYPES OF CONSENT	7-3
7.3	Resource Consent Process	7-5
7.3.1	LODGING A RESOURCE CONSENT APPLICATION	7-5
7.3.2	INFORMATION REQUIREMENTS FOR RESOURCE CONSENT APPLICATIONS	7-5
7.3.3	ADDITIONAL INFORMATION FOR SUBDIVISION CONSENT APPLICATIONS	7-6
7.3.4	FURTHER INFORMATION	7-8
7.3.5	NOTIFICATION	7-9
7.3.6	TIME FRAMES	7-10
7.3.7	SUBMISSIONS ON NOTIFIED RESOURCE CONSENT APPLICATIONS	7-10
7.3.8	HEARING PROCEDURES	7-10
7.3.9	DECISIONS	7-12
7.3.10	RESOURCE CONSENT PROCEDURES	7-12
7.3.11	CHANGES TO OR CANCELLATIONS OF CONDITIONS	7-14
7.3.12	OBJECTIONS TO THE COUNCIL AND APPEALS TO THE ENVIRONMENT COURT	7-14
7.4	Miscellaneous Provisions	7-15
7.4.1	CHANGES TO THE DISTRICT PLAN	7-15
7.4.2	EXISTING USE RIGHTS	7-15
7.4.3	DESIGNATIONS	7-16
7.4.4	HERITAGE PROTECTION ORDERS	7-19
7.4.5	CERTIFICATE OF COMPLIANCE	7-20
7.4.6	ENFORCEMENT MEASURES	7-21
7.4.7	EMERGENCY WORKS (SECTIONS 330 - 331)	7-22
7.4.8	MONITORING (SECTION 35)	7-22
7.4.9	COUNCIL CHARGES FOR DISTRICT PLAN ADMINISTRATION	7-22

7.1 Introduction

The RMA establishes an administrative and statutory framework for the management, use and protection of the natural and physical resources of the District. By virtue of the RMA, the Council is required to enforce compliance with this Plan. Reference should be made to the provisions and requirements of this Plan before any activity is undertaken or commenced and before an application for a resource consent is lodged with the Council.

7.2 Resource Consents

7.2.1 CATEGORIES OF ACTIVITY

In terms of the RMA and for the purposes of administering the Plan, activities are classified into five groups. These are:

- (a) Permitted
- (b) Controlled
- (c) Restricted Discretionary
- (d) Discretionary
- (e) Non-Complying
- (f) Prohibited

7.2.1.1 Permitted Activity

A permitted activity does not require a resource consent provided the activity complies in all respects with the relevant rules/standards of the Plan. A "certificate of compliance" may be issued (but is not required) for a permitted activity on application to the Council, to certify that the activity fully complies with the provisions of the District Plan (refer to Section 7.4.5 below).

7.2.1.2 Controlled Activity

A "controlled activity" requires a resource consent before it can proceed. Consent to a controlled activity application must be granted, but conditions may be imposed as part of the consent. Controlled activities are those which are anticipated to have a minor adverse effect on the environment which is able to be controlled by way of conditions. The Council may only impose conditions in respect of those matters for which it has reserved control as set out in this Plan.

7.2.1.3 Discretionary Activity

A "discretionary activity" can only proceed once a resource consent is granted. The Council has discretion to refuse its consent to an application, or to grant consent with or without conditions. For a "restricted discretionary" activity, the Council's discretion in granting or refusing consent is limited to those matters to which it has restricted its discretion as set out in the District Plan. The Council

shall have regard to any matters it considers relevant and reasonably necessary to determine the application, in accordance with section 104 of the RMA.

7.2.1.4 Non-complying Activity

A "non-complying activity" is an activity which contravenes a rule in the Plan and is only allowed to proceed if a resource consent is granted. A non-complying activity is any activity which is not provided for in the Plan as a permitted, controlled, discretionary or prohibited activity.

7.2.1.5 Prohibited Activity

The RMA enables the District Plan to specify "prohibited activities" for which no applications for resource consent can be made, and no resource consents can be granted.

7.2.2 TYPES OF CONSENT

Reference has been made above (in 7.2.1) to the need to obtain resource consents in respect of certain categories of activity.

The Council is empowered to grant two types of resource consents, namely:

- (a) a land use consent, and
- (b) a subdivision consent.

Other resource consents such as water permits, discharge permits or coastal permits are issued by the MWRC or the Wellington Regional Council. Where more than one resource consent is required for an activity, this must be stated in the application.

7.2.2.1 Land Use Consent

A land use consent is required for the use of any land in a manner which contravenes a rule in this plan unless either:

- (a) a resource consent has been applied for and granted, or
- (b) the activity complies with Section 10 of the RMA which provides for certain existing uses to continue.

Activities which may generate adverse effects necessitating the specific formulation of mitigation conditions have been provided for either as controlled activities or as discretionary activities. In either case, a resource consent shall be applied for and an assessment of the effects on the environment must be submitted for the consideration of the Council.

The Council may, in considering applications for resource consents, grant consent in accordance with any criteria specified in the Plan, and shall include conditions in the consent, in accordance with the Plan, as appropriate.

As noted in Section 7.2.1.1, while no resource consent application is necessary for a permitted activity, a request may be made for a Certificate of Compliance. Such a certificate, if granted, will state that the particular proposal or activity complies with the plan in relation to that location on the date of receipt of the request by the Council. It is deemed to be either a land use consent or a subdivision consent, whichever is appropriate, and has a currency of five years.

7.2.2.2 Subdivision Consents

Rules governing the subdivision of land are set out in Section 5.1 of this Plan. Generally, land may not be subdivided unless expressly allowed by a rule in the Plan or a resource consent (subdivision consent) has been applied for and granted. Section 11 of the RMA (which relates to the subdivision of land) also provides for a number of specific instances where subdivisions may be undertaken.

The assessment of the impacts of subdivision is dealt with in the RMA, and is subject to the provisions of the District Plan.

The definition of subdivision includes cross leases, company leases, and unit title divisions.

The subdivision application will follow the standard process set out in Part IV of the RMA. Part X of the RMA sets out certain provisions which relate specifically to the subdivision of land.

Rule 7.3.3 sets out information requirements for subdivision consent applications. These requirements are additional to the type of information required to accompany applications for other resource consents (e.g. for land use consent).

7.3 Resource Consent Process

7.3.1 LODGING A RESOURCE CONSENT APPLICATION

The RMA sets out the process for applying for resource consents (Section 88). An application for a controlled, discretionary or non-complying activity shall be in the form as set out in Form 9 of the Resource Management (Forms, Fees and Procedure) Regulations 2003. Forms are available from all Council Offices.

7.3.2 INFORMATION REQUIREMENTS FOR RESOURCE CONSENT APPLICATIONS

Information required to be submitted with all resource consent applications is outlined in Section 88 and the Fourth Schedule to the RMA. For applications to subdivide land, additional information requirements apply (refer to 7.3.3 below).

Information to be supplied with all resource (land use) consent applications shall be as follows:

- (a) A description of the activity and its location (including, where appropriate, legal description, street address, topographical map reference)
- (b) An Assessment of Effects on the Environment, which is to include all those matters specified in the Fourth Schedule to the RMA (refer below).

The assessment is to be in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment. For applications involving controlled activities, an environmental assessment covering criteria specified in the Plan over which the Council has retained control shall be prepared by the applicant. Where the application relates to a discretionary activity, the assessment will be required to address those criteria over which discretion is identified. Where a resource consent application will affect any heritage item or significant natural feature which is listed in Appendix 2, 3 or 4 of this Plan, reference should be made to section 5.5 of this Plan for further details of information to be provided.

- (c) A statement specifying all other resource consents required from any consent authority in respect of the activity, and whether or not the application has applied for such consents.

7.3.3 ADDITIONAL INFORMATION FOR SUBDIVISION CONSENT APPLICATIONS

The following information and explanation shall be shown on the subdivision plan, or included in an accompanying report, as the case may require. The Council may waive any of the following information requirements where it is satisfied that such information is not necessary in the circumstances.

- (a) Existing and proposed easements.
- (b) Existing and proposed amalgamation conditions.
- (c) How the proposed subdivision complies with the subdivision and performance standards specified in this Plan. Where the subdivision does not meet the performance standards specified, evidence as to how the assessment criteria are to be met.
- (d) A plan drawn accurately to a suitable metric scale showing:
 - (i) all the land being subdivided, the legal description and Certificate of Title boundaries of the land, and the area and dimension of all new lots;
 - (ii) the position of all new boundaries and easements (both existing and proposed);
 - (iii) the location and areas of new reserves to be created, including esplanade reserves or esplanade strips to be set aside;
 - (iv) the location and area of land to vest in Council as road;
 - (v) the location and areas of any part of the bed of a river or lake which is required to be shown on a survey plan as land to be vested in the Crown;
 - (vi) where appropriate, contours and spot heights to show the general fall of the land and appropriate grade of roads or access;
 - (vii) the location of any significant trees, heritage features or archaeological sites, including any feature that is listed in Appendix 2 or 3 of this Plan;
[Note: the undertaking of an archaeological survey would be desirable in some situations but it is not a mandatory requirement.]
- (e) Copies of the current Certificate of Title for the land being subdivided;

- (f) The nature and standard of existing and proposed network utility services such as roads, sewage disposal, stormwater, electricity, gas, water and telecommunications;
- (g) Where services are not available, evidence that the following are able to be provided in respect of each and every allotment shown on the plan of the proposed subdivision:
 - (i) A stable building platform;
 - (ii) A potable domestic water supply;
 - (iii) Practical physical access to an existing formed legal road;
 - (iv) An area of land large enough for the satisfactory disposal and treatment of sewage and domestic effluent;
 - (v) Satisfactory disposal of stormwater, such that erosion, pollution, siltation or flooding of any water course or groundwater is avoided.
- (h) A report from a registered engineer with experience in soil mechanics, geotechnical and/or wastewater engineering as appropriate and, if necessary, records of test data, shall be provided as evidence that (g) (i), (iv) and (v) above are satisfied. Information to be provided shall include:
 - (i) A detailed soil and, if necessary, a geotechnical assessment;
 - (ii) Identification of relevant topographic and drainage features;
 - (iii) An assessment as to any actual or potential effects of effluent disposal on water supplies from existing bores;
 - (iv) An assessment of actual or potential effects of effluent on surface ground water in the locality of the proposed subdivision;
 - (v) An assessment of the likely volumes of effluent to be treated for a typical site; and
 - (vi) Certification as to an appropriate on-site disposal system which would ensure that any adverse environmental effects are avoided.
- (i) Three copies of the subdivision report and three full scale copies of the plan along with a good quality A4 reduction shall be supplied when lodging an application in hard copy form.

A further full-scale copy is required in the following situations:

- Amalgamation of Lots;
- Waiver of Esplanade Reserve;
- Land abutting a Railway or State Highway;
- Land abutting land, that is, or will be, the subject of a Heritage Protection Order.

An application may be lodged with the Council in electronic form, provided it is secure and of a size and in a format able to be accepted by the Council.

- (j) Where the subdivision abuts a railway or State Highway, information on consultation undertaken with the responsible agency and the results of that consultation shall be supplied;
- (k) Where an archaeological site has been identified within the site, a report from an archaeologist may be required.

7.3.4 FURTHER INFORMATION

Where the Council considers that the information submitted with an application for a resource consent or a notice of requirement is deficient in terms of the requirements of the RMA it may require the applicant to provide further information (Sections 92 and 169 of the RMA). The Council may only require further information to enable it to better understand the nature of the activity in respect of which the application for a resource consent or requirement notice is made, the effect it will have on the environment, or the ways in which any adverse effects may be mitigated.

Section 92 of the RMA provides that where the Council considers that a significant adverse effect on the environment may result from an activity to which a resource consent application or requirement notice relates, the Council may require an explanation of:

- (a) Any possible alternative locations or methods for undertaking the activity and the applicant's reasons for making the proposed choice; and
- (b) The consultation undertaken by the applicant.

The Council may also commission a report, at the applicant's expense, on any matters relevant to the application or requirement notice where it is necessary for the Council to better understand the nature of the activity, the effect it will have on the environment, or the ways in which adverse effects may be mitigated. Council

shall discuss the commissioning of a report with the applicant prior to engaging persons for its preparation.

7.3.5 NOTIFICATION

Sections 95A to 95G of the RMA set out the requirements and provisions regarding notification of applications.

Where any heritage item listed in Appendix 2 is affected, Heritage New Zealand is considered to be an "affected person" for the purpose of considering the need for notification pursuant to Sections 95A to 95G of the RMA.

In considering such applications, Council will have regard to:

- the objectives, policies and rules of the District Plan; and
- the requirements of the RMA.

Notwithstanding the above, the Council may require any application for resource consent to be notified where special circumstances exist. Such circumstances include (but are not limited to) where there is potential for adverse effects on a matter specified in Part II of the RMA (Sections 5, 6, 7, and 8), and where there has been or is likely to be public concern expressed about the effects of the proposed activity.

Where the above does not apply, and once the Council is satisfied that it has adequate information, it shall notify the application in accordance with the requirements of Sections 95A to 95G of the RMA.

This procedure involves the Council preparing a notice in the form set out in the Resource Management (Forms, Fees, and Procedure) Regulations 2003 (Form 12) and serving copies of it on the following people as appropriate:

- Owners and occupiers of the subject land
- Minister of Conservation
- Heritage New Zealand
- Minister of Fisheries
- Persons likely to be directly affected
- Iwi authorities
- Network utility operators
- Other persons and authorities.

The Council is also required to publish the notice in an appropriate newspaper circulating in the area of the District likely to be affected by the proposal to which the notice relates. It may also publish this notice on the Council's website (www.tararua.govt.nz) and may fix the notice to a conspicuous place on the subject site.

The notice will have details of the application and give the closing date for submissions to be received by the Council. Submissions are to be sent to the Council Office nominated in the notice. A copy of any submission lodged with the Council is to be served on the applicant by the person making the submission.

7.3.6 TIME FRAMES

The RMA specifies time limits for the processing of applications for resource consents. The Council may extend these time limits in terms of Sections 37 and 37A of the RMA, although the extension cannot have the effect of more than doubling the maximum limits specified, unless requested by, or with the agreement of, the applicant.

7.3.7 SUBMISSIONS ON NOTIFIED RESOURCE CONSENT APPLICATIONS

Any person may make a submission to a resource consent application that is notified. The information to be provided in the written submission and the time limit for lodgement with the Council is specified in the Resource Management (Forms, Fees and Procedure) Regulations 2003 (Form 13), and Section 97 of the RMA.

7.3.8 HEARING PROCEDURES

(a) Pre-hearing Meetings

The RMA provides for pre-hearing meetings to clarify, mediate or facilitate resolution of any matter or issue (Section 99).

Circumstances where the application is technically complex, raises a number of issues, has generated significant submission and/or concerns in the community, or is confusing due to more than one consent being sought are examples of where a pre-hearing meeting is beneficial.

The administrative, procedural, time, location arrangements and a meeting agenda shall be agreed by all parties prior to any pre-hearing meeting being held. Council shall not call a pre-hearing meeting unless all parties agree that the benefits of holding a pre-hearing meeting will outweigh the costs, i.e. matters may be clarified,

areas of agreement and disagreement identified or a negotiated agreement reached.

Where the outcome of any pre-hearing meeting is reported to the Council it shall be circulated to all parties involved, before the hearing commences, and shall become part of the information which a Council shall have regard to when considering the application.

(b) Hearings

The Council will hold a hearing to consider an application for a resource consent, unless there are no submissions, or the persons making the submissions have stated that they do not wish to be heard and the applicant does not wish to be heard.

A notice advising all parties of the hearing date will be sent out by the Council within the time limits specified under the RMA. The notice will include the location and time of the hearing, the procedural requirements to be followed for the conduct of the hearing, and the information to be provided by the parties involved.

A number of Council functions under the RMA have been delegated to staff. The schedule of such delegations is held by Council and available at Council offices.

(c) Joint Hearings

In order to encourage coherence and consistency in the consideration of consent applications and ensure consistent decision making and reduce delays, joint hearings will generally be held where an application involves the granting of resource consents by both the District Council and either the Manawatu-Wanganui Regional Council or the Wellington Regional Council. This approach shall apply unless the Council and the other consent authority agree that the applications are sufficiently unrelated, and the applicant agrees a combined hearing need not be held.

The Regional Council shall generally be responsible for notifying the hearing, setting the procedure and for providing the administrative services where joint hearings are conducted.

(d) Combined Hearings

When an application involves both a land use consent and a subdivision consent in respect of the same land, and the Council is to hear the applications, a combined hearing will generally be held.

7.3.9 DECISIONS

At the completion of the hearing, the Council considers all the evidence submitted and makes its decision on the application. The decision is then conveyed in writing to the applicant and submitters and such other persons or authorities the Council considers appropriate, including the reasons for the decision. Section 104 of the RMA sets out a range of matters that a Council must consider when making a decision.

The statutory provisions related to the granting of consents are set out in Sections 104 and 104A to 104F, together with other matters related to the granting of consents. Restrictions on the granting of subdivision consent are set out in Section 106.

The RMA provides for resource consents to include conditions relating to matters set out in the RMA (Sections 108 and 220). A resource consent may also include any other condition that the Council considers appropriate, provided it relates directly to the activity for which consent was sought in the application.

7.3.10 RESOURCE CONSENT PROCEDURES

(a) Criteria for Assessing Discretionary Activities

The criteria for assessing discretionary activities are specified in Part 4 of this Plan (for each Management Area) and, in some instances, additional criteria for assessment are included in Part 5 of the Plan in relation to specific standards.

(b) Conditions of Consent that may be imposed

In granting a consent for a proposed land use or subdivision, Council may impose any conditions of consent that it considers appropriate. Appropriate conditions are those which:

- (i) are for a resource management purpose; and
- (ii) are fairly and reasonably related to the development or subdivision authorised by the consent to which the condition is attached; and
- (iii) are not ultra vires.

As specified in Section 108 of the RMA, conditions of a resource consent may include (but are not limited to) one or more of the following matters:

- financial contribution, of:

- money; or
 - land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent) but excluding Maori land; or
 - works, including (but not limited to) the protection, planting, or replanting of any tree or other vegetation or the protection, restoration, or enhancement of any natural or physical resource; or
 - services;
 - or a combination of the above.
- bonds, in respect of the performance of any one or more conditions of the consent, including the alteration or the removal of structures on the expiry of the consent;
 - covenants, in favour of the consent authority in respect of the performance of the performance of any condition of the resource consent (being a condition which relates to the use of land to which the consent relates);
 - administrative charges (pursuant to Section 36 of the RMA or any regulations);
 - information to be supplied relating to the exercise of the resource consent. Such a condition may require the holder of the resource consent:
 - to make and record measurements;
 - to take and supply samples;
 - to carry out analyses, surveys, investigations, inspections, or other specified tests;
 - to carry out measurements, samples, analyses, surveys, investigations, inspections, or other specified tests in a specified manner;
 - to provide information to the consent authority at a specified time or times;
 - to provide information to the consent authority in a specified manner;
 - to comply with the condition at the holder of the resource consent's expense.

In terms of a subdivision consent, the Council may impose any condition specified under Section 220 of the RMA.

7.3.11 CHANGES TO OR CANCELLATIONS OF CONDITIONS

The RMA permits an application to be made to the Council for the change or cancellation of any condition imposed in respect of a consent (other than a condition as to the duration of that consent). An application may be made at any time specified for that purpose in the consent, or on the grounds that a change in circumstances has caused the condition to become inappropriate or unnecessary (Section 127 of the RMA).

The RMA provides for applications to change or cancel resource consents to be non notified in some circumstances notwithstanding the originating application may have been notified (Section 127 of the RMA).

7.3.12 OBJECTIONS TO THE COUNCIL AND APPEALS TO THE ENVIRONMENT COURT

The RMA provides for objections and appeals to be made against certain decisions made by the Council (Sections 120, 357, 357A, 357B, 358 of the RMA). Objections are made to the Council responsible for the decision. Appeals are made to the Environment Court.

(a) Objections

An **objection** to the Council may be made by the applicant in respect of a Council decision concerning the matters set out in Sections 357, 357A and 357B of the RMA.

The procedure for lodging an objection, the time limits to be met and the Council's obligations in considering any objection are set out in the abovementioned Sections of the RMA.

(b) Appeals

An appeal to the Environment Court may be made against the whole or any part of a decision of the Council on a resource consent application, or an application for a change or review of consent conditions by the applicant, consent holder or by any person who made a submission on the application or review of consent conditions (Section 120).

In addition, any person who has made an objection as set out in (a) above, or any person who is affected by the Council's decision on the objection, may subsequently appeal to the Environment Court against the decision (Section 358).

The procedure for lodging an appeal with the Environment Court is set out in Sections 121 and 358 of the RMA.

7.4 Miscellaneous Provisions

7.4.1 CHANGES TO THE DISTRICT PLAN

Changes to the Plan may be made in accordance with the procedures outlined in the First Schedule of the RMA. The Council has a commitment to maintain a District Plan which is current and relevant and which addresses resource management issues and concerns of significance to the District. The provisions of the Plan may, therefore, be changed as necessary. Such changes may be in response to revised or updated national or regional policy statements, regional plans or regional coastal plans. The effectiveness of the Plan will be continuously monitored and the Council shall initiate plan changes which address evolving resource management issues and community needs, improve environmental conditions and enable the Council to better meet its obligations under the RMA.

The process of change is not limited to the initiatives of the Council. Any person may request the Council to change the Plan in accordance with the procedures set out in Part II of the First Schedule of the RMA.

Applicants requesting a change to the Plan must:

- (i) Explain the purpose of and reasons for the proposed change; and
- (ii) Describe the environmental effects anticipated to result from the implementation of the change.

7.4.2 EXISTING USE RIGHTS

In Section 10 of the RMA, provision is made for existing land uses and activities which do not comply with the rules of the operative or proposed District Plan. Generally speaking, such a use has existing use rights and can continue if:

- (i) The use was lawfully established before the rule became operative or the proposed plan was notified; and
- (ii) The effects of the use are the same or similar in character, intensity and scale to those which existed before the rule became operative or the proposed plan was notified.

Under Section 139A of the RMA, an application can be made for an Existing Use Rights Certificate from the District Council to confirm an activity's compliance with the above conditions.

Provision is also made for existing use rights to be established by way of a designation.

Existing use rights do not apply in some situations as specified in Section 10, such as:

- If the work proposed would increase the degree of non compliance of a building with the provisions of the plan or proposed plan
- Where the activity is in the Coastal Marine Area or relates to certain other land use matters which are the responsibility of a Regional Council.

7.4.3 DESIGNATIONS

A 'designation' is a provision made in a district plan to provide for public works and certain types of network utilities, such as electricity substations. A designation provides land use consent for the work, places restrictions on the kinds of activities that can be carried out within the area of that work (Section 176 and 178), and also allows network utility operators access to the compulsory acquisition process.

Land can be designated only by requiring authorities. A requiring authority is a Minister of the Crown, a regional or territorial authority or a network utility operator who has been approved by the Minister for the Environment for a particular project. It should be noted that a territorial authority may issue requirements within its own area of jurisdiction. That is, it may serve a requirement to designate land upon itself.

To designate land, the requiring authority issues a 'requirement' to a Council. The information to accompany a notice of requirement is set out in Section 168(2) of the RMA and the form prescribed by the Resource Management (Forms, Fees and Procedure) Regulations 2003. Generally the information requirements are the same as for a notified application for land use consent. The Council's specific information requirements are set out in section 7.4.3.1 below. The Council may notify the requirement (in accordance with its determinations under Sections 95 to 95F), hear submissions from the public and make a recommendation to the requiring authority as to whether it accepts or rejects the requirement. If accepted, it may recommend conditions (refer section 7.4.3.2 below). The requiring authority then decides whether to confirm, withdraw, or modify the requirement. The decision is publicly notified and can be appealed to the Environment Court.

A requirement that is confirmed becomes a designation. Designated sites within the Tararua District are detailed in Appendix 4 of this Plan and are shown on the Planning Maps by a notation. A designation means that the requiring authority can do anything on the land that is consistent with the designated purpose, and that everybody else must have the permission of the requiring authority to do anything that would prevent or hinder the designated work within the designated area.

Affected landowners can apply to the Environment Court for an order making the requiring authority acquire the land, or an interest in it, if the designation means that they are unable to sell their land at a market rate.

The RMA aims to make it easier for affected landowners to obtain compensation. Landowners will not be required to show evidence of financial hardship to require the designating authority to purchase the designated land. Once approved as a requiring authority for a project, a network utility operator may apply to the Minister of Lands to have the land or an interest in it acquired under the Public Works Act 1981.

A designation lapses after five years unless it has been given effect to or substantial progress is being made towards giving effect to the designation (Sections 184 and 184A).

7.4.3.1 Information Requirements for Designations

The following information shall be included with a notice of requirement for a designation:

- (i) The reasons why the designation is needed;
- (ii) The physical and legal descriptions (noting any distinguishing characteristics) of the site to which the requirement applies;
- (iii) The nature of the work and any proposed restrictions;
- (iv) The effect that the proposed work will have on the environment and the proposed mitigation measures;
- (v) What alternative sites, routes, and methods have been considered;
- (vi) What resource consents will be required in relation to the activity to which the application relates, and whether these have been applied for;
- (vii) A summary of the consultation that has been undertaken with parties likely to be affected by the designation, public work, project, or work. If no consultation has been undertaken the notice must give reasons as to why no consultation has taken place;
- (viii) Site Plans and Locality plans showing the proposed works, the surrounding land uses, and the proximity of the subject site to any item listed in Appendix 2, 3 or 4 of this Plan;
- (ix) Whether the work is a public work in respect of any land, water, subsoil, or airspace for protecting the safe or efficient functioning of a public work, or if

the requirement is for a proposed project or work by a network utility operator approved as a requiring authority under Section 167 of the RMA (if an approved network utility, details of the Gazette Notice empowering the body as a requiring authority must also be supplied, including any specified terms and provisions);

- (x) Details of the current ownership of the subject site. Where the requiring authority does not own the land in question it should provide the following information:
 - the proposed land acquisition programme and site clearance proposals; and
 - if the subject land is currently owned by the Crown or Council, the likely extent of restrictions to the general public for the use and/or access to the land;
- (xi) A 'Project Plan' outlining the programme of works, including whether works will be completed within 5 years or whether the requiring authority requires a longer period over which the designation is to remain operative;
- (xii) Details of the proposed use of the site prior to works commencing, or details of the maintenance of the site once it has been designated for the purpose of protecting the safe or efficient functioning of a public work (e.g. underground pipelines).

7.4.3.2 Recommendations to Requiring Authorities

After considering a notice of requirement Council may recommend to the requiring authority that it amend the requirement to ensure that the purpose and principles of the RMA are not compromised. Such amendment shall be recommended on a case by case basis, and may relate to matters such as:

- the operation and design of the public work;
- public access;
- maintenance of the designated area;
- the use of the designated area in terms of compliance with relevant district or regional rules or regulations where the designated use may compromise the particular values that those other rules and regulations are designed to maintain, protect or enhance;
- adherence to a management plan, or programme or works, to be submitted prior to any works commencing. (This provision does not apply to emergency works).

7.4.4 HERITAGE PROTECTION ORDERS

The RMA provides for a system of heritage protection orders for features and places of national or local significance from a broad range of perspectives including sites of special significance to tangata whenua. It is to be noted that such orders can be applied to features, areas, or the whole or part of any structure, and are not intended to be applied only to historic sites/buildings.

A heritage protection order is similar to a designation, except that its purpose is to protect features and places of national or local importance, or which are significant to tangata whenua. The process followed is essentially the same as for designations and it takes effect through the provisions of the district plan.

An important feature of these provisions is the interim protection offered by issuing a requirement for a heritage protection order. Once a requirement is issued, no person can do anything that would nullify the effect of the order.

Under the RMA, Councils are heritage protection authorities and, therefore, have the power to issue heritage protection orders. So also does any Minister of the Crown, Heritage New Zealand and any heritage protection authority approved under the RMA (Section 188).

The criteria for the assessment of areas and places of significance to tangata whenua will be in terms of their historical, spiritual, or cultural significance.

Heritage New Zealand must be advised by the Council of resource consent applications where the land is subject to a heritage protection order or the proposed activity may affect any historic place, historic area, waahi tapu, or waahi tapu area registered under the Heritage New Zealand Pouhere Toanga Act 2004 .

7.4.4.1 Information Requirements for Heritage Protection Orders

The following information shall be included with a notice of requirement for a heritage protection order:

- (i) The reasons why the heritage protection order is needed;
- (ii) The physical and legal descriptions (noting any distinguishing characteristics) of the place to which the requirement applies, and the surrounding area;
- (iii) Restrictive conditions applying to the place or surrounding area;
- (iv) The effect that the heritage order will, or may, have on the lawful use of the place and surrounding area;
- (v) The extent to which other uses may be continued without nullifying the effect of the heritage order;

- (vi) A summary of the consultation that has been undertaken with parties likely to be affected by the designation, public work, project, or work (including any arrangement made in respect of the place's maintenance). If no consultation has been undertaken the notice must give reasons as to why no consultation has taken place;
- (vii) Site Plans and/or Locality plans;
- (viii) Details of the current ownership of the subject site. Where the heritage protection authority does not own the land in question it should provide the following information:
 - details of any proposed acquisition; and
 - if the place is currently owned by the Crown or Council, the likely extent of access restrictions to the general public;
- (ix) Details of the maintenance of the place.

7.4.4.2 Recommendations to Requiring Authorities

After considering a notice of requirement, the Council may recommend to the heritage protection authority that it amend the requirement to ensure that the purpose and principles of the RMA are met and that the property rights of the owner are not impinged upon. Such amendments shall be recommended on a case by case basis, and may relate to matters such as:

- the heritage protection authority reimburse the owner of the place for any additional costs of upkeep of the place required as a result of the making of the heritage order;
- public access will be allowed, maintained, or upgraded.

7.4.5 CERTIFICATE OF COMPLIANCE

Any person proposing to undertake any land use or subdivision which is provided for in the District Plan as a permitted activity, may request from the Council a certificate stating that the particular proposal complies with the District Plan. A Certificate of Compliance will allow the enjoyment of the same rights as apply to resource consents. This thereby ensures that if the district plan changes, the activity may continue.

Any person requesting a Certificate of Compliance must provide sufficient information for the Council to understand the proposal. Once all the necessary information is at hand, Council will issue a Certificate in accordance with the

requirements of Section 139 of the RMA. Certificates of Compliance lapse after five years if the proposal is not undertaken within that period.

7.4.6 ENFORCEMENT MEASURES

The RMA provides for a range of enforcement measures, aimed at ensuring compliance with the rules of the District Plan and conditions of resource consents, so as to enable Council to achieve its anticipated environmental results. It is the intention of the RMA that persons other than the Council be able to play a direct part in enforcement matters.

There are four different enforcement mechanisms:

(a) Declarations (Sections 310 - 313)

Any person can seek a declaration by the Environment Court on almost any matter related to the RMA. This includes interpreting District Plan provisions and whether the Council is performing in accordance with its resource management obligations under the RMA.

(b) Enforcement Orders (Sections 314 - 321)

Any person, whether or not directly affected by an offending activity, can apply to the Environment Court seeking an order to restrain (among other things) unlawful activity, restore the environment and/or claim reimbursement, to change/cancel a resource consent, to obtain dispensation from the provisions of the Plan, suspend all or part of a Plan. Failure to comply with the order is an offence. The RMA also provides for interim enforcement orders as a means of dealing with emergency situations where significant environmental damage is occurring or is imminent. Interim enforcement orders do not involve the notification procedures required of enforcement orders.

(c) Abatement Notices (Sections 322 - 325)

The Council can issue written abatement notices requiring environmental nuisances to be remedied within a stated period (not less than seven days from when the notice is served). Abatement notices may also be served to require compliance with the District Plan or a resource consent. These are a "first aid" measure aimed at achieving immediate action in relation to such problems as noxious discharges. Failure to act on an abatement notice constitutes an offence, however any person(s) served with an abatement notice has the right of appeal to the Environment Court.

(d) Infringement Notices (Sections 343 A – D)

Where an enforcement officer observes a person committing an infringement offence, or has reasonable cause to believe such an offence is being or has been committed by that person, an infringement notice in respect of that offence may be served on that person.

In addition to these enforcement mechanisms there are separate enforcement mechanisms for excessive noise. The RMA empowers the Council's enforcement officers and the Police to direct that noise judged to be excessive, be reduced (Sections 326 - 328).

7.4.7 EMERGENCY WORKS (SECTIONS 330 - 331)

In emergency situations, or where an adverse environmental effect requires immediate action, remedial actions may be taken by the following:

- The person financially responsible for a public work affected;
- The Council or other consent authority;
- A Network Utility Operator approved as a requiring authority for the work concerned.

Reimbursement or compensation for emergency works may be payable in certain circumstances.

7.4.8 MONITORING (SECTION 35)

Council is required under the RMA to monitor the whole or any part of the District, with particular attention given to the state of the environment, the effectiveness of the District Plan, the exercise of resource consents and any of the Council's functions, powers or duties. On the basis of this monitoring, the Council is required to take action as appropriate and necessary and keep to information relevant to such monitoring and action. (Refer to Part 8 - Monitoring and Review).

7.4.9 COUNCIL CHARGES FOR DISTRICT PLAN ADMINISTRATION

The Council shall recover reasonable costs incurred by the Council in undertaking various administrative functions with regard to the District Plan. The authority to make such charges is contained in the RMA (Section 36) and the procedures to be followed in establishing charges is as set out in the Resource Management Act and the Local Government Act 2002. The types of services for which the Council will impose charges include (but are not limited to):

- Costs associated with applications for plan changes including costs of plan change preparation;
- Receiving, assessing and determining applications for resource consent (including Certificates of Compliance);
- Administration, monitoring and supervision of resource consents;
- Costs associated with receipt, assessment and determination of requirements to designate land;
- Provision of information, plans, and documents.

Current charges for carrying out activities are available from the Council. Where the Council has adopted a fixed charge for a particular matter and this is inadequate to recover actual and reasonable costs, an additional charge may be made by the Council.

8 MONITORING AND REVIEW PART 8

8.1	INTRODUCTION	8-1
8.2	Monitoring Strategy	8-2
8.2.1	OBJECTIVE	8-2
8.2.2	POLICIES	8-2
8.2.3	METHODS	8-2
8.2.4	EXPLANATION	8-3
8.2.5	ANTICIPATED ENVIRONMENTAL RESULTS:	8-4

8.1 Introduction

Section 35 of the RMA establishes a statutory obligation for the Tararua District Council to undertake a range of specific monitoring functions. The requirement is not just to gather information about compliance with the provisions of the RMA and relevant plans and policy documents but also to monitor the "State of the Environment" in the District. The obligation includes a requirement to take appropriate remedial actions and to provide information to the general public.

8.2 Monitoring Strategy

8.2.1 OBJECTIVE

To monitor the state of the environment in the Tararua District (to the extent necessary to fulfil the Council's obligations under Sections 31 and 32 of the Resource Management Act 1991) and the appropriateness, effectiveness and efficiency of the District Plan's policies.

8.2.2 POLICIES

- a. To develop a monitoring strategy for the District consisting of the following three main elements:
 - complaint investigations
 - compliance surveillance (conditions of consent)
 - general surveillance (state of the environment)
- b. To analyse the information collected to identify any resource management trends or issues of concern in the District and to determine appropriate courses of action to remedy any District Plan ineffectiveness or inefficiencies identified.

8.2.3 METHODS

The Council shall implement Policies 8.2.2 (a) and (b) by the following methods:

- (i) *Council service delivery* - The Council shall implement Policy 8.2.2(a) through the establishment of specific research, monitoring, enforcement and review programmes as follows:
 - The Council shall respond to, and investigate, all complaints received from members of the public or other organisations relating to the effects of specific activities, and shall take remedial action, including enforcement actions, where appropriate.

- The Council shall monitor compliance with all conditions that have been imposed in relation to specific consents (building consents, land use consents and subdivision consents) and shall take remedial action, including enforcement actions, where appropriate.
 - During the course of their normal duties, Council staff routinely monitor the state of the environment in the District and identify any matters in need of attention.
 - The Council shall conduct specific research activities including land use surveys and statistical analysis of data obtained through surveillance and enforcement activities, and from records of complaints received, building, subdivision and other resource consents.
 - The Council shall use the data and information gathered to review the appropriateness and effectiveness of the provisions of this District Plan, and the nature and type of conditions of consents being imposed by the Council. In particular, the Council will use information to review all objectives, policies and rules relating to subdivision, rural housing provisions, performance standards and the status of various activities. The maintenance of appropriate records and registers is a prerequisite to the process. To this end, a GIS database has been developed which will not only provide information as required to be supplied for PIMs and LIMs but also to meet the obligations of Section 35 of the RMA.
- (ii) *Public consultation and education* - The Council shall consult with the community to gauge acceptance and understanding of the District Plan and, as a result, undertake appropriate educational programmes and/or review those parts of the Plan which give rise to concern. The Council shall encourage the use of consultative processes by applicants and consent holders as a means of addressing resource management concerns.

8.2.4 EXPLANATION

Sound decision making is based upon having the information necessary to have a clear understanding of the environment and the ways in which elements within it interrelate and react with each other. In preparing this District Plan, the Council has considered the following questions:

- (a) What are the resource management issues that need to be addressed?
- (b) In addressing these issues, what are the desired environmental results sought?
- (c) Are the objectives, policies and rules selected the best ones for achieving the environmental results sought?

- (d) Are there better (i.e., more efficient and effective) ways of doing things, both through the District Plan and through other methods?

These questions will continue to form the basis of the Council's ongoing monitoring and review programmes and to answer them adequately a system of information gathering and assessment needs to be developed and maintained. The monitoring policies and methods in this Plan will ensure that the Council has information on:

- the state of the environment in the District;
- the use, development and state of the physical resources of the District;
- the effectiveness of the policies and methods contained in the District Plan;
- the social, economic and cultural wellbeing, and the health and safety, of the community with regard to the use, development and protection of resources;
- the effectiveness and efficiency of the Council's administration of the District Plan and the RMA.

Monitoring resources and effort must be well targeted. The development of a monitoring strategy allows specific monitoring programmes to be planned, budgeted for through the Annual Plan process, and implemented in a co-ordinated way. Consultation is an effective way of obtaining and disseminating information between the Council, the general public, other statutory and non-statutory organisations, and assessing if the District Plan is working or not.

8.2.5 ANTICIPATED ENVIRONMENTAL RESULTS:

- (i) An effective and efficient monitoring and evaluation (review) strategy that enables Council to assess whether it is achieving the purpose of the RMA (i.e. the sustainable management of the District's natural and physical resources).