

## 28 Rural Zone

NB – Rules that had immediate legal effect under Section 86B (3) of the Act from the date of public notification of this proposed plan are shown in **highlighted text**.

### 28.1 Zone Statement

Most of the land outside the settlements is in the rural area and within the Rural Zone that covers this part of the district. Pastoral farming and production forestry are the main land use activities within the Rural Zone. The economy is dependent on primary production, and the associated secondary processing facilities, in the rural area for the long term growth and development of the district.

The Rural Zone is a working environment that supports a diverse range of production activities and associated processing facilities. It is also the location of network utilities and infrastructure that are important to the District's economy and functioning. The key elements that influence rural character and amenity are:

- A working rural production environment with the orderly arrangement of paddocks, shelter belts, livestock, farm access tracks and production facilities, tree plantations and fire breaks
- An open space environment (in the case of pastoral farming enterprises) with buildings comprising only a minor element in the landscape
- A dispersed pattern of houses
- Noise, odours, sprays and effluent disposal systems associated with a range of production activities
- The absence of urban level infrastructure services
- Wetlands, native vegetation or forest areas, riparian margins and other natural areas.

Agricultural activities within the Rural Zone have changed dramatically over the last decade. Large expanses of land have been converted to more intensive practices including dairy farming, and existing dairy farms have intensified their operations. Consequently the environment and landscape have undergone extensive change, with resulting impacts on biodiversity and water quality. Restoring and protecting the health and wellbeing of the waterways in the Waikato River catchment is essential to achieve the Vision and Strategy for the Waikato River.

Conversion of commercial forestry land for farming is generally accepted as contributing diffuse pollution to waterways in the district. Dealing with the impacts of diffuse discharges on waterways is a pressing national, regional and local issue. For this reason specific environmental consent requirements and performance standards are now included in the district plan to improve the sustainable qualities of the soil resource and the biodiversity of riparian areas and the receiving water environments.

While the protection of the environmental quality of the rural land resource is important, so is the ability of land owners to adjust to changing land use practices and economic trends such as conversion of parts of the forest estate to dairying. Change should be enabled so long as the sustainable management of natural resources is maintained. Existing farming and production forestry activities are therefore permitted with a minimum of regulatory control. Conversions from forest to farmland will be a controlled activity so that they can be made subject to site-specific best practice standards of environmental performance.

A diverse range of other rural-based activities operate in the Rural Zone such as mineral exploration, mining and quarrying and intensive farming enterprises. These operations have the potential to create and be impacted on by reverse sensitivity issues associated with noise, dust or odour. They may also have a significant impact on the safe and efficient operation of the transport network, unless appropriate management is in place. The provisions seek to both limit the degree of effects themselves, and also to create buffers between these activities any new dwellings in rural areas.

There is a growing opportunity for tourist related outdoor recreational activities and culturally-based tourism operations to establish in rural areas. These opportunities are based on the district's rich history and culture, and scenic and environmental qualities, including the Waikato River Trails (walkways and cycleways). These activities can be managed to remain generally small-scale and have relatively low impacts on the environment.

Minimum subdivision controls and restrictions on the number of dwellings per property are necessary to maintain opportunities for production activities to establish, expand and diversify without small lot residential development

hampering such prospects. More intensive subdivision of large tracts of rural land has the potential to create adverse effects. Chapter 10 provides the controls on subdivision relating to the Rural Zone to manage the nature and scale of intensification.

The National Policy Statement on Electricity Transmission and the Resource Management National Environmental Standards for Electricity Transmission Regulations 2009 recognise that the nationwide distribution of electricity is a matter of national significance under the Act. The provisions set a framework for the effective operation, maintenance, upgrading and development of the National Grid network and manage activity within existing transmission corridors to safeguard the security of the electricity transmission network and maintain public safety.

Conservation land administered by the Department of Conservation is also located primarily within the Rural Zone. Provisions within Chapter 14 relating to landscape and natural values are used to manage the significant values that exist, both within the conservation estate, and within private land.

## 28.2 Anticipated Environmental Results

The Rural Zone is intended to achieve the following anticipated environmental results:

- Production activities continue to promote the sustainable management of the land resource and enhance the social, economic and cultural wellbeing of the rural community
- Rural activities are managed to restore and protect the health and wellbeing of the waterways in the Waikato River catchment to help achieve the Vision and Strategy for the Waikato River
- The scale and form of development utilises and protects the rural land resource and maintains the range of potential production purposes
- Rural activities minimise their potential to create reverse sensitivity issues associated with noise, dust and traffic affecting development in close proximity to them
- Land use and development of new activities is based on a legitimate need for a rural location
- The lawful operation of existing rural-based activities, of network utilities and infrastructure, of large-scale industrial facilities within the adjoining Industrial Zone, and of hydro electricity generation activities within the Electricity Generation Zone, are not constrained by the introduction of new rural or rural-residential land uses in the locality
- Low impact and small scale commercial outdoor recreational activities operate in a complementary way with established rural-based activities
- Buildings and places of recognised heritage values in the zone are protected
- New dwellings are located and designed so that floodwaters from floods smaller than a 100 year event do not enter them, that no new dwellings are built in areas known to be subject to deep and/or fast-flowing floodwaters, and no dwellings are damaged or destroyed by land instability or subsidence (except those that are subject to Section 72 of the Building Act 2004)
- Buildings and structures are set back from waterways a sufficient distance to avoid natural hazards and modification of waterways and riparian margins and to protect natural character
- Rural activities implement best management practices to avoid, remedy or mitigate adverse environmental effects.

The Rural Zone is a method to implement the objectives and policies contained within Chapter 5 Objectives and Policies for the District's Rural Areas. Chapter 6 Objectives and Policies for Managing the District's Natural and Landscape Values is also relevant to sites within a landscape identified on the planning maps or which include or adjoin a significant natural area.

## 28.3 Activities

### 28.3.1 Permitted Activities

The following are permitted activities in the Rural Zone provided they comply with the Performance Standards set out in Rule 28.4 below.

- a) Farming except for the establishment of intensive farming activity
  - b) Forestry
  - c) Dwellings
  - d) Accessory buildings
  - e) Recreation and sporting activities on parks and reserves, and associated structures
  - f) Home occupations
  - g) Visitor accommodation, Motor Caravan and Camping Sites
  - h) Depositing up to 5,000m<sup>3</sup> of fill material (sourced from another site) on a site in any one year, except within any area identified in Appendix E – Schedule of Significant Natural Areas or within an Outstanding or Significant Amenity Landscape
  - i) Veterinary services
  - j) Animal boarding facilities
  - k) Agricultural contractors' depots
  - l) Education and Child Care Facilities
  - m) Residential Care Homes and Homes for the Aged
  - n) Golf courses and associated clubhouses
  - o) Places of assembly limited to existing country halls (including the upgrading or replacement)
  - p) Commercial tourism and recreational activities
  - q) Pedestrian tracks and cycleways and associated facilities such as seating, tables and toilets
  - r) Modifications to a Built Heritage Feature identified as permitted in the relevant Heritage Inventory Record form in Appendix B
  - s) Minor works on a built heritage feature listed in Appendix B
  - t) Any change of activity otherwise permitted on the site which is unrelated to the purpose for which the built heritage feature was scheduled and which does not detract from the values for which it was scheduled
  - u) Cemeteries, urupa and crematoria
  - v) Saleyards
  - w) Earthworks ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities
  - x) Treatment and disposal of wastes from the pulp and paper mill and wood processing activities on the Kinleith industrial site, in accordance with any Regional Council requirements.
  - ya) The storage, treatment, piping and spreading of agricultural effluent including dairy factory liquid by-products and wastes as a fertiliser and/or for irrigation purposes
- ADVISORY NOTE: Consent may be required under the Waikato Regional Plan.
- yb) Activities to maintain and enhance indigenous biodiversity (eg pest control)
  - yc) Any activities carried out in accordance with a Conservation Management Strategy, or management plan under the Reserves Act 1977 or the Conservation Act 1987

- yd) Recreational hunting
- ye) Subject to Rules 14.3 and 14.4, mineral exploration, mining and quarrying, if the amount of material extracted from each site does not exceed 1000 cubic metres per year except within any area identified in Appendix C or E
- yf) Clearance of indigenous vegetation, land disturbance and drainage that is a permitted activity under Rule 14.4.1.
- yg) Emergency Service Facilities
- yh) Relocatable buildings
- yi) Aircraft landing areas, aerodromes and associated facilities.

### 28.3.2 Controlled Activities

The following are controlled activities in the Rural Zone provided they comply with the Performance Standards set out in Rule 28.4 below:

- a) Marae development and papakāinga
  - b) Modifications to a Built Heritage Feature identified as controlled in the relevant Heritage Inventory Record form in Appendix B
  - c) Conversion of commercial forestry land for farming
- ADVICE NOTE: the conversion process excludes the harvesting (felling and extraction) of timber from the site as provided for in the definition of Forestry
- d) Internal alterations on buildings with identified interiors in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.
  - e) External alterations to buildings identified in Appendix B: Built Heritage Inventory, necessary for the primary purpose of improving structural performance, fire safety or physical access.
  - f) Clearance of indigenous vegetation, land disturbance and drainage that is a controlled activity under Rule 14.4.2.

The specific matters where control is reserved are identified in Rules 8.3.1b) with regard to marae development and papakāinga, Rule 8.3.1c) with regard to Modifications to a Built Heritage Feature, Rule 8.3.1g) with regard to Conversion of commercial forestry land for farming, Rule 8.3.1h) with regard to removal of vegetation in a Significant Natural Area, and Rule 8.3.1 i) with regard to alterations to built heritage items to improve structural performance, fire safety or physical access, and shall be used when considering a resource consent application for a controlled activity in the Rural Zone.

### 28.3.3 Restricted Discretionary Activities

The following are restricted discretionary activities in the Rural Zone:

- a) Any activity listed in Rule 28.3.1 or Rule 28.3.2 (except for commercial tourism and recreational activities) that does not comply with the Performance Standards in Rule 28.4
- b) Any building that does not conform to the building setbacks in Rule 28.4.2, subject to an application providing a geotechnical assessment to assess potential erosion and instability threats for those identified building sites
- c) Poultry farming complying with the minimum setbacks specified in Rule 28.4.2(e) and Rule 28.4.17.
- d) Clearance of indigenous vegetation, land disturbance and drainage that is a restricted discretionary activity under Rule 14.4.3.

The specific matters where discretion is reserved are identified in Rules 8.3.3 and 8.3.4 and shall be used when considering a resource consent application for a restricted discretionary activity in the Rural Zone.

### 28.3.4 Discretionary Activities

Activities that are not permitted, controlled, or restricted discretionary will be discretionary activities in the Rural Zone.

The following are also discretionary activities in the Rural Zone:

- a) Intensive farming activities
- b) Club or group outdoor recreation activities involving motor sports or firearms
- c) Service stations including motor vehicle repair garages
- d) Transport and courier depots
- e) Any industry which is ancillary to a farming or a forestry activity, including premises used for the manufacture of milk products, abattoirs, timber processing, stock yards and sale yards, cool stores and pack houses
- f) Mineral exploration, mining and quarrying, if the amount of material extracted from each site exceeds 1000 cubic metres per year. This does not include quarrying allowed as part of the definition of forestry.
- g) Depositing more than 5,000m<sup>3</sup> of **cleanfill** material (sourced from another site) on a site in any one year
- h) Commercial tourism and recreational activities that do not conform to the Performance Standards in Rule 28.4
- i) **Modifications to a Built Heritage Feature identified as discretionary in the relevant Heritage Inventory Record form in Appendix B** excluding alterations necessary for the primary purpose of improving structural performance, fire safety or physical access.
- j) Commercial aircraft landing areas, aerodromes and associated facilities
- k) **Modifications to a Cultural Heritage Site identified in Appendix D**
- l) Poultry farming that does not comply with the minimum setback distances in Rule 28.4.2(e) and 28.4.17.
- m) Any industry ancillary to or associated with mineral exploration, mining and quarrying  
The assessment criteria contained in Rule 8.4 shall be used when considering a resource consent application for a discretionary activity in the Rural Zone, with the Performance Standards in Rule 28.4 used as a guide for assessment purposes.

### 28.3.5 Non-Complying Activities

- a) Any building that does not comply with the requirement for a geotechnical assessment under Rule 28.3.3
- b) Outdoor Storage
- c) Within the National Grid Yard:
  - i) Any building or addition to a building for a sensitive activity
  - ii) Any change of use to a sensitive activity or the establishment of a new sensitive activity
  - iii) Intensive farming buildings and dairy/milking sheds
  - iv) Any building, structure or earthworks not permitted by Rule 28.4.2 d) or da).
- d) Modifications to, or demolition of, a Built Heritage Feature identified as non-complying in the relevant Heritage Inventory Record form in Appendix B.
- e) Clearance of indigenous vegetation, land disturbance and drainage that is a non-complying activity under Rule 14.4.4.

## 28.4 Performance Standards

The following Performance Standards apply to all activities specified in Rule 28.3.1 (Permitted Activities) or Rule 28.3.2 (Controlled Activities), and to restricted discretionary activities in the zone if granted. Failure to comply with one or more of the performance standards results in that activity being a restricted discretionary activity.

### 28.4.1 Building Setbacks from Boundaries

- a) The minimum building setback requirements for dwellings and accessory buildings are:
- 10 metres from the front boundary
  - 5 metres from side and rear boundaries
- b) The minimum setback for all other buildings (except as provided for under Rule 28.4.2) is 15 metres.

### 28.4.2 Other Building Setbacks, and Earthworks

- a) All buildings must be setback at least 25 metres from the top of the bank of the Waikato River, and from hydro-electric power operating easements at least 25 metres
- b) All buildings must be set back at least 20 metres from:
- i) the bed of any other river or lake
  - ii) the edge of any wetland with an area greater than 0.5 hectares

ADVISORY NOTE: The Waikato Regional Plan should also be consulted to ensure that there are no additional resource consents required from the Regional Council for structures within or in close proximity to waterways, or the modification of waterways.

- c) All buildings and structures (excluding fences less than 2m in height and network utilities) must be setback from the centre line of an existing gas pipeline at least 32 metres
- d) Within any part of a National Grid Yard:
- i) Under the National Grid Conductors (wires)
    - a) All buildings and structures within any part of the National Grid Yard must:
      - If they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur, or
      - be a fence, or
      - be Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid, or
      - be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed, poultry farming building, or intensive farm building (excluding ancillary structures)), or
      - be an uninhabited horticultural building or structure, or
      - be an official sign, and
    - b) All buildings or structures permitted by a) above, must comply with at least one of the following conditions:
      - A minimum vertical clearance of 10m below the lowest point of the conductor associated with a National Grid transmission line, or

- Demonstrate that safe electrical clearance distances are maintained under all transmission line operating conditions as required by NZECP34.
- ii) Activities around National Grid support structures
- a) Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:
- Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid
  - Fence less than 2.5m in height and more than 5m from the nearest support structure.
  - Horticultural Structure between 8m and 12m from a single pole support structure that:
    - meets the requirements of the New Zealand Electrical Code Of Practice for Electrical Safe Distances for separation distances from the conductor (NZECP34:2001);
    - is no more than 2.5m high
    - is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and
    - allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.
- iii) Any earthworks within a National Grid Yard shall:
- a) Around Poles
- i) Be no deeper than 300mm within 2.2 metres of a National Grid pole support structure or stay wire; and
- ii) Be no deeper than 750mm between 2.2 to 5 metres from a National Grid pole support structure or stay wire.
- Except that vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from a)(i) and a)(ii) above
- b) Around Towers
- iii) Be no deeper than 300mm within 6 metres of the outer visible edge of a National Grid tower support structure; and
- iv) Be no deeper than 3 metres between 6 to 12 metres from the outer visible edge of a National Grid tower support structure.
- Except that vertical post holes not exceeding 500mm in diameter are exempt from b)iii) above provided they:
- a) are for a rural fence or horticulture structure; and
  - b) are more than 5m from the visible outer edge of a tower support structure foundation.
- c) Anywhere within the National Grid Yard
- v) Shall not create an unstable batter that will affect a National Grid support structure; and/or
- vi) Shall not result in a reduction in the ground to conductor clearance distances as required by table four of NZECP34:2001.

Provided that

- Earthworks undertaken by a Network Utility operator; or
- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road (including a farm track), footpath or driveway.

are exempt from (i) to (iv) above

ADVISORY NOTES: Works close to any electricity line can be dangerous. Compliance with the NZ Electrical Code of Practice 34:2001 (NZECP 34:2001) is mandatory for all buildings, earthworks and mobile plant within close for Safe Distances proximity to all electric lines. Compliance with this Plan does not ensure compliance with NZECP 34:2001.

Vegetation to be planted within the transmission or sub-transmission corridors should be selected and/or managed so that it does not breach the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

- e) All buildings housing animals must be set back at least:
  - i) 50 metres from any property boundary, excluding a road boundary, for sites of more than four hectares
  - ii) 25 metres from any property boundary, excluding a road boundary, for sites of four hectares or less.
- f) New dwellings, education and childcare facilities as well as residential care homes and homes for the aged shall be located at least 300 metres from any building, compound or part of a site used for poultry farming or an intensive farming activity on a neighbouring site.
- g) New dwellings shall be located at least 50 metres from the boundary of a site in the Industrial zone
- h) All new buildings must be setback at least 30m from the legal boundary of an existing plantation forest
- i) No earthworks, including drain cleaning, shall be undertaken within the gas transmission pipeline corridor identified on the planning maps, unless prior written approval is obtained from the pipeline operator
- j) Any tree planted in the vicinity of any road boundary shall be so located that the tree will be wholly located within the property at full growth
- k) Trees planted within 20m of any road intersection will not be permitted unless of such type or so located as not to impair visibility from the intersection whether at time of planting or in the future. Council may require the removal of any trees that unduly restrict visibility at an intersection
- l) Council consent shall be obtained prior to the undertaking of any continuous planting of trees likely to grow to a height in excess of 10m and located within 5m of any local road boundary and 20m of the sealed edge of any state highway. When considering any application made under this Rule, Council shall take into account the likely effect on the road and road user during the winter months.
- m) New dwellings shall be located outside of the setback as shown on Planning Maps 6 and 9, being a setback distance of 300m from the boundary of a site containing mineral exploration, mining and quarrying activities.

### **28.4.3 Height**

- a) Maximum Building Height - 15 metres
- b) Maximum Height in Relation to Boundary - No part of any building shall protrude through a plane rising at an angle of 45 degrees commencing at an elevation of 3 metres measured at the boundary
- c) No building, structure, mast, tree or other object shall penetrate any of the Tokoroa Airport approach/departure slopes, transitional side slopes or horizontal surface as shown on Planning Map No's 31, 32, 35, 38 and 44. Where the ground rises so that it penetrates or becomes close to the approach/departure slopes or transitional side slopes then these slopes may be adjusted in conformity with the contours of the ground so as to provide a vertical clearance of 10 metres above ground level.

### **28.4.4 Site coverage**

- a) The maximum amount of the site which can be covered by buildings is:



- (i) 5% for sites of one hectare or more
  - (ii) 10% for sites less than one hectare
- b) The maximum gross floor area of any building is 500m<sup>2</sup>

### 28.4.5 Maximum number of dwellings per property

Dwellings shall be subject to the following restrictions:

Area of Property (ha)	Maximum number of dwellings
Less than 4	1
4-70	2
70-150	3
Over 150	5

ADVISORY NOTE::For the purpose of this rule 'property' means land in one Computer Freehold Register.

### 28.4.6 Scale of Activity

- a) Visitor accommodation shall provide services for no more than 8 persons at any one time (excluding staff) per site
- b) Education and childcare facilities shall provide services for no more than 8 persons at any one time (excluding staff) per site
- c) Residential Care Homes, Motor Caravan and Camping Sites, and Homes for the Aged shall provide services for no more than 8 persons at any one time (excluding staff) per site
- d) The maximum floor area available for retail sales ancillary to a home occupation is 50m<sup>2</sup>
- e) The maximum floor area available for retail activities ancillary to commercial tourism and recreational activities is 50m<sup>2</sup>
- f) The maximum floor area available for cafes and restaurants ancillary to commercial tourism and recreational activities is 100m<sup>2</sup>
- g) Activities that generate traffic from a site shall not exceed 100 vehicle movements per day. For the purpose of this rule:
  - i) The number of 'vehicle movements per day' is determined on the basis of an average day as measured over a year of the operation of the activity
  - ii) Any land in a separate certificate of title shall be regarded as a 'site', regardless of whether it is used or owned together with other land titles
  - iii) A truck movement shall be considered the equivalent of 10 vehicle movements

This rule shall not apply to traffic movements involved in forest harvesting.

### 28.4.7 Signage

- a) One free-standing double-sided sign or sign that is attached to a building per property is permitted
- b) No sign shall exceed 3m<sup>2</sup> in area, with no dimension being greater than 2 metres, and be no more than 2 metres in height above the adjacent ground level

- c) The sign must advertise the name of a business located on the property or otherwise relate to an activity located on the property
- d) Directional and interpretative signs relating to reserves, and to land managed by the Department of Conservation are permitted, and need not comply with a) to c) above
- e) Information and promotional signs erected by the Council, and official signs are permitted. Such signs need not comply with a) to c) above
- f) In a speed environment of 70km/h and over, a sign must not incorporate reflective materials, flashing illumination, aerial display, animated display, moving display or any other non-static two or three dimensional mechanism designed to catch attention.
- g) Signs shall not detrimentally affect traffic safety by creating a visual obstruction or by causing confusion to motorists
  - i) A sign must not mimic the design, wording, graphics, shape or colour of an official traffic sign
  - ii) A sign may not 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.
- h) The owner of a sign shall be responsible for ensuring that it is well maintained
- i) The minimum lettering size and maximum number of words on signs shall meet the standards in Rules 12.4.3 e) to g).
- j) Signage on the Built Heritage Features listed in the inventory in Appendix B and on the sites where those features are located shall comply with Rule B1 of Appendix B: Built Heritage Inventory.

#### **28.4.8 Riparian Management**

- a) Vegetation damage, earthworks, and mechanical cultivation shall not be carried out within 10 metres of the edge of a wetland or lake greater than 0.5 hectares, or within the riparian setback to the banks of a nominated river or stream, listed in Table 1, except for the following purpose:
  - i) Required for the removal or control of pest plants;
  - ii) Consequential damage to vegetation as a result of harvesting adjacent production trees;
  - iii) Necessary as part of the maintenance of lawfully established roads, tracks, earth dams, structures, or fences, all provided the clearance is within 2 metres of the road, track, earth dam, structure or fence;
  - iv) Necessary to protect, maintain or upgrade hydro-electric power generating infrastructure, or to prevent or remedy erosion that may adversely affect the operation of hydro-electric power generating infrastructure;
  - v) Required for construction of fencing for conservation purposes to exclude stock or pest animals;
  - vi) Removal of vegetation that endangers human life or existing structures, or that poses a risk to the integrity of, the safe use of, or access to existing network utilities.
- b) Farming which involves the conversion of land used for forestry to farming as per 28.3.2(c) shall also comply with the following standards:
  - i) In the following nominated catchments properties adjacent to or with boundaries to the rivers and streams listed in Table 1 below also shall comply with the following performance standards:
    - Fencing shall be constructed no closer than the riparian setback to the banks of a nominated river or stream and should generally be permanent and effectively exclude all livestock present;

- Tracks, accessways and races shall not be constructed closer than the riparian setback to the banks of a nominated river or stream;

Table 1:

Map Identification No.	Catchment	River or Stream	Riparian Setback (metres from edge of waterbody (river, perennial stream excluding a wetland))
	Waikato River	Main stem Waikato River	20 metres
		Large Streams	10 metres
1	Waiomou	Kakahu Stream	10 metres
2	Waiomou	Waiomou Stream	10 metres
3	Waihou	Waimakariri Stream	10 metres
4	Waihou	Waihou River	10 metres
5	Oraka	Mangatapu Stream	10 metres
6	Oraka	Mangakotaha/Waione Stream	10 metres
7	Oraka	Oraka Stream	10 metres
8	Pokaiwhenua	Ngutuwera Stream	10 metres
9	Pokaiwhenua	Pokaiwhenua Stream	10 metres
10	Pokaiwhenua	Whakauru Stream	10 metres
11	Pokaiwhenua	Matarawa Stream	10 metres
12	Pokaiwhenua	Waioraka Stream	10 metres
13	Waipa	Raparahi Stream	10 metres
14	Kopakorahi	Kopakorahi Stream	10 metres
15	Central Maraetai	Unnamed	10 metres
16	Opareiti	Oparaeiti Stream	10 metres
17	Mangaharakeke	Matakatau Stream	10 metres
18	Whangapoa	Rahopakapaka Stream	10 metres
19	Whangapoa	Matahana Stream	10 metres
		Small Streams	5 metres

**ADVISORY NOTE:**

'Large streams' in the South Waikato District comprise streams with stream order classifications of 4 (four) or larger in the NIWA River Environment Classification.

'Small Streams' in the South Waikato District comprise all perennial streams with a stream order classification of 3 (three) or smaller in the NIWA River Environment Classification, excluding the Waikato River and 'Large Streams' as defined above.

Refer to Chapter 9 for relevant definitions.

A map showing these streams is attached as Appendix J. Large Stream names are given, and the GPS coordinates for the upper location of the stream order classification. Stream numbers used in the table are also used on the relevant map.

- c) Forestry shall comply with the following performance standard:

- i) forestry shall be planted no closer than 5 metres from any perennial river or stream.

#### ADVISORY NOTES

This rule forms part of the District Council's response to achieving the integrated management of natural and physical resources along with the Waikato Regional Council. These rules only deal with the control of the effects of land use change on a water body. Rules dealing with water quality and nutrient leaching or discharges resulting from land use activities and their management are under the jurisdiction and therefore the responsibility of the Waikato Regional Council.

The Waikato Regional Plan may be more stringent than this district plan. Regional Council advice should be obtained before designing development that involves stream fencing, or affects riparian margins or water quality.

The District Council also recognises that there are non-plan methods developed by industry that also promote the sustainable management of natural resources such as the Dairying and Clean Streams Accord between Fonterra, the Regional Council, the Ministry for the Environment and the Ministry of Primary Industries.

### **28.4.9 Silt Control**

- a) All silt shall be contained within the site from which it is sourced, except where the discharge is authorised by a resource consent or rule in the Waikato Regional Plan
- b) Any stockpiles of loose material shall be contained or maintained in such a manner to prevent dispersal of material into the air causing nuisance to a neighbouring property, unless the discharge is authorised by a resource consent or rule in the Waikato Regional Plan.

### **28.4.10 Storage, treatment and spreading of Agricultural Effluent**

Storage, treatment or spreading of agricultural effluent including dairy factory liquid by-products and wastes as a fertiliser and/or for irrigation purposes, shall not be undertaken within 50 metres of a dwelling or property boundary, or within 20 metres of the edge of a waterbody (wetlands, or the banks of any river, stream or lake). This rule does not apply to spreading dry manure or fertiliser.

### **28.4.11 Hazardous Substances**

Storage or use of hazardous substances shall comply with Appendix G (Hazardous Substances) except in relation to clause (f) where the standard in 28.4.10 applies in the Rural Zone (and clause (f) does not).

### **28.4.12 Natural Hazards**

- a) The floor level of any habitable building shall be at least 0.5 metres above the 1% design flood level.

### **28.4.13 Noise, Vibration and Glare**

Noise, vibration and glare from any activity in the zone shall comply with the provisions of Chapter 15.

### **28.4.14 Parking, Loading and Access**

Provision of on-site car parking, loading spaces and vehicular access shall be in accordance with Chapter 11 Parking, Loading and Access.

### **28.4.15 Landscape Values**

Activities involving works within outstanding natural landscapes, outstanding natural features or significant amenity landscapes as shown on the planning maps, shall also comply with the performance standards in Rule 14.3. In the event of a conflict between standards in Chapter 28 and Chapter 14 the more onerous provisions will apply.

### **28.4.16 Permitted Activity performance standards for relocatable buildings**

- a) Any relocatable building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have been designed, built and used as a dwelling.
- b) A building pre-inspection report by an independent Licenced Building Practitioner (design) or building surveyor shall accompany the application for a building consent for the destination site prior to relocation. That report is to identify:
  - i) All reinstatement works that are to be completed to the exterior of the building, and
  - ii) Proposed insulation to meet Clause H1 (energy efficiency) of the New Zealand Building Code (for Zone 2) for underfloor and ceiling insulation (compliance is to be ascertained in accordance with the compliance document for the New Zealand Building Code, Clause H1 Energy Efficiency - third edition, or any equivalent solution.)
- c) The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site.
- d) All other reinstatement work and insulation required by the building inspection report and the building consent to reinstate the exterior of any relocatable dwelling shall be completed within 12 months of the building being delivered to the site. Reinstatement work is to include connections to all infrastructure services, and closing in and ventilation of the foundations.
- e) The proposed owner of the relocatable building must certify to the Council that all reinstatement work will be completed within the 12 month period of the building being delivered to the site.

### **28.4.17 Poultry Farming**

Any building, compound or part of a site used for poultry farming shall be setback a minimum of 300m from any dwelling; any education and childcare facilities; and any residential care homes and homes for the aged (but excluding dwellings and the other listed facilities within the property containing the poultry farming activity).

## **28.5 Other Rules**

The following chapters may also be relevant:

- Chapter 10 (Subdivision) in respect of the subdivision of land
- Chapter 12 (Temporary Activities) in respect of events, temporary structures and temporary signage
- Chapter 13 (Network Utilities and Infrastructure) in respect of construction and maintenance of network utility structures
- Chapter 16 (Activities on the Surface of the Water) in respect of activities on lakes and rivers.