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## 5.3.2. Rural Zone

### 5.3.2.1. Permitted Activities

- 5.3.2.1.1. Residential, recreational, agricultural, exotic forestry or tourist related activities which comply with the standards for permitted activities in Table 5.7, and are not controlled, discretionary or restricted discretionary activities.
- 5.3.2.1.2. Network utilities, subject to compliance with Part 6 (Infrastructure).
- 5.3.2.1.3. Indigenous vegetation clearance (excluding natural wetlands) up to 0.5ha per site, in total, over any continuous three year period.
  - 5.3.2.1.3A Indigenous vegetation clearance of manuka, kanuka and bracken (in areas which have been substantially cleared of indigenous vegetation within the previous 15 years) not exceeding 5ha per site over any continuous three year period, subject to provision of notice to Council at least 20 working days prior to the proposed clearance, including:
    - 5.3.2.1.3A.1 Details of the location of the proposed clearance.
    - 5.3.2.1.3A.2 Dimensions of the proposed clearance.
    - 5.3.2.1.3A.3 Existing vegetation cover.
    - 5.3.2.1.3A.4 Verification by documentary, photographic or other means that the area of proposed clearance has been substantially cleared of indigenous vegetation within the previous 15 years.
- 5.3.2.1.4. Any prospecting activities as defined by the Crown Minerals Act 1991 and all reconnaissance exploration activities up to and including drilling, scout trenching and geophysical surveys, subject to:
  - 5.3.2.1.4.1. All drilling limited to 150mm diameter and a density of one drill site per hectare.

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- 5.3.2.1.4.2. Scout trenching or sampling by hand methods, or by mechanical means where there is existing access to the area to be trenched or sampled, or by the use of explosives where the aggregate length of the samples taken using explosives does not exceed 50 linear metres of sample per hectare.
  - 5.3.2.1.4.3. Geophysical surveys not using explosives.
  - 5.3.2.1.4.4. For prospecting activities as per 5.3.2.1.4, where areas are disturbed, topsoil shall be stockpiled and replaced over such areas, and the site shall be rehabilitated and restored generally to its original condition.
  - 5.3.2.1.5. Any commercial activities associated with the Port of Westport and carried out on the surface of the Buller River.
  - 5.3.2.1.6. Any gold fossicking by hand held or riffle box methods in areas designated by the Minister of Economic Development as Gold Fossicking Areas.
  - 5.3.2.1.7. All permitted activities are subject to:
    - 5.3.2.1.7.1. Compliance with the standards for permitted activities in Table 5.7 and the District Wide Rules in Part 7.
    - 5.3.2.1.7.2. Any earthworks shall be incidental to a permitted, controlled, limited discretionary or discretionary activity.

### **5.3.2.2. Controlled Activities**

- 5.3.2.2.1. Indigenous vegetation clearance and incidental earthworks (excluding natural wetlands) from 0.5ha up to 5.0ha per site, in total, over any continuous three year period. The matters over which control are reserved are:
  - 5.3.2.2.1.1. Location and dimensions of areas to be cleared and vegetation type.
  - 5.3.2.2.1.2. Effects on archaeological, cultural or historic sites.
  - 5.3.2.2.1.3. Effects on habitat of any threatened or protected species.

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- 5.3.2.2.1.4. Effects on waterbodies and riparian margins.
  - 5.3.2.2.1.5. Clearance methods.
  - 5.3.2.2.1.6. Protection of areas of significant indigenous vegetation or significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
- 5.3.2.2.2. Advanced mineral exploration activities (i.e. matters subsequent to reconnaissance exploration but still able to be carried out under an exploration permit) including geophysical surveys using explosives and machine scout trenching and incidental earthworks. The matters over which control is reserved are:
- 5.3.2.2.2.1. Distance to boundaries.
  - 5.3.2.2.2.2. Effects on waterbodies, riparian margins and wetlands.
  - 5.3.2.2.2.3. Total area of disturbance.
  - 5.3.2.2.2.4. Effects of bulk and location of stockpiling.
  - 5.3.2.2.2.5. Hours of operation.
  - 5.3.2.2.2.6. Protection of areas of significant indigenous vegetation or significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
  - 5.3.2.2.2.7. Effects on the life supporting capacity and functioning of indigenous ecosystems.
  - 5.3.2.2.2.8. Effects on outstanding natural features and landscapes.
  - 5.3.2.2.2.9. Effects on cultural, archaeological and historic sites.
  - 5.3.2.2.2.10. Site restoration.
  - 5.3.2.2.2.11. Noise control.
  - 5.3.2.2.2.12. Use and transportation of hazardous substances.

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- 5.3.2.2.2.13. Financial contributions relating to landscaping, land restoration and roading.
  - 5.3.2.2.2.14. Impacts on public access, including recreation.
  - 5.3.2.2.3. All controlled activities are subject to:
    - 5.3.2.2.3.1. Compliance with the standards for controlled activities in Table 5.7 and the general rules in Part 7. Matters over which the Council reserves control on controlled activities:
    - 5.3.2.2.3.2. The imposition of financial conditions as provided for in Part 8 of the Plan.
    - 5.3.2.2.3.3. Whether there is record on the title the degree of natural hazard risk on the property.
    - 5.3.2.2.3.4. For advanced mineral exploration, where areas are disturbed, topsoil shall be stockpiled and/or replaced over the area of land disturbed as soon as possible and no later than twelve months after the disturbance has occurred. The site shall be rehabilitated generally to its original condition.
    - 5.3.2.2.3.5. All disturbed vegetation, soil or debris is deposited or contained in such a manner to prevent its movements and erosion into any waterway and the destruction of habitat in any fresh or coastal water body.

### **5.3.2.3. Discretionary Activities**

- 5.3.2.3.1. Any land use activity which complies with the standards for discretionary activities in Table 5.7 and is not a permitted or controlled activity.
- 5.3.2.3.2. Any commercial operation carried out on the surface of the Karamea River and Buller River and tributaries, other than activities associated with the Port of Westport.
- 5.3.2.3.3. Financial contributions may be required in accordance with Part 8.
- 5.3.2.3.4. Any indigenous forest extraction involving logging for the purposes of milling, other than in accordance with rule 5.3.2.4.2, is a discretionary activity.

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**5.3.2.4. Discretionary Activities Where the Discretion is Restricted**

5.3.2.4.1. Factory Farming which complies with the standards for discretionary activities and the general rules in Part 7. The matters over which discretion is restricted are:

5.3.2.4.1.1. The number and type of livestock.

5.3.2.4.1.2. The frequency and nature of management supervision.

5.3.2.4.1.3. The means of ventilation.

5.3.2.4.1.4. Odour control.

5.3.2.4.1.5. The frequency and method of effluent management and disposal.

5.3.2.4.1.6. Building design.

5.3.2.4.1.7. Distance to boundaries and neighbouring dwellings.

5.3.2.4.1.8. Noise control

5.3.2.4.2. Indigenous forestry extraction and incidental earthworks (including the construction and formation of stockpiling areas, skid sites, access points and tracking) undertaken in accordance with an approval under Part IIIA of the Forests Act 1949, or in the case of Timberlands West Coast Limited, a sustainable management plan certified by the Director-General of Agriculture and Forestry as complying with the requirements of Part IIIA of the Forests Act 1949. The matters over which discretion is restricted are:

5.3.2.4.2.1. Effects on waterbodies, wetlands and riparian margins.

5.3.2.4.2.2. Effects on habitats of any threatened or protected species.

5.3.2.4.2.3. Effects on archaeological, cultural or historic sites within the extraction area.

5.3.2.4.2.4. Protection of outstanding natural features and landscapes.

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- 5.3.2.4.2.5. Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
  - 5.3.2.4.2.6. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems.
  - 5.3.2.4.2.7. Effects on the intrinsic values of ecosystems.
  - 5.3.2.4.2.8. Effects on recreational values.
  - 5.3.2.4.2.9. The location, extent and methods to be employed in harvesting operations in so far as these are relevant to the matters listed as 5.3.2.4.2.1 to 5.3.2.4.2.8 above.
  - 5.3.2.4.3. Mining and incidental earthworks. The matters over which discretion is restricted are:
    - 5.3.2.4.3.1. Location of access points, tracks and mine roads.
    - 5.3.2.4.3.2. Distance and gradient of mined land to boundaries.
    - 5.3.2.4.3.3. Effects on waterbodies, wetlands and riparian margins.
    - 5.3.2.4.3.4. Total area of disturbance and effects of bulk and location of stockpiling and buildings.
    - 5.3.2.4.3.5. Hours of operation.
    - 5.3.2.4.3.6. Protection of areas of significant indigenous vegetation or significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
    - 5.3.2.4.3.7. Effects on indigenous flora and fauna and the life supporting capacity and functioning of indigenous ecosystems.
    - 5.3.2.4.3.8. Effects on outstanding natural features and landscapes.

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- 5.3.2.4.3.9. Effects on cultural, archaeological and historic sites.
  - 5.3.2.4.3.10. Site restoration, rehabilitation or revegetation.
  - 5.3.2.4.3.11. Noise control, including vibrations.
  - 5.3.2.4.3.12. Use, storage and transportation of hazardous substances.
  - 5.3.2.4.3.13. Financial contributions relating to landscaping, land restoration and roading.
  - 5.3.2.4.3.14. Impacts on public access, including recreation.
- 5.3.2.4.4. Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site, in total, over a continuous three year period. The matters over which discretion is restricted are:
- 5.3.2.4.4.1. Effects on waterbodies, wetlands and riparian margins.
  - 5.3.2.4.4.2. Effects on habitats of any threatened or protected species.
  - 5.3.2.4.4.3. Effects on archaeological, cultural or historic sites within the extraction area.
  - 5.3.2.4.4.4. Protection of outstanding natural features and landscapes.
  - 5.3.2.4.4.5. Protection of areas of significant indigenous vegetation or significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
  - 5.3.2.4.4.6. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems.
  - 5.3.2.4.4.7. Effects on the intrinsic values of ecosystems.
  - 5.3.2.4.4.8. Effects on recreational values of public land.

5.3.2.4.5. All limited discretionary activities are subject to compliance with the District Wide Rules in Part 7.

5.3.2.4.6. For prospecting where areas are disturbed, topsoil shall be stockpiled and replaced over such areas, contoured appropriately, repastured and revegetated.

**Table 5.7 Rural Zone Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Front yards</b> 10m setback from road.</p> <p><b>Side and rear yards</b> 1.5m.</p> <p><b>Minimum side and rear yard</b> For buildings which at any time contain over five animals is 30m.</p> <p>For forestry, prospecting and residential activities, the minimum distance from the Mean High Water Spring mark is 150m.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>	<p>Not applicable.</p> <p><b>Side and rear yards</b> 1m.</p> <p>Not applicable.</p>
<b>Building Height</b>	<p>Maximum building height for residential buildings is 10m.</p> <p>Maximum building height for other buildings is 20m.</p>	Not applicable.	<p>Maximum building height for residential buildings is 15m.</p> <p>Maximum building height for other buildings is 25m.</p>
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Dwellings</b>	Maximum number of dwellings per site is 2.	Not applicable.	Not applicable.
<b>Esplanade Strips</b>	Refer to Part 7.9.5	Refer to Part 7.9.5	Refer to Part 7.9.5
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Ground Floor Area</b>	The maximum gross ground floor area of a single building is 500m <sup>2</sup> .	Not applicable.	The maximum gross ground floor area of a single building is 1000m <sup>2</sup> .
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Riparian Margins</b>			
Natural wetlands (> 0.5 ha)	No modification within 25m of the wetland except as provided in 5.3.2.5.6	Not applicable	Activities within 25m of the wetland except as provided for in 5.3.2.5.6
Lakes	No modification within 20m of the lake except as provided in 5.3.2.5.6	Not applicable	Activities within 20m of the lake except as provided for in 5.3.2.5.6
Rivers and Streams with an average bed width of >3m adjacent to the proposed activity	No modification within 10m of the riverbank or streambank except as provided in 5.3.2.5.6  Note: 'No modification' as used in this table is clarified in explanation 5.3.2.5.6.	Not applicable	Activities within 10m of the riverbank or streambank except as provided for in 5.3.2.5.6
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

### 5.3.2.5. Explanation/Reasons

- 5.3.2.5.1. The rules in the Rural Zone aim to ensure that the rural character of the District is not diminished or compromised. The impact of some activities not traditionally located in the rural area (and even some that are) can have an adverse effect on the amenities of rural residents and the scenic, aesthetic and use values of the rural land resource. Permitted activities are therefore restricted to those generally accepted within the rural area and performance standards control their effects. This prevents industries or shops locating in the rural zone as of right where they might use land containing the best soils and may conflict with policies to sustain existing commercial areas. Factory farming and forestry are generally acceptable but conditions may need to be imposed to ensure that any adverse environmental effects are minimised.
- 5.3.2.5.2. Generally a permissive approach is taken to activities wishing to locate in the rural area by making a wide range of activities discretionary as the Paparoa and Natural Environments Character Areas retain most of the land which should be conserved through the more strict provisions.

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- 5.3.2.5.3. Controls in the form of standards have been set detailing the level of effects considered acceptable in the Rural Character Area and all permitted, controlled and restricted controlled activities must, in addition, comply with the District Wide Rules set out in Part 7 of the Plan.
- 5.3.2.5.4. The provision of two dwellings per site will prevent conglomeration of housing on single lots but allow flexibility for those who have workers or relatives on the same site. The more permissive floor area and height standards also reflect this intent and the ability of the rural area to more easily integrate such development into the landscape setting.
- 5.3.2.5.5. Where any indigenous vegetation is contiguous with a block of indigenous vegetation over 0.5ha, then up to 0.5ha per site, in total can be cleared. Where any indigenous vegetation stands alone and is less than 0.5ha, this indigenous vegetation can also be cleared.
- 5.3.2.5.6. No modification of riparian margins excludes the following activities:
- Rivers and Streams: fencing, pest and weed control, the retrieval and removal of unavoidable logging and the removal of other logging debris, cable suspension logging, construction of access points to water on the basis of either one per site or one every 400m of linear measure for stock and vehicles, structures such as whitebait stands.
  - Lakes: fencing, pest and weed control.
  - Natural Wetlands: fencing, pest and weed control.

A streambank or riverbank is defined as the edge of the defined channel or riverbed or where this is not obvious, the point at which terrestrial vegetation (eg: grassland, shrubland or forest) commences.

The boundary of a natural wetland margin is where indigenous wetland plants (ie: those indigenous plants such as sedges and rushes adapted to living in wet conditions) give way to other species. The boundary of a tidal wetland is defined as the point of mean high water springs (MHWS).

Other stream side management controls include esplanade strips obtained at the time of subdivision or resource consent and managed by the Department of Conservation.

- 5.3.2.5.7. Most signs require a resource consent (except those permitted by the general rules). Signs which comply with minimum standards are discretionary. If these standards are not met they will be considered as non-complying activities. The Buller District has a distinct character and environmental quality which is valued by both residents and visitors alike. See also Part 7.7 for explanation and reasoning of performance standards for signs.
- 5.3.2.5.8. While indigenous forestry operations under a Sustainable Management Plan approved under the Forest Act provides a measure of sustainable management, it does not address all Part II matters in the Resource Management Act 1991. Therefore Council's discretion is limited to those areas not covered by the SMP. This provision will be subject to review once the significant natural areas survey is complete.
- 5.3.2.5.9. The investigation and utilisation of the District's mineral resources, a significant proportion of which are located in the Rural Character Area, are provided for. The effects of mineral related activities depend to an extent on their scale, and for this reason a distinction is drawn between prospecting which is provided for as a permitted activity, exploration (in cases, a restricted controlled activity) and mining which are provided for as limited discretionary activities.
- 5.3.2.5.10. A site visit or investigation will be undertaken by Council for resource consent applications. The visit or investigation will include an assessment of effects on areas of significant indigenous vegetation or significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
- 5.3.2.5.11. Council may consider reducing resource consent application fees and processing costs where outcomes have a large element of public good.
- 5.3.2.5.12. Also see Part 7.2 for explanation and reasoning of specific standards.