

## **7.9. Other General Rules**

### **7.9.1. General Duty to Comply**

- 7.9.1.1. No person may use any land in a manner which contravenes a rule in this Plan unless the activity is expressly allowed by a resource consent, or is an existing use allowed by Section 10 of the Act.
- 7.9.1.2. Any activity which is not specifically referred to in the Plan or does not fall within the limits of permitted, controlled or discretionary activities is deemed to be a non-complying activity and will require a resource consent.

### **7.9.2. Stormwater Disposal**

- 7.9.2.1. Stormwater run-off from buildings shall be directed to the road channel, or to a watercourse within the property, or to an approved drain for that purpose.

### **7.9.3. Planting**

- 7.9.3.1. No tree or vegetation shall be planted in a position which will restrict the driver's visibility to or from any road intersection or any private access intersection with the state highway, or an arterial road, or restrict the drivers view of "official signs" or adversely affect the visibility of drivers at rail level crossings.
- 7.9.3.2. No tree, plantation, shelterbelt or vegetation shall be planted or be permitted to grow in a position that could result in the shading of the road pavement of any state highway or arterial route between 10.00am and 2.00pm on the shortest day of the year.

### **7.9.4. Glare and light spill**

- 7.9.4.1. All exterior lighting shall be designed, installed and maintained so that:
  - 7.9.4.1.1. Light emitted does not cause a distraction or glare which could create a traffic hazard on any road, or interfere with the correct operation of navigational aids;
  - 7.9.4.1.2. There is no adverse effect on residents or activities adjacent to the area being illuminated.
- 7.9.4.2. Any activity shall ensure that no greater than a 10 lux spill (horizontal or vertical) of light shall enter any adjoining property, measured 2.0 metres inside the boundary of the adjoining site.

#### 7.9.4.3. Scenically Sensitive Commercial Zone

7.9.4.3.1. Lights will be hooded/shrouded so as to direct light spill downwards;

7.9.4.3.2. The lights will be mounted 900mm above ground (except where placed above doorway entrances) and will be located above areas of low reflectivity. Typically this means locations within landscaped areas or above gravelled paths. In all cases, lights will be sited a minimum of 300mm from any hard standing or paved areas.

#### 7.9.5. Esplanade Strips

7.9.5.1. Where any allotment of 4ha or more is created when land adjoining the Coastal Marine Area is subdivided, other than as a result of a boundary adjustment, an esplanade strip of 20m shall be set aside in the new lot along the mark of Mean High Water Spring of the sea and along the bank of any river or margin of any lake.

7.9.5.2. Where any allotment of 4ha or more is created when land is subdivided, other than applies under 7.9.5.1., or as a result of a boundary adjustment, an esplanade strip of 20m shall be created from that allotment along the bank of any river or margin of any lake. This requirement for an esplanade strip does not apply where a legal road (formed or not) provides adequate access to the water body. This rule only applies to lakes and rivers as defined in section 230(4) of the Resource Management Act 1991.

7.9.5.3. An esplanade strip required under 7.9.5.1. or 7.9.5.2. may on application be reduced in width or dispensed with altogether. In considering any such application the Council shall take into account the matters listed in Part 10 Criteria for Esplanade Reserves and Esplanade Strips.

#### 7.9.6. Rifle Range Protection

7.9.6.1. In order to secure public safety, no buildings may be erected and no activities other than agricultural activities and those relating to recreational firearms target shooting are permitted within the area shown on the Westport Rifle Range Protection diagram in the Planning Maps.

**7.9.7. Historical/ Cultural Buildings and Sites**

7.9.7.1. Permitted Activities:

7.9.7.1.1. No changes of use or subdivision of any historic/cultural item(s) listed in Part 15, which would adversely affect the heritage resource or detract from the values the item(s) are listed for will be allowed.

7.9.7.2. Discretionary Activities:

7.9.7.2.1. No destruction of any historic/cultural item listed in Part 15.

**7.9.8. Notable Trees**

7.9.8.1. Permitted Activities:

7.9.8.1.1. No modification or destruction of any notable tree listed in Part 16 is permitted.

7.9.8.2. Discretionary Activities:

7.9.8.2.1. No destruction of any notable tree listed in Part 16, unless the work is clearly required to prevent obvious and imminent danger to the public.