



CLUTHA DISTRICT COUNCIL

DISTRICT PLAN

Prepared pursuant to the Resource Management Act 1991

Notification Date: 14 January 1995

Operative Date: 30 June 1998

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Certification of District Plan Approval

This is a true and correct copy of the Clutha District Plan prepared pursuant to the Resource Management Act 1991 and publicly notified on the 14th January 1995.

Consent to the approval of this District Plan with the exception of designation 52A and 53, which are the subject of references RMA 130/96 and 131/96, was received from the Environment Court on the 15th May 1998.

The District Plan, with the exception of designation 52A and 53, was approved by the Clutha District Council on the 21st May 1998, and is deemed to be operative on the 30th June 1998.

The Common Seal of the Clutha District Council was affixed pursuant to a resolution of the Council passed on the 21st May 1998.

L K Fyall (Mayor)

M H M Ross (Chief Executive)



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HOW TO USE THE DISTRICT PLAN

It is anticipated that people wishing to use the Plan will do so for two reasons:

- To understand what Council is trying to achieve in terms of its resource management objectives and policies over the duration of this District Plan.
- To determine the Plan's requirements for activities they wish to develop in different Resource Areas

In determining what requirements and standards any activity you wish to undertake must meet, the following procedure should help you identify all the relevant information:

1. REFER TO THE DISTRICT PLANNING MAPS CONTAINED IN VOLUME TWO

- (a) Identify your site on the District Planning Maps.
- (b) Determine what particular **Resource Area** your activity is located within (e.g. Rural, Coastal, Urban etc.).
- (c) Determine from the Maps whether your site is:
 - subject to any natural hazard (e.g. flood plain, fault line etc.);
 - subject to any designations;
 - has any historical building, site, tree etc. or any archaeological sites located upon it or adjacent to it;
 - has any reservation on it or adjoins any reserve land;
 - or is subject to any other notation on the Maps that may affect the use of that site.

Note: The Legend for the Planning Maps is contained on the last page of Volume Two Planning Maps.

2. REFER TO SECTION 3 - GENERAL PROVISIONS OF THE PLAN

- (a) What provisions of this Section may affect your **site**. For example, 3.5 Heritage will be relevant if a heritage site or archaeological site is shown on your site; 3.9 Hazards will be relevant if the map identifies a hazard area.
- (b) What provisions of this Section will affect your **activity**. For example, 3.3 Transportation will be relevant if your activity includes building a road; 3.11 Other Environmental Issues will generally be relevant to all activities; 3.6 Water will be relevant if your activity is to take place on the surface of the water or may impact on any waterbody.
- (c) Would your activity be subject to the requirements of Section 3.8 Financial and Reserve Requirements?
- (d) Does your activity comply with the provisions of Section 3

- NO** You will require a resource consent and must also refer to Section 4 of the Plan.
- YES** What conditions must you satisfy Council that you have fulfilled? See Section 3.1.1. You must now go to the specific Resource Area for your site.

3. REFER TO SECTION 4 - RESOURCE AREAS

- (a) Turn to the relevant **Resource Area** and identify the relevant **Rules** for your activity and/or site.
(b) Is your activity identified as a **PROHIBITED ACTIVITY**? (see Section 1.2.3 Types of Activities)

YES Then no resource consent application can be made for that activity.

NO Then ask the following;

- (c) Is your activity referred to as a
- **CONTROLLED,**
 - **DISCRETIONARY,**
 - **RESTRICTED DISCRETIONARY ACTIVITY,** or a
 - **NON-COMPLYING ACTIVITY**

(see Section 1.2.3 Types of Activities)

YES You will require a resource consent. Refer Section 3.1 Resource Consent Applications

NO Then ask the following:

- (d) Does your activity comply with the **Rules** of the Plan (including those rules contained in Section 3) and/or is it referred to as **PERMITTED ACTIVITY**?

YES Do you need to satisfy Council that your site/activity complies with any stated conditions e.g. for effluent disposal on unreticulated sites? (Refer to Section 3.1.17)

NO If it does not comply with the rules it is a **NON-COMPLYING ACTIVITY** and you will need a resource consent. (Refer Section 3.1 Resource Consent Applications)

If your activity is not specifically referred to, but complies with the rules, it is a **PERMITTED ACTIVITY** subject to the conditions of the Plan



1. STATUTORY BACKGROUND

1.1. STATUTORY BACKGROUND

1.1.1. THE NEW ERA

The Resource Management Act 1991 heralds a new direction for the management of resources. The philosophy of directing and controlling activities evident in the former Town and Country Planning Act has now given way to the promotion of the '*sustainable management*' concept which is to be achieved through limiting the adverse environmental effects of using and developing the natural and physical resources of the District.

The historical techniques of planning, where the emphasis was placed on the control of **activities**, have been replaced by a requirement under the new legislation to manage the "**effects of an activity**" rather than the activity itself.

This approach, together with greater emphasis on accountability, transparency and performance in local government, and in resource management in particular, offers Council the opportunity for greater flexibility and innovation to set and achieve goals to secure a high standard of environmental quality throughout the District.

The District Plan introduces a new era in the approach being taken towards the management of the natural and physical resources of the Clutha District.

1.1.2. THE RESOURCE MANAGEMENT ACT

(I) OVERVIEW

The Resource Management Act 1991 is the statutory framework for the preparation of District Plans. This Act replaced or amended the majority of the statutes affecting resource law. Of particular significance to planning was the replacement of the Town and Country Planning Act 1977, and significant amendments to the Local Government Act 1974.

The over-arching philosophy behind the new legislation is contained in four very important sections.

The **PURPOSE** of the Act is

"to promote the sustainable management of natural and physical resources".
(See Sec 5 RMA)

The **PRINCIPLES** of the Act are

- to recognise and provide for specified matters of National Importance.
 - (See Sec 6 RMA)
- to have regard to Kaitiakitanga, cultural and heritage values, the efficient use and development of natural and physical resources, and the enhancement of the environment and ecosystems.

- (See Sec 7 RMA)
- take into account the Principles of the Treaty of Waitangi.
 - (See Sec 8 RMA. Note: for a commentary on the principles of the Treaty of Waitangi see “Environmental Management and the Principles of Treaty of Waitangi” (1988) Parliamentary Commissioner for the Environment)

For a full quotation of Sections 5 to 8 of the Resource Management Act 1991, see Schedule 6.7.

(II) FUNCTIONS OF COUNCIL UNDER THE RESOURCE MANAGEMENT ACT

Council’s functions for the purposes of giving effect to the Act in its District, are established by Section 31, which sets out to achieve.

- integrated management of the **effects of** the use, development, or protection of land and associated natural and physical resources
- control of any **actual or potential effects** of the use, development, or protection of land
- avoidance or mitigation of natural hazards
- prevention and mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:
- control of subdivision
- control of the emission of noise
- control of any actual or potential effects of activities in relation to the surface of water
- other functions specified in the Act.

(III) Purpose of the District Plan

The general purpose of the District Plan is to assist territorial authorities in carrying out their functions to achieve the purpose of the Act.

The District Plan must be read in conjunction with the Resource Management Act 1991. No attempt has been made in the Plan to set out large parts of the Act or to discuss the philosophies and purposes it contains.

The District Plan is a mandatory requirement and there is to be a District Plan in place at all times. The District Plan interprets the requirements for sustainable management of natural and physical resources at a District level.

It should be noted that the District Plan cannot be used as a vehicle for the promotion and encouragement of development in the District. These issues are more appropriately addressed through Council’s Strategic and Annual planning process.

The District Plan is concerned with the “**effects**” of development and activities, not the actual development or activity itself.

The management of effects can include effects on:

- The community or any group within the community
- Other natural and physical resources
- Natural, physical, or cultural heritage sites and values, including landscape, landforms, historic places, and waahi tapu.

(IV) PREPARATION PROCESS AND SECTION 32 ANALYSIS

This District Plan has been prepared by Council's Planning and Environmental Committee after extensive consultation with individual organisations and the general public. Council has met with numerous affected parties and has released a series of discussion papers aimed at identifying the resource management issues facing the Clutha District and the most appropriate options available to deal with those issues.

These consultations and discussion papers form the basis of Council's consideration of the Plan's contents in terms of Section 32 of the Act. Section 32 imposes a duty on Council to consider the alternatives, assess the costs and benefits, and determine the necessity of a chosen action in terms of the Act's purpose, before adopting objectives, policies or methods in the Plan.

This process has resulted in the District Plan being prepared as follows;

Volume One: The District Plan, which embodies.

- the background to the resources of the District
- the issues affecting the resources of the District
- the objectives, policies and rules in respect of those issues.

Volume Two: The Planning Maps,

- which diagrammatically illustrate various issues addressed in the plan;
- identifies the hazards affecting various localities

Resource Material: which is not in document form, but which contains all background reports and the submissions received and the changes which occurred as a result.

Resource Material is the background part of the Plan formulation process and contains a wide range of information which is available in Council's office for inspection. The reasons and explanation which accompany the chosen objectives, policies and methods reflects the essence of that process.

(V) Resource Management Hierarchy

The Resource Management Act establishes a hierarchy of Policy Statements and Plans to help achieve the sustainable management purpose of the Act.

That hierarchy can be summarised as follows -

1. The Resource Management Act itself, particularly Part II, and the specific sections with which Plans and Policy Statements must comply.
2. Regulations to be known as "National Environmental Standards" (Section 43).
3. National Policy Statements and New Zealand Coastal Policy Statements.
4. Water Conservation Orders.
5. Regional Policy Statements.
6. Regional Plans.
7. District Plans

This hierarchy is not sequential, but it does establish an order of priority within which the various Plans and Statements cannot be inconsistent with those of higher priority. For example, a District Plan can be developed before a Regional Policy Statement but cannot be inconsistent with the

Regional Policy Statement, once it is operative. If the District Plan is found to be inconsistent with the Regional Policy Statement a District Plan change may be necessary.

The structure of the hierarchy can be summarised as follows:

REGULATIONS - "NATIONAL ENVIRONMENTAL STANDARDS"

These provide for the development of National Environmental Standards (in the form of regulations) describing technical standards (as well as methods to implement those standards), relating to the use, development and protection of natural and physical resources. Those standards may relate to noise, contaminants, water quality, level or flow, air quality, and soil quality in relation to the discharge of contaminants. Before such regulations are produced however the Minister of the Environment must establish a process which gives the public the opportunity to comment and requires a publicly notified report and recommendation on the subject matter of the proposed regulations.

(Secs 43 and 44 RMA)

NATIONAL POLICY STATEMENTS

The Minister for the Environment has the power to recommend the issue of a National Policy Statement. The purpose of such National Policy Statements is to state policies on matters of national significance that are relevant to achieve the purpose of the Resource Management Act.

(Sec 24 RMA)

NEW ZEALAND COASTAL POLICY STATEMENTS

While National Policy Statements are not mandatory, New Zealand Coastal Policy Statements are, and at all times there must be at least one New Zealand Coastal Policy Statement prepared and recommended by the Minister of Conservation. The purpose of the New Zealand Coastal Policy Statement as established by Section 56 is to:

"... state policies in order to achieve the purpose of the Resource Management Act 1991 in relation to the coastal environment of New Zealand."

WATER CONSERVATION ORDER

The purpose of Water Conservation Orders (Section 199 RMA) is to recognise and sustain:-

"a. Outstanding amenity or intrinsic value which are afforded by waters in their natural state;

b. Where waters are no longer in their natural state, the amenity or intrinsic value of those waters which in themselves warrant protection because they are considered outstanding."

REGIONAL POLICY STATEMENTS

The purpose of the Regional Policy Statement (Section 59 RMA) is:-

"... to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region."

A "Regional Policy Statement" shall not be inconsistent with:

- any National Policy Statement
- the New Zealand Coastal Policy Statement
- any Water Conservation Order.

The Otago Regional Policy Statement was notified at the date of notification of this Plan and is the relevant regional policy statement for Clutha District. The Clutha District Plan is generally consistent with the Otago Regional Policy Statement.

REGIONAL COASTAL PLANS

The purpose of the Regional Coastal Plan (Section 63 of RMA) is;

‘to assist a Regional Council, in conjunction with the Minister of Conservation, to achieve the purpose of this Act in relation to the coastal marine area of that region.’

A Regional Coastal Plan is a mandatory requirement and shall not be inconsistent with any national policy statement the New Zealand Coastal Policy Statement any water conservation order.

The Otago Regional Coast Plan was notified at the date of notification of this Plan and adjoins the Clutha District at mean high water springs and at mutually agreed positions across river mouths as shown on the Planning Maps.

REGIONAL PLANS

The purpose of Regional Plans (Sec 63 RMA) is:

“...to assist the Regional Council to carry out any of its functions in order to achieve the purpose of the Act.”

A Regional Plan shall not be inconsistent with:

- any National Policy Statement or New Zealand Coastal Policy Statement
- any Water Conservation Order
- the Regional Policy Statement.

A Regional Plan is not a mandatory requirement.

(vi) The District Plans Relationship with other Legislation and Plans

The District Plan must not be inconsistent with any of the following:-

- any National Policy Statement
- any New Zealand Coastal Policy Statement
- any Water Conservation Order
- the Regional Policy Statement or Regional Plan in regard to any matter of regional significance or for which the regional council has primary responsibility for.

If any inconsistency is found a change to the District Plan may be necessary.

Where there is a dispute about the consistency between Policy Statements and Plans (as outlined above), the issue may be referred to the Environment Court for a decision resolving the matter (S.82). If the Court considers there is inconsistency, it shall order the authority responsible for the Policy Statement or Plan to initiate a change to it unless the Environment Court considers it is of

minor significance that does not affect the general intent and purpose of the document concerned, in which case it may allow that inconsistency to remain.

The Environment Court may also hear disputes about whether it is necessary to change any Regional Policy Statement or any Plan to address issues and objectives of a National Policy or New Zealand Coastal Policy Statements.

Section 74 requires that Council must also have regard (to the extent to which they have a bearing on resource management issues) to the following when preparing or changing a District Plan.

(A) ANY MANAGEMENT PLANS AND STRATEGIES PREPARED UNDER OTHER LEGISLATION

- **Reserves Act 1977**
 - Management Plans
- **Conservation Act 1987**
 - Conservation Management Strategies and Plans
 - Freshwater Fisheries Management Plans
 - Sports Fish and Game Management Plans
- **The National Parks Act 1980**
 - Park Management Plans
- **Local Government Act 1974**
 - Annual Plans
 - Strategic Plans
 - By-laws
- **Historic Places Act 1993**
 - Conservation Plans
 - Register of Historic Places
- **Civil Defence Act 1983**
 - Civil Defence Plans

(B) RELEVANT PLANNING DOCUMENTS RECOGNISED BY IWI AUTHORITIES

- **Kai Tahu ki Otago Natural Resource Management Plan**

(C) REGULATIONS RELATING TO THE CONSERVATION OR MANAGEMENT OF TAIAPURE OR FISHERIES

Consideration must also be given to neighbouring district plans to ascertain the issues over which there may need to be consistency.

Along with the legislation listed under (a) above, the following Acts also impact on resource use:

- **Crown Minerals Act 1991**
 - establishes the process by which permits for prospecting, exploration and mining of Crown owned minerals are obtained.
- **New Zealand Walkways Act 1990**
 - provides for the establishment of a system of walking tracks throughout New Zealand
- **Forestry Amendment Act 1993**
 - controls the export and use of the indigenous timber resource
- **Building Act 1991**
 - establishes a regulatory framework for the control of building works in respect of public health, safety and amenity.

- **Biosecurities Act 1993**
 - provides for the exclusion, eradication and management of pests and unwanted organisms, and defines the functions of local authorities in respect of these issues.
- **Health Act 1956**
 - together with by-laws, controls health and safety matters, including the operation of commercial and industrial activities.
- **Government Rooding Powers Act 1989**
 - establishes the role of NZ Transport Agency in promoting and allocating resources to achieve a safe and efficient land transport system.
- **Soil Conservation and Rivers Control Act 1941**
 - promotes soil conservation for the prevention and mitigation of soil erosion, the prevention of damage by floods and the utilisation of land to achieve these ends.

(VII) ROLE OF OTHER AGENCIES

There are a number of other bodies that have resource management responsibilities in terms of the Resource Management Act 1991. These are summarised below:

MINISTRY FOR THE ENVIRONMENT

The Ministry for the Environment's role is generally an overview and monitoring one, although there are some areas of direct resource management responsibility.

DEPARTMENT OF CONSERVATION

The Department of Conservation was established by the Conservation Act 1987, and is given the role of managing the Crown's conservation estate and other natural and historic resources entrusted to it. Within the context of the Clutha District this comprises an area of 94,445 hectares. The Department also has an advocacy role for conservation values over areas for which it does not have a managerial role.

The Department has duties and functions in terms of several other Acts as follows:-

- Wildlife Act 1953
- Marine Animals Protection Act 1978
- Fisheries Act 1983
- New Zealand Walkway Act 1990
- Reserves Act 1977
- Wild Animal Control Act 1977
- National Park Act 1980

The Minister of Conservation has responsibilities in the coastal environment in terms of the RMA.

OTAGO REGIONAL COUNCIL

The functions of the Otago Regional Council are set out in section 30 of the Resource Management Act which is attached as Schedule 6.8.

While the Otago Regional Council is the principal authority in respect of controlling the use of land for the purpose of soil conservation and the maintenance and enhancement of the quality and quantity of water in the Clutha District, the Clutha District Council also has a role in controlling the effects that using, developing, and/or protecting land may have on these issues. This Council's role

in respect of these issues will complement the Regional Council's functions while ensuring duplication of controls is avoided.

Both the Otago Regional Council and the Clutha District Council also have roles to play in respect of the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances. Again these functions will be undertaken in a complementary matter that ensures duplication of controls is avoided.

FISH AND GAME COUNCIL

The Otago Fish and Game Council is the statutory agent for the management of sports fish (trout and salmon) and gamebirds (waterfowl and upland game) in the Clutha District. The Conservation Act assigns the following function to the Fish and Game Council;

- Assessing and monitoring sports fish and game populations, and the condition of ecosystems
- Maintaining and improving access to the sports fish and game resource
- Undertaking such works as may be necessary to maintain and enhance the habitat of sports fish and game
- Promoting and educating on sports fish and game matters
- Preparing and maintaining sports fish and game management plans
- Representing the interests and aspirations of anglers and hunters in the statutory planning process.

HISTORIC PLACES TRUST AND MAORI HERITAGE COUNCIL

Both the Historic Places Trust and the Maori Heritage Council have roles to play in terms of the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. The Trust is required to compile and maintain a register of historic places, areas, waahi tapu, and waahi tapu areas, and is to supply this to Council to assist in protection of these areas under the Resource Management Act 1991.

The Trust also has an advocacy role in respect of heritage issues, and may give Council notice of a requirement for a heritage order where it considers appropriate.

1.2. THE PLANNING PROCESS

1.2.1. STRUCTURE OF THE DISTRICT PLAN

District Plans are required to complete an integrated statement to assist Council to achieve the sustainable management of the natural and physical resources of the Clutha District.

This District Plan comprises six main parts.

Section 1: Establishes the background to the District Plan and identifies the statutory process of which the District Plan is but a part.

Section 2: Sets out a brief summary of the resources of the District upon which the provisions of this District Plan are based.

Section 3: Sets out the procedures necessary to obtain resource consent for the various types of activities identified in the Plan. It also deals with the resource management issues which have application over the whole of the District and sets out the Objectives, Policies, Rules or Methods to control effects of activities.

Section 4: Identifies the resource management issues for the specific RESOURCE AREAS which are identified in the Plan and provides Objectives, Policies, Rules or Methods to address these issues.

Section 5: Contains the definition section which explains some of the words which are used consistently throughout the District Plan.

Section 6: Contains the Schedules which contain information relating to the designations, reserves and facilities shown on the Planning Maps.

1.2.2. COMPLIANCE WITH THE DISTRICT PLAN

The Act requires that no person may use any land in a manner which contravenes a rule in the District Plan. There are however, exceptions for uses which existed before this Plan was made operative. The provisions of Sections 9 and 10 and 10A of the Act deal with these exceptions.

The Council as part of its duties is required to gather information, monitor, and maintain records on resource management matters. In particular, the Council will monitor compliance with resource consents and be vigilant in investigating reports and complaints of activities which have started without a consent which should have been obtained and/or are creating adverse effects on the environment. (*See Section 1.3*)

1.2.3. TYPES OF ACTIVITIES

Activities are classified into five groups. These are:

PERMITTED which do not require a resource consent but may be subject to conditions in the Plan.

**CONTROLLED
DISCRETIONARY** which require a resource consent
NON-COMPLYING

PROHIBITED for which no application for resource consent can be made

(A) PERMITTED ACTIVITIES

PERMITTED ACTIVITIES ARE THOSE WHICH CAN PROCEED AS OF RIGHT, BUT MUST COMPLY IN ALL RESPECTS WITH ALL THE RULES FOR SITE PERFORMANCE SPECIFIED IN THE PLAN.

Both Section 3 and the specific RESOURCE AREAS of Section 4 specify performance standards with which an activity must comply e.g. minimum site areas for particular land uses, building heights and set-backs from boundaries, noise restrictions, parking requirements, and access to sites.

An activity which does not comply with one or more of the relevant rules for site performance may be considered as a controlled, discretionary or non-complying activity in respect of that standard as may be specified in that Rule.

Some activities are permitted activities throughout the District subject to the specific rules of the RESOURCE AREA in which they are located

(B) CONTROLLED ACTIVITY

A CONTROLLED ACTIVITY WILL REQUIRE A RESOURCE CONSENT.

Council will grant consent subject to conditions over matters referred to in the Rules. This process is to avoid, remedy or mitigate any adverse effects of the activity on the environment.

(C) DISCRETIONARY ACTIVITIES

DISCRETIONARY ACTIVITIES REQUIRE A RESOURCE CONSENT.

Some activities are listed as discretionary activities because their scale, intensity or operational characteristics require particular assessment to determine whether they are suitable or under what circumstances they may be suitable in certain areas in order to avoid adverse effects on the environment.

For some activities Council has restricted the exercise of its discretion to only certain elements of any activity. These activities, in this District Plan are called **restricted discretionary activities**.

Discretionary activities can be granted or refused and can have conditions attached provided that for restricted discretionary activities conditions can only be imposed on the basis of the restrictions imposed by this Plan.

(D) NON-COMPLYING ACTIVITIES

A NON-COMPLYING ACTIVITY REQUIRES A RESOURCE CONSENT.

A non-complying activity is an activity which does not comply with the rules and performance standards of the Plan, and has not been provided for as a controlled or discretionary activity, and is not a prohibited activity.

(E) PROHIBITED ACTIVITY

NO RESOURCE CONSENT APPLICATION CAN BE MADE FOR A PROHIBITED ACTIVITY

1.2.4. GENERAL DUTIES UNDER THE RESOURCE MANAGEMENT ACT

(A) SECTION 16 - DUTY TO AVOID UNREASONABLE NOISE

Section 16 of the Act imposes a duty on every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on or under a water body or the coastal marine area to avoid unreasonable noise by adopting the best practicable option (as defined in the Act) to ensure that the emission of noise from that land or water does not exceed a reasonable level.

Where a complaint has been received by Council that excessive noise is being emitted from any place, and upon investigation, Council is of the opinion that the noise is excessive, Council may direct the occupier of the place from which the sound is being emitted, or any other person who appears to be responsible for causing the excessive noise, to immediately reduce the noise to a reasonable level. (See sections 326 to 328). This power is in addition to the powers to issue abatement notices (sections 322 to 325) and to seek enforcement orders (see section 316).

(B) SECTION 17 - DUTY TO AVOID, REMEDY OR MITIGATE ADVERSE EFFECTS

Section 17 of the Act imposes a duty on every person to avoid, remedy or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, whether or not the activity is in accordance with a rule in a plan, a resource consent, or is an existing use pursuant to section 10, section 10A or section 20.

Pursuant to Part XII of the Act a person may be required to stop doing, anything that, in the opinion of the Environment Court or an enforcement officer, is or is likely to be noxious, dangerous, offensive or objectionable to such an extent that it has or is likely to have an adverse effect on the environment; or do something that, in the opinion of the Environment Court or an enforcement officer, is necessary in order to avoid, remedy or mitigate any actual or likely adverse effect on the environment caused by, or on behalf of, that person. (See section 314 to 325A)

1.2.5. CHANGES TO THE DISTRICT PLAN

Any person may request Council to change the District Plan in terms of Part II of the First Schedule of the Act. Any such request shall be processed in accordance with Part II of the First Schedule of the Act.

1.3. MONITORING AND REVIEW OF PLAN

1.3.1. COUNCIL'S MONITORING DUTIES

Section 35 of the Act imposes a duty on Council to gather information, monitor, and keep records. The duty to monitor involves monitoring on four levels

- The state of the environment of the District
- The effectiveness of the Plan
- Any functions, powers or duties transferred or delegated by it
- The exercise of resource consents

The long term "state of the environment" monitoring is often called "base line" monitoring - providing the base information on the health and state of the environment. Information gained from this type of monitoring acts as a base for assessing changes or trends in the environment either as the result of natural processes or human actions. The main components assessed at this level are water and air quality, water quantity, and land condition.

Both the Otago Regional Council and the Department of Conservation undertake extensive baseline monitoring in the Clutha District as part of their overall monitoring duties in the Otago Region. Other Government departments and Crown Research Institutes also undertake baseline monitoring that has relevance to the Clutha District.

This type of monitoring enables Council to assess whether the Plan is achieving its anticipated environmental results.

A further type of monitoring, "compliance monitoring", is also an essential part of the monitoring equation. Compliance monitoring assesses whether policies, rules and resource consent conditions are being implemented and given effect. Unless Council is reasonably certain that its regulatory policies have been given effect to, 'state of the environment' monitoring will not have great credibility.

1.3.2. OBJECTIVES AND POLICIES

The following are Council's objectives in terms of its monitoring duties.

OBJECTIVE MON.1

To assess the effectiveness of the Plan in maintaining and enhancing the environmental quality of the District and in achieving the sustainable management of the natural and physical resources of the Clutha District.

POLICY MON.1

To complement the monitoring work already undertaken by other relevant authorities on the state of the environment in the Clutha District.

POLICY MON.2

To ensure that the objectives, policies and methods of the Plan, and the conditions of any resource consents granted, continue to be necessary in achieving the anticipated environmental results of the Plan, and the purpose and principles of the Act.

POLICY MON.3

To ensure that any functions, powers or duties delegated or transferred by Council are achieving the purpose of the Act by monitoring any such delegations and taking appropriate action under the Act.

1.3.3. METHODS

In monitoring the environment of the District to determine the suitability and effectiveness of this Plan, the following techniques may be used;

- Maintain a database of resource consents and building consents issued
- Require self monitoring of consents where considered appropriate and necessary.
- Compliance monitoring to ensure that conditions of resource consents and conditions of permitted activities are being adhered to and to also assess the necessity of resource consent conditions as circumstances change.
- Maintain a Register of Complaints received
- Analysis of feedback, compliments and complaints received.
- Analysis of the number, type and location of building and subdivision consents.
- Water quality surveys in catchment areas and at Council discharge points
- Commission research as it becomes necessary to provide additional information on the 'state of the environment
- Where appropriate, partake in joint initiatives with other local authorities, government departments and other agencies to monitor key aspects of the District's environment.
- To develop specific monitoring techniques for each resource issue contained within this Plan where appropriate.
- To release a "State of the Environment" report for the Clutha District each year which will also address the suitability and effectiveness of the District Plan for the Council.

1.3.4. REVIEW OF THE PLAN

The District Plan is a long term planning document which is required to be reviewed at least every ten years.

There may be occasions, however, where the District Plan will need to be reviewed earlier than the maximum ten years. The following circumstances may affect the contents of this Plan and may necessitate a review of the Plan;

- changes in legislation dealing with resource management.
- improved knowledge and understanding of the environment;
- changes in technology and market conditions;

- issues arising from monitoring the effectiveness and suitability of the Plan.
- The development of National Policy Statements, Regional Policy Statements and Plans, and reviews of these documents.
- The development and reviews of other resource management plans such as Iwi planning documents, Conservation and Reserve Management plans.
- Requests for plan changes or reviews

Any review of the Plan would be carried out in accordance with the First Schedule of the Act.

1.4. CROSS BOUNDARY ISSUES

The Act requires that the Plan state the process to be used to deal with issues which cross territorial boundaries [Section 75(1)(h)].

Territorial authorities that adjoin the Clutha District are as follows;

- Central Otago District Council
- Dunedin City Council
- Gore District Council
- Southland District Council

Cross boundary issues that may arise in respect of adjoining territorial authorities include the following;

- Land use activities [including uses on the surface of rivers] and development strategies which may give rise to adverse environmental effects in a neighbouring jurisdiction.
- Roading and transportation matters, drainage systems, (for example, effluent drainage from the Dunedin City District into the Lake Waihola/Waipori Wetland complex) water catchments and supply schemes, and other utility services which start in one jurisdiction and cross over into other jurisdictions.
- Resource consent matters primarily the concern of the Regional Council which may impinge on two or more territorial authority districts.

In dealing with these issues, Council may utilise the following processes;

- notification of adjoining territorial authorities that may be affected
- pre-hearing meetings pursuant to section 99 of the Act between applicants/developers, submitters, and relevant territorial authorities
- promote and participate in joint hearings pursuant to section 102 of the Act where these are considered necessary

Council will also consider significant resource management issues arising in the district of an adjacent local authority which may have implications for Clutha District. In appropriate cases, submissions will be prepared and lodged with that local authority in relation to such issues.

Cross boundary issues may also arise with Regional Councils. In the context of the Clutha District, the Otago Regional Council is the relevant regional council. However, cross boundary issues may also arise with the Southland Regional Council who adjoins the Districts southern boundary.

Such issues could include the following;

- land use activities that have implications for both the District and Regional Councils functions in respect of soil, water, natural hazards, and hazardous substances
- activities that may have implications across the boundary of the District Plan and the proposed Regional Coastal Plan for Otago, being the mean high-water springs mark
- activities that may be permitted by the District Plan but may require consent from the Regional Council

The same processes used to deal with cross boundary issues with adjoining territorial authorities will also be used in dealing with cross boundary issues between Council and the two relevant Regional Councils.



2. THE RESOURCES OF THE DISTRICT

2.1. THE LAND

Topographically, Clutha District is characterised by its rolling to steep downlands that form the interface between the coast and the inland hill country. Perhaps the most distinctive parts of the District are in fact the diversity of the vegetation and the dramatic coastline around the Catlins area. Other distinctive characteristics have been overlaid by human activity, for example the vegetation patterns associated with settlement, agricultural, horticultural, and forestry activity.

2.1.1. LAND USE

It is evident that the use of the District's land resource has formed the basis for primary production activities since the mid-19th Century. Indeed, the District's economy and development have been strongly dependent on agricultural production (particularly sheep farming), and this dependence has increased over recent years. The following points briefly highlight the main agricultural uses of land in Clutha District:

- Sheep Farming** Breeding and raising sheep for meat and wool production is the predominant land use in the District. Total sheep numbers exceed 3.2 million, which ranks Clutha District as a second most important sheep farming district in New Zealand. Lambing and wool growth performances are third only to Southland and Gore.
- Dairying** Dairying makes up a small but very viable farming sector. The majority of the dairy farms are situated on the Inch Clutha and Paretai areas. Most of the milk is supplied for cheese manufacturing.
- Beef Production** By New Zealand standards, beef production in the Clutha District is relatively small scale, and is generally associated with sheep farming and dairying.
- Deer Farming** Deer farming is relatively small scale compared to some other parts of New Zealand, but has steadily increased in importance in recent years as diversification for sheep farmers.
- Arable Farming** Cash crops of wheat, barley, oats and peas are grown in parts of the District with very good consistent yields, relative to other parts of New Zealand. Most of the production is now concentrated with a small number of specialist growers.
- Forestry** The total area of planted forest in Clutha District as at 1 April 1993 was estimated to be 68,990 hectares. (Source NEFD April 1993). The last few years has seen a dramatic upsurge in new plantings.
- Farm Forestry** Farm forestry is rapidly expanding in the District, with over 5,000 hectares planted by small growers in lots of less than 100 hectares in 1993.

Horticulture The Beaumont area is currently utilised for orcharding purposes, while market gardening and flower production occurs in the Inch Clutha/Paretai area. Nurseries and bulb growing enterprises have been developed in West Otago.

The District also contains a number of outstanding natural features and landscapes, and areas of significant indigenous vegetation and significant habitats of indigenous fauna. Along with the rivers, lakes and spectacular coastline of the District, these features comprise a valuable resource in terms of recreation and the growing tourism industry.

2.1.2. LAND QUALITY

Land Resource Inventory Worksheets have been prepared by the Water and Soil Division of the former Ministry of Works and Development and attempt to classify land on the basis of its capacity for sustained use. The land classes increase in limitation to use and decrease in versatility as they progress from Class I to VIII. However, there is great difficulty in applying these classifications in practise. While they do not form the basis of any policies or controls within this Plan, maps illustrating the location of these land use classifications (classes I to VIII) within the Clutha District are available upon request at the District Council Office.

While there is no Class I land within the District, there is Class II land located in several locations including Inch Clutha, Barnego, Telford, Heriot, Tapanui, Beaumont, areas along the Pomahaka River, and the plains surrounding Milton. This land is generally highly suitable for intensive cropping, dairying and horticultural uses although land in the Lower Clutha may have some wetness or drainage limitations and is therefore of limited value for cash crops and horticulture. Class II land is presently being utilised in the Beaumont area for orcharding and at Inch Clutha for market gardening.

A large area of Class III land exists in Clutha District. This land is moderately suitable for cropping and dairying but is highly suitable for pastoral use and forestry. Class III land in the District includes the alluvial plains of the Clutha and Pomahaka Rivers, the Tahakopa and Owaka Valleys, the area between Clarkesville and Balclutha, and the plains and rolling hill country in the Heriot, Tapanui, and Tuapeka areas.

Significant areas of Class IV land are located along the coast between Taieri Mouth and Clutha Mouth, in the hill country both north and east of Milton, in the areas west and south of Kaka Point, and between Adam's Flat and Waitahuna. This land is suitable for both pastoral and forestry use.

There is little Class V land in the District, the majority of it being located between Owaka and Clinton. A significant portion of the District's land is categorised as Class VI and VII.

Class V and VI is well suited for pastoral use and forestry (subject to its location and ease of access). Class VII has severe limitations for pastoral use but is suitable for forestry depending on altitude, access and location.

2.2. THE PEOPLE

While people are not included in the definition of “natural and physical resources” under the Act, demographic information can provide an insight into what the likely demand on natural and physical resources will be. Population projections derived from these statistics provide a basis for developing scenarios for future management of the District’s resources. However, it should be noted that population projections do not take into account external influences such as major government and business decisions, changing market factors, and natural disasters.

All figures quoted in the following sections are taken from the Department of Statistics Census information.

2.2.1. POPULATION

The Department of Statistics 1991 Census reveals that some 18,303 people live in Clutha District. This figure follows a trend which has occurred over the past 15 years whereby Clutha District has experienced large net migration loss. Table 1 illustrates the change in total population for Clutha District since 1981. These figures have been adjusted to represent the new Clutha District boundaries following local government reorganisation in 1989.

The extent of the District and its infrastructure are shown opposite as Figure 1.

Table 1: Clutha District Total Population

YEAR	POPULATION	% CHANGE
1981	20700	
1986	19200	-7.3
1991	18303	-4.6

* Note:

1. Total population includes residents and non-residents
2. Figures adjusted for new Clutha District boundaries.

The Department of Statistics Census data for the period between 1981 and 1991 indicates that generally within New Zealand, the areas to lose population were those dominated by rural populations, a characteristic typical of Clutha District. This is not surprising given the economic downturn experienced in the rural sector during the 1980's.

However, as Table 1 indicates, net migration loss appears to be slowing, and given the recent upsurge in the country’s economy, this trend is likely to continue. The increased activity in the dairying and forestry sectors, together with the possibility of downstream processing plants locating in the District give very strong indications that this trend will level out and may in fact reverse.

2.2.2. AGE STRUCTURE

According to the Department of Statistics 1991 Census, the District at present has a relatively evenly distributed population age structure as shown in Table 2. It is interesting to note that although

nearly half of the net migration loss over the past 15 years has occurred in the 5-14 years age group, Clutha District still has the largest number of people (3,057) in this age group.

Table 2: Clutha District Age Groups*

AGE GROUP	TOTAL NUMBER	%
Under 5	1371	7.5
5-14	3057	16.8
15-19	1452	8.0
20-29	2424	13.3
30-39	2877	15.8
40-49	2424	13.3
50-59	1776	9.8
60 +	2781	15.3
TOTALS	18165	99.8

* Note:

- (i) Resident population only - not total population
- (ii) Males and females combined
- (iii) Totals may vary due to rounding of statistics to base 3.

2.2.3. TEMPORARY AND VISITOR POPULATION

At the 1991 Census the visitor population in Clutha District accounted for 5.6 percent of the total population. Within that 5.6 percent, 4.9 percent were usually resident elsewhere in New Zealand, and 0.7 percent were visitors from overseas. The largest number of these visitors were recorded in Balclutha.

With the New Zealand Tourism Board aiming to attract three million people to New Zealand by the end of the year 2000 (which would treble the existing visitor numbers to New Zealand), visitor population is likely to increase in the Clutha District, particularly as the District contains numerous scenic and wildlife attractions. This has implications in terms of pressure on the District's conservation resource, and public services such as roading, water and reticulation services.

2.2.4. ETHNIC COMPOSITION

Of Clutha District's resident population, 6 percent of the people stated that they have Maori ancestry (either NZ Maori or Part Maori) in the 1991 Census. This is compared to the 92.7 percent which have European origins. The remaining 1.2 percent put themselves in the other (including not specified) category. A summary of this information is presented in Table 3 below:

Table 3: Clutha District Ethnic Groups*

ETHNIC GROUP	TOTAL DISTRICT	
	NUMBER	%
European	16848	92.7
NZ Maori	732	4.0
Part Maori	369	2.0
Other (including not specified)	216	1.2
TOTALS	18165	99.9

* Note:

1. *Resident population only - not total population*
2. *Males and females combined*
3. *Totals may vary due to rounding of statistics to base 3*

2.2.5. EMPLOYMENT AND THE ECONOMY

It is evident that use of the District's natural and physical resources has formed the basis for primary production activities since the mid 19th century. Indeed, the District's economy and development have been strongly dependent on agricultural production (particularly sheep farming) and this dependence has increased over recent years. This is reflected in the Department of Statistics 1991 Census Figures which indicate that the combined agricultural, hunting, forestry and fishing industries are the most important employment sector in the District, employing 37.3 percent of the District's work force aged 15 and over.

It would be fair to say that agriculture and forestry constitutes a substantial portion of this figure. With approximately 10 percent of Otago Region's population and 20 percent of its land area, Clutha District produces about 50 percent of the regions agricultural production. The District also contains approximately 50% of the planted forest resource for the Otago/Southland region.

Consequently, the significant increase in forestry and dairying activity in the District will have a significant impact on employment figures in the District.

The main employers and processing plants within the District are the export meatworks at Finegand, woollen mills at Milton, cheese factory at Stirling, and timber mills situated in Tapanui, Milton and Balclutha.

The next most obvious sectors in Clutha District are manufacturing, and community, social, and personal services. The District has 19.4 percent of its workforce employed in manufacturing and 17.1 percent in community, social, and personal services. The tourism industry is also increasing within the District with a significant number of people being employed in hotels and motels and in-home hosting.

This industry is not identified specifically within its own category under the Census employment figures.

This information is presented in a complete table, Table 4, of employment by industry in the Clutha District, in which comparison is also made with figures for Otago Region.

Council has recognised the importance of incorporating an awareness of potential changes in the economy in the preparation of this Plan. This has been achieved by acknowledging the need for flexibility, and hence diversity.

Table 4: Clutha District Employment by Industry Population Resident In New Zealand 15 Years and Over*

INDUSTRY	TOTAL DISTRICT			OTAGO REGION		
	<i>Number</i>	<i>%</i>	<i>% of Resident Population</i>	<i>Number</i>	<i>%</i>	<i>% of Resident Population</i>
Agriculture, Hunting, Forestry and Fishing	2979	37.3		5454	8.3	
Mining and Quarrying	21	0.3		444	0.7	
Manufacturing	1551	19.4		9144	14.0	
Electricity, Gas and Water	66	0.8		552	0.8	
Building and Construction	297	3.7		4059	6.2	
Wholesale, Retail and Restaurants	987	12.4		14088	21.5	
Transport, Storage and Communication	312	3.9		3765	5.8	
Business and Financial Services	273	3.4		6186	9.5	
Community, Social and Personal Services	1365	17.1		20745	31.7	
Not Adequately Defined	64	0.8		968	1.5	

TOTALS	7908	99.1	57.6	65406	100	50.2
Balance Resident Population over 15	5829		42.4	64935		49.8

* *Note:*

1. *Resident population only - not total population*
2. *Males and females combined*
3. *Otago Region figure excludes Clutha District*
4. *Totals may vary due to rounding of statistics to base 3*
5. *Balance resident population includes those over 15 not employed*
6. *Includes full-time and part-time workers.*

Source: 1. 1991 New Zealand Census of Population and Dwellings: Otago/Southland Regional Report, Department of Statistics (Table 12)

2.3. URBAN ENVIRONMENT

The well-being, safety, and health of people and communities is closely linked to urban areas. These areas meet basic human needs such as shelter and warmth, provide a system of mobility and access to services, provide infrastructure for activities, contribute to the community's quality of life, and protect its assets etc.

The different environmental character of urban and rural areas requires some distinction as to how these areas are treated. Consequently, urban and rural areas are identified separately on the planning maps. Actually defining the boundary between urban and rural areas differs in terms of the type of urban area in question.

Within Clutha District a number of different types of urban areas have been identified, namely:

- Reticulated towns and townships
- Unreticulated townships and rural settlements
- Coastal settlements
- Historic settlements

2.3.1. RETICULATED TOWNS AND TOWNSHIPS

Existing settlement patterns and further development areas for these types of urban areas are distinguished from the rural environment by the capacity and limitation of the reticulation system. Beyond that point the extension of Council services becomes unsustainable and the capacity to provide adequate services diminishes. Development therefore becomes unsustainable.

Where population figures are quoted, they relate to the 1991 Census.

BALCLUTHA

Balclutha (pop 4,059), is the main urban area within Clutha District. The town has functioned from its inception as a servicing and distribution centre for the fertile rural hinterland. Being located on the State Highway 1 and railway it also functions as the District's major commercial and industrial centre. The majority of South Otago's educational, health, cultural and recreational facilities are also located here.

TAPANUI

Tapanui (pop 789) is situated on undulating country between the western slopes of the Blue Mountains and the Pomahaka River, a major tributary of the Clutha River. Tapanui's main role is servicing the productive farming and forestry activities of the area. The major industrial activities are related to the forestry industry and include a large sawmill at Conical Hill, 13 kilometres south of Tapanui, and a smaller sawmill located on the fringe of Tapanui township.

OWAKA

Owaka's (pop 405) principal function is that of a rural servicing centre. The township is reasonably well endowed with community facilities, including an Area School, Old Peoples Home, Community Centre, swimming pool and other recreational facilities. Residents day to day shopping and living requirements are also provided for.

KAITANGATA

Kaitangata (pop 858) is situated on the east bank of the Matau Branch of the Clutha River, 6 kilometres upstream from the mouth of the river and 13 kilometres south east of Balclutha. The town serves primarily as a residential satellite to Balclutha and plays only a minor role in the servicing of surrounding rural areas and activities. The major economic activity at Kaitangata is centred on the working in the Kai Point open cast coal mine. There is also a land-based salmon farm on Inch Clutha, in the general vicinity of Kaitangata.

HERIOT

Heriot is situated 5 kilometres east of State Highway 90, approximately 11 kilometres north of Tapanui. The township's function is to serve the day-to-day needs of a large surrounding sheep farming area. Community facilities at Heriot include a primary school, cultural, social and recreational facilities, and day-to-day shopping.

MILTON

Milton (pop 2019.) is the Districts second largest town and is the main provider of commercial, social, educational, and medical facilities for the northern part of Clutha District. As with Balclutha, Milton is located on the main south highway and railway and is consequently an important commercial and industrial centre to the District. The textile mill has been operating in Milton since 1887. There are also a number of sawmills located here.

LAWRENCE

The town of Lawrence (pop 507) is situated on State Highway 8 and serves the day-to-day needs of the surrounding farming community and the travelling public. It provides the usual service industries and public amenities associated with a rural town. Lawrence has a colourful history dating back to 1861 when Gabriel Read found gold in the area and much of that history is still evident today.

CLINTON

Clinton (pop 387) is a rural servicing centre serving a large and prosperous hinterland. Both the main south highway and railway pass through Clinton. The township is also reasonably well endowed with community and recreation facilities.

WAIHOLA

Waihola serves as a holiday settlement and servicing centre for the surrounding rural area and travellers passing through on State Highway 1. It is also becoming popular as a retirement and satellite village for Dunedin. A wide range of community facilities are present in Waihola, while Lake Waihola and the adjacent recreation reserve provide recreational opportunities.

STIRLING

The township of Stirling (pop 306) is a rural servicing centre providing alternative residential accommodation for people working in Balclutha. Stirling is located on the main south railway. Economic activity in the town itself is centred on the Otago Cheese Company's factory.

WAIPORI FALLS

The Waipori Village was originally established by the Waipori Falls Company in 1902 as part of that company's electricity generation scheme which was purchased and completed by the Dunedin City

Council in 1907. The village is no longer needed in connection with the power scheme and has been developed in terms of the Unit Titles Act. The individual units are generally used for holiday homes, with some permanent residents. The body corporate is responsible for the upkeep of the tennis courts, water and sewerage reticulation schemes and the sealed streets of the village. A swimming pool is located by the power station which is available for use by the people of the village.

2.3.2. UNRETICULATED TOWNSHIPS AND RURAL SETTLEMENTS

Unreticulated townships are distinguished from rural settlements in terms of their density of development.

Rural settlements are primarily settlements with an historical subdivision pattern, where development has not occurred to the degree anticipated when the survey was originally carried out. Hence, there is often a large number of small sites available for development.

The identification of these unreticulated townships and rural settlements in the Plan is limited to the extent that residential development has already occurred, and community facilities exist. The boundary between the urban and rural environment in these areas generally coincides with the existing settlement pattern and in no case exceeds the existing historical pattern.

The unreticulated townships and rural settlements of the district area as follows:

Waipahi	Greenfield/Clydevale	Waiwera South
Benhar	Milburn	Kapiti
Tokoiti	Kakapuaka	Finegand
Beaumont	Waitahuna	
Tahakopa	Tuapeka Mouth	

These settlements generally perform a minor rural servicing role, and often contain community facilities such as halls, hotels, churches and recreation facilities. Finegand is a major industrial area of the District, with the freezing works, grain and fertiliser stores, sale yards, and skin and pelt processors all located in close proximity to one another.

2.3.3. COASTAL SETTLEMENTS

The Act has identified the coast for special consideration by virtue of section 6 Matters of National Importance. In achieving the purpose of the Act, this section requires Council as a matter of national importance to recognise and provide for the preservation of the natural character of the coastal environment and the protection of it from inappropriate subdivision, use, and development. The New Zealand Coastal Policy Statement also impacts on resource use in the coastal environment.

In light of this, sporadic development along the coast, detracting from visual amenity, and effluent disposal need careful consideration. Consequently, Council has considered it appropriate to identify areas of coastal settlement where natural character is no longer significant. This also allows for coastal development to be contained within these areas where the natural character has already been compromised. These settlements will be identified as urban or rural settlements on the planning maps.

TAIERI MOUTH

Taieri Mouth is a popular recreation area and a large number of cribs exist in this locality. The development of forestry in the vicinity is a significant employer, while the township also supports a significant fishing fleet. A full range of community facilities are provided at Taieri Mouth. Certain parts of the township are however subject to drainage problems. Taieri Mouth is identified as an Urban Resource Area.

BULL CREEK, TOKO MOUTH, CHRYSTALLS BEACH, AND MEASLEY BEACH

These communities are essentially concentrations of cribs along the District's coast north of Balclutha. There are few permanent residents in these settlements. Toko Mouth has been identified as a coastal hazard area by the Otago Regional Coastal Plan due to erosion, while Chrystalls Beach has been identified as an area of natural character by the same Plan. Development upon existing sites at Bull Creek and Toko Mouth will be provided for in Rural Settlement Resource Areas, while any further development in Chrystalls Beach and Measley Beach will need to take place in accordance with the Coastal Resource Area

JACKS BAY AND WILLISHER BAY

These two communities are situated south of Owaka and Kaka Point respectively. Situated close to significant scenic areas, they provide attractive alternatives to the large coastal holiday settlements of Kaka Point, Pounaweia, and Papatowai. Both settlements are located in areas considered to be areas of natural character by the Otago Regional Coastal Plan. Further development has been provided for by the rules of the Rural Settlement Resource Area.

KAKA POINT (RETICULATED)

Kaka Point (pop 207) is primarily a retirement and holiday home community, however, it also provides an alternative coastal residential location for workers at the Finegand Freezing Works. The population of Kaka Point fluctuates markedly during the course of the year with a notable increase during holiday periods. Kaka Point has been identified as an Urban Resource Area.

NEWHAVEN

There is a collection of holiday homes at Newhaven however development in recent years has been restricted due to the threat erosion poses to the community. The Regional Coastal Plan identifies this area as a coastal hazard area. Newhaven has been identified as a Rural Settlement Area within which development can occur on the existing subdivision pattern provided natural hazards are avoided or mitigated.

POUNAWEA

Pounaweia is a settlement located at the confluence of the Owaka and Catlins Rivers catering for both holidaymakers and permanent residents. The Pounaweia Convention Trust Board maintains camping and accommodation facilities at the township, and there is also a camping ground at the Domain. Pounaweia is identified as a Rural Settlement.

PAPATOWAI

Papatowai is located at the mouth of the Tahakopa River and is set in a particularly scenic area. It is primarily a holiday home settlement and has been identified as a Rural Settlement. This area is identified as an area of natural character by the Regional Coastal Plan.

TAUTUKU

There are a number of cribs located on the Tautuku Peninsula. This area is of significance to Iwi and is located in an area identified as an area of natural character by the Regional Coastal Plan. There are concerns over the disposal of waste at this site. No Rural Settlement Resource Area has been established at this site.

2.3.4. HISTORIC SETTLEMENTS

There are a number of historic settlements throughout the District. While, in some instances, there may be a few dwellings located in these areas, or a community facility such as a hall or sportsground, development within these areas will be determined by the rules of the various resource areas.

Historic settlements in this category include, but are not limited to the following:

Ratanui/Houipapa	Lakeview Settlement
Evans Flat	Glenomaru
Port Molyneux	Glenledi
Inch Clutha	Pomahaka
Tuapeka West/Kononi	Kelso
Blue Spur	Town of Beauly
Dunrobin	Wetherstons
Crookston	Edievale
Waitahuna Gully	Hillend
Glenore	Manuka Creek
Maclennan	Romahapa
Warepa	Waikoikoi

2.3.5. BUILT HERITAGE

Clutha District has many heritage buildings, places and areas, sites and objects which reinforce the District's identity and cultural past. In achieving the purpose of the Resource Management Act 1991, Council is required to have particular regard to the recognition and protection of the heritage values of buildings (Section 7(e), Resource Management Act 1991).

A list of the District's built heritage is contained in Table 13 'Register of Heritage Buildings, Sites and Objects.

2.4. WATER RESOURCES

Clutha District is rich in water resources with part of three major catchment systems, namely, the Clutha, Tokomairiro, and Taieri River catchments located within the District. In addition, the Catlins area also has a comprehensive and important water system.

Council has responsibility for controlling the actual or potential effects of activities on the water surface, while it also has a role to play in terms of the effects of land use on waterbodies.

The Otago Regional Council has responsibility for the maintenance and enhancement of the quality and quantity of water in waterbodies; for the control of the taking, use, damming or diversion of water; for the control of discharges to water; and for the control of the disturbance of the beds of waterbodies. For the full list of the Regional Council's functions refer to Schedule 6.8.

2.4.1. RIVER CATCHMENTS

The Lower Clutha River, which bisects the District, has the largest flow of any river in New Zealand, having a mean flow at Balclutha of 570m³ per second. Although only a small part of the Clutha River catchment lies within Clutha District Council's area of jurisdiction, Council recognises the importance of coordinated management of entire catchments. The Pomahaka River is a major tributary of the Lower Clutha River and is an extremely important fishery. Other tributaries include the Beaumont, Tuapeka, Waiwera and Waitahuna Rivers.

The Pomahaka, its tributaries, and the Clutha River extending from the Mouth of the Pomahaka to the sea are subject to a rule in the Otago Regional Council Regional Plan (the former Local Water Conservation, (Pomahaka River and Tributaries and Lower Clutha River Notice) 1989. These waters are regionally significant recreational trout fisheries and fish habitats. (*Note: see Schedule 6.10.5.2 and 6.10.5.3 for special significance to Iwi*).

The Tokomairiro River catchment has a total area of 398 square kilometres. The Tokomairiro River itself comprises two main branches which originate as high-country streams. The West Branch joins the East Branch (sometimes called the North Branch) on the Tokomairiro Plains some 16 kilometres from the coast. The river as it passes over the Plains has a distinctive meandering pattern and has a number of riffle reaches. It flows into the Pacific Ocean at Toko Mouth.

The Taieri River catchment covers a total area of approximately 5650 square kilometres. Like the Clutha River catchment, only part of the Taieri River catchment is situated within Clutha District's boundaries. In the middle reaches is Lee Stream, although only the upper reaches of this tributary are in Clutha District, while the Waipori River joins the Taieri River on the Taieri Plain. The Taieri River meets the Pacific Ocean at Taieri Mouth. The Lower Waipori River is within such close proximity to the mouth of the river that it is influenced by the tide.

The water system in the Catlins area comprises 8 main rivers, the Owaka River, Catlins River, MacLennan River, Tahakopa River, Waipati River, Fleming River, Tautuku River and the upper reaches of Mokoreta River. All of the rivers mentioned above are considered to be of value for trout fisheries with the Catlins River in particular being regionally important.

2.4.2. LAKES AND WETLANDS

Within the major water catchments, and also within the smaller water systems in Clutha District; a significant number of lakes and wetland ecosystems exist.

Four major lakes occur within the District, namely, Lakes Mahinerangi, Waipori, Waihola, and Tuakitoto. Lake Mahinerangi is an artificially raised hydroelectric power storage dam in the upper Waipori River and has a surface area of about 21 square kilometres. Waipori and Waihola are shallow lakes on the Taieri Plains with surface areas of 2.4 square kilometres and 6.5 square kilometres respectively. Like the lower Waipori River, Lakes W Waipori and Waihola are also subject to tidal influence due to their close proximity to Taieri Mouth. (*Note: see Schedule 6.10.5.5 for special significance to Iwi*). Lake Tuakitoto is a medium-sized shallow lake situated inland from Kaitangata in the lower catchment of the Clutha River. The lake is subject to a rule (the former Local Water Conservation (Lake Tuakitoto) Notice 1991) in the transitional Otago Regional Council Regional Plan, which recognises the lake as a regionally important wildlife habitat and game bird hunting feature. The provisions of the Local Water Conservation Notice (Lake Tuakitoto) will be included in the Regional Plan "Water" and the Lake Tuakitoto Management Strategy.

Wetlands are amongst the most highly productive ecosystems in the world, supporting high numbers of birds, fish, and many species of plants and invertebrates. The principal reason for this is the temporary or permanent presence of water with an associated aquatic ecology.

The wetlands of ecological and representative importance within Clutha District have been identified from the WERI (Wetlands of Ecological and Representative Importance) Database, the SSWI (Sites of Significant Wildlife Interest) and the New Zealand Wetlands Inventory, held by the Department of Conservation. These sites are listed in Table 13.5.

It is important to note that many of the wetlands of the District have been lost or degraded through damage or drainage, and to a lesser extent, recreational use, mining (peat), invasion of plant pests, and nutrient enrichment. However, despite this, significant wetlands still exist in Clutha District. A number of these habitats are of national significance, for example the Lakes Waipori and Waihola Wetland complex, and the Lake Tuakitoto wetland complex which comprise large remnants of wetlands of national importance for wildlife and freshwater fish.

Various smaller coastal wetlands (most less than 10 hectares) and tidal inlets form part of the national chain of coastal wetlands and are important for overseas migrant and New Zealand resident wading birds, gulls, terns, the juvenile stages of a number of marine fish species and migrating adults and juveniles of many native freshwater fish. Individually, these smaller wetlands are generally of local significance, but it is important to note that with less than 10 percent of New Zealand's wetlands remaining in existence, collectively they are of tremendous regional importance, particularly those that are more "natural" and contain larger water areas with good vegetation buffer zones.

Wetland ecosystems are not closed. Energy, nutrients and organisms flow into and out of the system via waterways, and for many of the bird species the wetland is only part of their total habitat. Human activities both extract from the system (for example, fishing, grazing) and discharge to it (for example, sewage, agricultural run-off). Thus, wetland ecosystems cannot be considered in isolation, but as part of a larger system.

2.4.3. WATER QUALITY

High water quality allows for a greater range of water use than does water with a lower quality.

Although information on water quality for the main stem of Clutha River is limited, it can generally be said that the waters above Balclutha are of a higher quality than below Balclutha where water quality deteriorates significantly as a result of several high volume wastewater discharges. The three main effluent discharges are Balclutha Sewage, Finegand Freezing Works, and Otago Cheese Company at Stirling. The water quality of the river in the Clutha District is also adversely affected by general non-point source pollution such as runoff from roads, agricultural runoff and siltation from the Roxburgh Dam.

The Tokomairiro River receives waste loadings from both non-point sources (urban and agricultural runoff, and stream bank erosion) and point sources (for example, Alliance Textiles Factory and Milton Sewage Treatment Works). The Tokomairiro River Catchment Water Resource Inventory prepared by the former Otago Catchment Board and Regional Water Board in August 1984 concludes that water in the Tokomairiro River below Gorge Creek is significantly affected by waste inputs from both point and non-point sources. Of major concern is the possible toxic effect of the Alliance Textiles factory effluent on downstream aquatic life.

In contrast to the Upper Taieri, water quality in parts of the Lower Taieri Catchment is generally poor. Waste from a variety of point discharges, and runoff and drainage from the intensively developed catchment contribute to this deterioration. The major input into the Lower Taieri system is the Mosgiel sewerage effluent. There are also a number of drains on the Lower Taieri Plain that empty into the river. The major drainage input is almost certainly from the Main Drain which is pumped into Lake Waipori at the southern end of the Plain. This Main Drain receives wastewater both directly and indirectly from approximately 100 dairy farms and the Momona sewage effluent plant.

As a result of adjacent agricultural development and the associated increase in the amounts of nutrients in the stream feeding Lake Mahinerangi, the lake itself has an increasing level of blue-green algae. It is possible that high levels of nutrients may also reach the Lower Taieri system from this source.

Lakes Waipori, Waihola and Tuakitoto have relatively poor water quality, which is evident by the presence of algae blooms. However, the water quality in Lake Waihola is higher than in Lake Waipori. This difference is possibly maintained because of the close proximity of Lake Waipori to potential sources of pollution (for example, Waipori River, Contour Channel, and the previously mentioned drainage water from the Main Drain).

Water quality in the Catlins area water system in general is high in comparison to other water catchments in the District. This is primarily due to the relatively undeveloped nature of the area, and the consequent abundance of native vegetation.

The general water quality of the district is adversely affected by non-point source pollution such as agricultural runoff, stormwater runoff from the roading network and so on. The community's level of awareness regarding the impact their activities can have on water quality must be raised in order to mitigate the effects of this type of pollution.

2.4.4. USE OF WATER RESOURCES

(I) RECREATION

Recreation is an important use of the water resource and one which is likely to increase.

Water-based recreation in the main stem of the Clutha River falls into three general categories, namely, angling and hunting, boating (particularly in that stretch of river between Clydevale and the Central Otago District boundary), and passive recreation (which includes the aesthetic appreciation of the landscape). Angling is regionally significant below Balclutha and on the Pomahaka, a major tributary of the Clutha, and the Waipahi River, a tributary of the Pomahaka. In other parts of the District the Catlins and Lower Taieri Rivers are considered to be regionally significant fisheries.

The main recreational uses in the Tokomairiro River catchment are waterfowl shooting and angling. Anglers attracted to this resource tend to be local rather than from elsewhere in the Otago Region. Other recreational uses of Tokomairiro River itself include bird watching, swimming, picnicking, and boating in the estuary.

Because of its close proximity to Dunedin, the Taieri River catchment is a popular destination for water-based recreation. Angling is common in Lakes Mahinerangi, Waihola and Waipori, and to a lesser extent in the Lower Taieri River itself. Waterfowl hunters also make regular annual use of the Waipori and Waihola Wetland complex. Lake Waihola is the centre of power boating activities in Otago and Southland. Powerboats frequently use the Taieri River between Waipori River Bridge and Taieri Mouth Bridge. The only waterbodies in the catchment suitable for yachting and windsurfing are Lakes Waihola and Mahinerangi. Waterskiing is generally limited to Waihola, and the Lower Taieri River between Waipori River Bridge and Taieri Mouth Bridge. Lake Waihola is a good example of river and lake sites in the Taieri catchment which are easily accessible to Dunedin and offer picnicking or boating opportunities and popular swimming locations. Lake Waihola has been used for over 100 years for competitive rowing while stretches of the Taieri River are regularly used by rowers during the summer months as a training venue. The Lower Taieri River and Lake Waihola are also used for rowing.

Specific information relating to water-based recreation is not abundant for the Catlins area. It is known that angling is popular in the waterbodies in this area, however, it is mainly utilised by locals because of the greater distance from Dunedin. The rivers, small lakes, and numerous waterfalls of the area play an important part in attracting people to the area to partake in tramping and passive activities such as sightseeing. The coastal waters and estuaries are also utilised for yachting activities.

Whitebaiting is an important recreational activity in all the catchments that are mentioned above. The Clutha River is the most important whitebait resource and the Taieri River is the second most important whitebait resource in the Otago Region. The Tokomairiro River and the rivers in the Catlins also support this same activity.

(II) HYDRO-ELECTRIC POWER

It is important to recognise that at the outset of writing this Plan, the main stem of the Lower Clutha River is the subject of an extensive Hydro-electric Power development investigation which, if implemented, would transform the Clutha River from its present state to a chain of hydro lakes.

In the Taieri River Catchment, hydro-electric power development has occurred on the Waipori River, where the Dunedin City Council has four power stations which re-use water released from the Mahinerangi Dam.

The District Plan recognises the potential for the Tuapeka project to proceed during the life of the Plan and includes provisions to ensure that any adverse environmental effects of such development are fully and properly assessed and that the necessary consents are sought.

(III) DOMESTIC AND INDUSTRIAL

There are numerous consumptive uses of water in the District. Not only are the Districts main urban centres reticulated with water services, but much of the rural area is also serviced by the Districts 12 rural water supply schemes. Industries such as the Finegand Freezing Works and the Stirling Cheese Factory also utilise the Districts abundant water resources. These and other industries also use waterbodies for the disposal of waste products, including the use for this purpose by general urban or agricultural runoff.

Irrigation is also an important industrial use of water.

(IV) INSTREAM VALUES

Fifteen native fish species occur in the Clutha District plus the Koura or freshwater crayfish. These species are listed in the table below:

Table 5: Native Fish Species Found In The Clutha District

Common Name	Scientific Name	Migratory	Non-migratory
Lamprey °	<i>Geotria australis</i>	X	
Short-finned eel	<i>Anguilla australis</i>	X	
Long-finned eel	<i>Anguilla dieffenbachii</i>	X	
Common smelt *	<i>Retropinna retropinna</i>	X	
Giant kokopu * °	<i>Galaxias argenteus</i>	X	
Banded kokopu* °	<i>Galaxias fasciatus</i>	X	
Koaro * °	<i>Galaxias brevipinnis</i>	X	
Common river galaxias (Otago galaxiid complex)	<i>Galaxias vulgaris</i>		X
Inanga *	<i>Galaxias maculatus</i>	X	
Torrent fish °	<i>Cheimarrichthus fosteri</i>	X	
Common bully	<i>Gobiomorphus cotidianus</i>	X	
Upland bully	<i>Gobiomorphus breviceps</i>		X
Giant bully	<i>Gobiomorphus gobioides</i>	X	

Red-finned bully	Gobiomorphus huttoni	X	
Black flounder	Rhombosolea retiaria	X	

Note: * *Juveniles of these species make up the whitebait catch.*

° *Threatened species (See Molloy and Davis, 1992 - 2nd Edition Tisdall 1994).*

As can be seen from the table, five of these species are threatened. The three primary concerns for threatened species are barriers to migration, habitat loss, and alien species interaction (Neilson, Department of Conservation, 1995).

A number of the species listed are harvested (e.g., whitebait, eels and smelt) and are therefore of cultural significance to Maori, and of recreational significance to the wider community.

The Clutha District contains some of the most significant fish habitats, both for native and introduced species (trout and salmon), in Otago. Native freshwater fish habitats of regional significance include Lakes Waipori/Waihola, Lake Tuakitoto, lower Clutha River (which are of national importance) and the largely undeveloped Catlins area, while the lower Clutha/Pomahaka system, Waipahi, Taieri rivers and streams of the Catlins are regionally significant for introduced species.

The Clutha District contains the two most significant whitebait fisheries in Otago - the lower Clutha, and the lower Taieri. Of these two, the Clutha is the most heavily fished with up to 200 whitebaiters being present on a good day (Kelly, 1988). Up to 150 baiters may be present on the lower Taieri under similar conditions.

The Districts waterways also support significant waterfowl populations. The Waipori/Waihola wetland system, Lake Tuakitoto wetland complex and the many coastal wetlands and estuaries are of national significance in terms of waterfowl.

Many of the Districts waterways also retain significant natural character values. These include the streams and rivers of the Catlins and Blue Mountains, Lakes Waipori, Waihola and Tuakitoto, large tracts of the Pomahaka, the lower Taieri Gorge, the Upper Waipori Gorge and the Clutha River, in particular the Rongahere Gorge and Beaumont Gorge areas.

2.4.5. ACCESS TO WATERBODIES

The District Planning Maps indicate where public access is available to and along the waterbodies of the District. This has been shown as 'Esplanade Margins' and comprises existing crown land, marginal strips, esplanade reserves, riverbank [page 33] reserves, or unformed legal road adjoining rivers, streams and lakes or the coast.

The planning maps also indicate the waterbodies over which Council is likely to exercise the Esplanade reserve requirements of the Act. There will be circumstances where Council may require an esplanade reserve or strip to and/or along rivers not shown on the Plan or to provide access to the reserves or strips which currently adjoin waterbodies. Council's policies and rules in respect of esplanade mechanisms can be found in Section 3.8 Financial and Reserve Requirements.

2.5. MINERALS

A wide variety of minerals exist within Clutha District, the majority occurring as small deposits or in widely scattered localities.

For the purpose of the Resource Management Act 1991, the term "mineral" has the same meaning as in Section 2(1) of the Crown Minerals Act 1991; that is:

A naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945.

Minerals only become resources when society develops a use for them and has the financial resources to extract them. The mineral resources in Clutha District are identified under three main categories as follows:

Metallic Minerals	Non-Metallic Minerals	Energy Minerals
Hard-rock (lode) and alluvial gold deposits	Aggregates Sands	Coal and lignite reserves
Other metallic minerals	Clays Limestone Phosphate	

2.5.1. METALLIC MINERALS

HARD-ROCK (LODE) AND ALLUVIAL GOLD DEPOSITS

Both hard-rock (lode) and alluvial gold deposits are present in the Clutha District. The alluvial gold deposits were of economic significance to the early development of the Otago Region. However, any significant mining for gold has long since ceased.

The gold lodes are concentrated in the Waipori area. Most of the lodes have only limited production and are now partly flooded by Lake Mahinerangi. Other lode formations exist at Gabriels Gully and in the Tokomairiro Valley (West branch).

Alluvial gold, derived from erosion of gold-bearing lode deposits, is found in a variety of formations ranging from Cretaceous to Holocene age in the Clutha District. The most significant sources are the deposits of Blue Spur Conglomerate (Lower Eocene) which occur along the Tuapeka Fault from Blue Spur to Adams Flat, especially in the Gabriels Gully - Wetherstons area. A large (but unknown) quantity of gold has been obtained by sluicing Miocene-Pleistocene gravels at Waipori Flat. Some gold has also been recovered from late Pleistocene deposits at the Koau Mouth of the Clutha River.

Recent investigations have indicated that considerable volumes of auriferous gravels, though somewhat low in grade, still occur in the Waipori area. Therefore, the Blue Spur Conglomerate and other auriferous formations still have potential for future gold production. In general, potential still exists for alluvial gold mining and possibly small-scale lode-gold mining.

OTHER METALLIC MINERALS

Other metallic minerals exist in Clutha District and occur in lode formations. In most cases they have been worked in the past and are currently uneconomic to develop. These other metals are described below:

Scheelite, copper, stibnite, cinnabar, and iron-ore minerals occur in the District. Scheelite and stibnite commonly occur in association with gold in the quartz lodes in schist. Limited quantities of scheelite have been produced from some workings in the Waipori area. There has also been minor production of antimony at Stony Stream in the Lammerlaw Range.

Near Waitahuna, mercury mineralisation occurs in a lode-type formation within a crush-zone in the Haast Schist. Mercury mineralisation is patchy and although locally of high grade it is unlikely to prove workable.

Cinnabar was recorded in alluvial gold workings between Waitahuna and Waipori. It is probably widespread in younger sediments derived by erosion of the schists.

Copper mineralisation occurs in schist near Waitahuna. No production is recorded even though there is relatively high-grade mineralisation.

At White Head, iron-ore occurs as scattered residual surface deposits. Reserves are estimated at over 100,000 tonnes. The iron-ore also contains minor titanium.

2.5.2. NON-METALLIC MINERALS

AGGREGATES

"Aggregates" is a term used to describe a variety of rocks, gravels, and sands used primarily for roading and concrete construction purposes. Aggregates are currently the most significant commodity in Clutha District, although they are varied and are relatively widely distributed, precluding long distance cartage.

Within the District aggregate is derived from four main sources:

- Tuapeka and Waipahi groups – greywacke
- Dunedin Volcanic Complex – basalt
- Haast Schist – schist
- Alluvial gravels derived from the above.

TUAPEKA AND WAIPAHI GROUPS

Upper Paleozoic-Mesozoic greywackes of the Tuapeka and Waipahi groups are the main source of aggregate. Where fresh and unaltered, they make good roading aggregate, however, the occurrence of sheared and shattered zones commonly accompanied by zeolite minerals locally make them weak and susceptible to failure.

DUNEDIN VOLCANIC COMPLEX

Dunedin Volcanic Complex basaltic outliers are a minor source of high-quality aggregate in the Clutha District.

HAAST SCHIST

Schist is only used as a minor source of aggregate as its foliated nature renders it weak and unsuitable for crushing and grading. It is commonly used in river protection work, and to a minor extent for dimension (facing) stone.

ALLUVIAL GRAVELS

Gravels of the Cretaceous Taratu Formation are used on country roads where traffic is light. Holocene gravels from the Clutha River are an important aggregate source in the area.

SANDS

Sands of Holocene, Tertiary and Cretaceous ages are used locally for construction purposes. In particular, sand from the Cretaceous Taratu Formation is used for building material and moulding (foundry sand). However, its importance as a moulding sand has declined in recent years.

CLAYS

Clays quarried at Benhar have, until recently, provided the basis for a ceramic industry.

LIMESTONE

Limestone for agriculture has been quarried from a few localities, notably at Clarendon near Milburn. In general though, calcareous rocks are erratically distributed and their calcium carbonate content is rather low and variable. This means that limestone suitable for agriculture, cement, and industrial purposes is also of limited extent and variable quality.

The limestone resource at Limesprings Farm, Milburn, is the only significant one remaining in the Clutha District. An application to reopen the quarry has been successful and it is now fully operational.

PHOSPHATE

The District contains the only significant phosphate deposit in New Zealand. This deposit exists at Clarendon and occurs within the Clarendon Sand (lower Miocene) and underlying Milburn Limestone (Oligocene). While the resource is by no means exhausted, thick basalt overburden hinders economic working of the deposit.

2.5.3. ENERGY MINERALS

COAL AND LIGNITE RESERVES

Significant coal and lignite reserves exist in Clutha District. Coal has a long history of economic exploitation and will continue to be of importance. Coal production is currently confined to mines on the Kaitangata Coalfield (Figures 2 and 3), although additional resources do occur at Pomahaka Coalfield, along the western fringes of the District in the vicinity of the Maitland Field adjoining Southland District, and near Maclennan in the Catlins.

Recoverable resources in the Kaitangata Dome Field are estimated at 95 million tonnes of lignite and in the Benhar-Lovells Flat Field at 395 million tonnes. The latter field extends under Lake Tuakitoto. Lake Tuakitoto has been identified as a wetland of national importance. The interim mining

assessment completed for the Mines Division of the Ministry of Energy identifies four options for mining in this area. The assessment notes that although coal reserves in the Benhar sector amounts to approximately 395 million tonnes, mine planning with a view to preserving the lake would entail reducing the coal reserve by approximately 141 million tonnes.

The Pomahaka Coalfield situated at Conical Hills has never been significantly exploited but inferred lignite in ground resources are estimated at 54 million tonnes (NZ Geographical Survey 1981). The New Zealand Coal Resources Survey assesses the Pomahaka Coalfield as marginal in current economic terms because of field size and high ratio of overburden (spoil) to lignite.

The lignite seams in the vicinity of the Maitland field are not considered to be economically significant and the deposits near Maclennan are of poor quality and of no commercial value.

Future potential for the development of the District's coal resources tends to be centred around the Kaitangata Field. Within this field, three areas have been identified as having potential for open cast mining, namely, the Penman, South-Western, and Central areas. Economically recoverable underground mine prospects within the Kaitangata Field are located in the Lockington Mine and the Castle Hill - Kai Point area. The District's coal resources have been identified by Electricity Corporation of New Zealand as having potential for energy use, for example fuelling of a power station.

2.6. FAUNA AND FLORA

(*Note: see Schedule 6.10.6 for Iwi taonga species information*)

2.6.1. INDIGENOUS FLORA

The Clutha District covers a diversity of landforms and climates. Altitude ranges from sea level to over 1400m (Umbrella Mountains). Rainfall varies from about 600mm in the north and 700mm in the east to 1200mm in the south. These factors have resulted in a great variety of indigenous vegetation types, from high alpine snowbanks with a growing season of a few weeks, to lowland podocarp forest in areas which seldom experience a frost.

The vegetation types can be summarised as:

- Alpine wetland, cushionfield, grassland, herbfield
- Subalpine grasslands
- Montane grasslands and shrublands (induced)
- Montane beech forest
- Montane conifer-broadleaved forest
- Lowland podocarp-broadleaved forest
- Lowland secondary forest and shrubland (included)

Alpine and subalpine vegetation is restricted to the northern extremity of the District above about 1100m contour on the Umbrella Mountains. It includes bog pine shrubland, slim snow tussock (*Chionochloa macra*) grassland with many small shrubs and herbs, snowbank communities of prostrate small shrubs and cushion-forming herbs, and cushion bogs.

Subalpine grasslands are dominated by narrow-leaved snow tussock (*Chionochloa rigida*) and have many other indigenous and introduced grasses and herbaceous plants. They occur above 1000m on the Umbrella Mountains.

Montane grasslands and shrublands, replacing former forest destroyed by pre-European fires, are widespread below 1000m on the Umbrella Mountains, along the summits of the Blue Mountains and the Kaihiku Range, and on the upper slopes of the Lammerlaw Range. Smaller areas remain amongst developed farmland and conifer plantations on the hill country around Lake Mahinerangi, and in the upper Catlins, Tahakopa and Mokoreta River catchments in the Catlins. Narrow-leaved snow tussock is the characteristic plant in the north and east of the region, and red tussock in the south, although the latter is found locally throughout, especially in poorly-drained areas. Hard and silver tussock can be locally dominant, and there is a wide range of shrubs and herbaceous species.

Montane beech forest covers much of the mid-slopes of the Blue Mountains, and occupies the central Beresford Range in the Catlins, the Waipori Gorge, and the upper catchment of the Leithen Burn at the southern end of the Umbrella Range. Silver beech dominates in the four locations, but there are also stands of red and mountain beech in the Rongahere Gorge of the Clutha River on the east flank of the Blue Mountains, and red beech in the Leithen Burn. Small silver beech stands are also found scattered on the Maclennan and Wisp Ranges in the Catlins, and in gullies between Lawrence and the Waipori River.

Montane conifer-broadleaved forest characterised by rata, kamahi, Hall's totara and mountain cedar is largely confined to the poorly drained uplands of the Catlins ranges, although a few very small remnants have survived at uncharacteristically low elevation on the hills east of the Tokomairiro plain. Rata and kamahi dominate the canopy of forest on the midslopes of the Catlins ranges, where rimu, miro and Hall's totara are the main podocarps.

In the Catlins and up the coast as far as Taieri Mouth, kamahi is the dominant canopy tree of low hill country podocarp-broadleaved forest, although rata is important close to the sea. Rimu, matai and miro are the common podocarps. On fertile soils and warm sites, usually on river flats and lower northerly slopes, such as those in the Rongahere Gorge and Pomahaka River valley, broadleaf, ribbonwood, lacebark and kowhai are prominent canopy trees, with matai, kahikatea and true totara as characteristic podocarps.

Throughout the region, land cleared of forest and subsequently allowed to revert carries shrubland and low forest, which over a period of centuries would develop into forest of similar composition to the original. Kanuka, often in association with manuka, forms extensive stands on the coastal hills north of the Clutha River and through the central area from the Waipori River to the Clutha River. Manuka alone fulfils this role in parts of the Catlins, for example in the upper Tahakopa and Catlins River catchments. Several broadleaved small tree and shrub species form dense shrubland and low forest elsewhere in the Catlins and throughout the coastal hills to the north. Cool, moist montane habitats in the Catlins and on the Blue Mountains carry shrubland including small leaved *Coprosma* species, cottonwood, flax and *Dracophyllum*, usually with some red tussock. (Dr R B Allen, Landcare Research New Zealand Ltd, Dunedin).

The indigenous forest areas of the District can be broken into three distinct groups as follows:

1. THOSE ADMINISTERED BY THE DEPARTMENT OF CONSERVATION

Catlins	36,000 hectares
Other	17,500 hectares
Total	53,500 hectares

2. INDIGENOUS FOREST IN PRIVATE OWNERSHIP

Native Shrub	3254 hectares
Podocarp/Hardwood/Shrub	2215 hectares
Beech	2455 hectares
Podocarp/Hardwood	6452 hectares
Beech/Native Shrub	82.5 hectares
Total	14458.5 hectares

3. MAORI LANDS

Tautuku	2650 hectares
Waikawa	850 hectares
Glenoamaru	144 hectares
Total	3644 hectares

Part IIIA of the Forests Act 1949, as inserted by the Forest Amendment Act 1993, neither attempts to prohibit clearance nor to protect forest areas. The purpose of these provisions is to promote the sustainable forest management of indigenous forest land.

There are four land class areas that are not subject to Part IIIA of the Forests Act namely,

- any West Coast indigenous production forest (as defined in Section 2 of the Forest Act)
- any indigenous timber from or on any land permanently reserved under the South Island Landless Natives Act 1906 and having the status of Maori Land or General Land owned by Maori under the Te Ture Whenua Maori Act 1993
- any indigenous timber from or on any land held, managed or administered by the Crown under the Conservation Act 1987 or any of the Acts specified in the First Schedule of that Act
- any indigenous timber from any planted indigenous forest.

Part IIIA of the Forest Act prohibits the milling of indigenous timber. Exceptions to this prohibition include:

- timber from a sustainable forest management plan or permit area
- for a public work
- from a mining operation
- for the construction or maintenance of an accessway, water impoundment or scientific research
- salvage timber from areas that are not indigenous forest land
- wind thrown trees, standing dead trees, trees that have died as a result of natural causes
- timber for the landowners personal use
- various provisions relating to the removal of tree ferns for milling

All of the above exceptions to the "sawmill controls" require approval by the Secretary of Forestry prior to harvesting or milling taking place.

However, regardless of the Forest Act 1949 the environmental aspects of felling indigenous timber are subject to the Resource Management Act. All land, even when subject to a sustainable forest management plan or permit, is subject to the Resource Management Act. There could well be circumstances where a sustainable forest management plan is consented to under the Forests Act but consent to log is withheld under the Resource Management Act because of other factors such as the significance of the indigenous vegetation or adverse effects on indigenous fauna habitat.

2.6.2. INDIGENOUS FAUNA

(I) COASTAL HABITATS

The District's Coastline is home to numerous marine animals and birds. Nugget Point is unique for the fact that it is the only known site in New Zealand where New Zealand fur seal, elephant seals, and hookers sea lions co-exist. Leopard seals also visit the area. Sooty shearwaters, yellow eyed penguins, Australasian gannets and royal spoon bills are also present at Nugget Point.

Numerous breeding sites for the yellow eyed penguin exist along the coast (listed in [Table 9](#)) while there are also a number of blue penguin and sooty shearwater breeding sites along the Coast. Spotted and Stewart Island shags are also present throughout the Coast.

(II) CATLINS FOREST

The Catlins forest includes beech, podocarp, beech/podocarp, scrub and sub-alpine vegetation associations which provides a wide range of habitats. This diversity of habitats, which incorporates a wide range of plant associations, provides an extensive abundance and variety of wildlife.

The following table illustrates the native bird species found within the Catlins forest and their relative abundance.

Table 6: Native Bird Species Found within the Catlins Forest

Threatened/ Declining	Rare	Common
Yellowhead Yellow-crowned parakeet	Tui	NZ Pigeon Shining cuckoo Long-tailed cuckoo Morepork Bellbird Silvereye Grey warbler Yellow breasted tit Rifleman Brown creeper Fantail

(III) BLUE MOUNTAINS

The Blue Mountains is a matrix of exotic plantation and indigenous beech forest. The following table illustrates the native bird species found within the Blue Mountain Forests and their relative abundance.

Table 7: Native Bird Species Found within the Blue Mountains

Threatened/Declining	Rare	Common
Yellow-crowned parakeet Yellowhead	NZ falcon SI Fernbird Tui	Brown creeper Rifleman Fantail Yellow-breasted tit Grey warble Bellbird Pigeon Shining cuckoo Long-tailed cuckoo Silvereye

(IV) ALPINE HABITATS

The large areas in the north-east and north of the district above 300 metres are characterised by being open and exposed lands. Much of this is in native or semi-native vegetation cover. Bird species present here include NZ Falcon and NZ pipit. These species are found in low densities and use large extensive areas of habitat to support themselves.

(v) Lakes Tuakitoto, Waipori and Waihola

These large lowland freshwater wetlands support a full complement of wetland species in a diverse mosaic of habitats. Bird life in these wetlands is illustrated in the following table:

Table 8: Wildlife of Lakes Tuakitoto, Waihola and Waipori

Water-Fowl		Other Wetland Bird Species
<i>Native</i>	<i>Introduced</i>	
Grey teal NZ Shoveler Grey duck NZ scaup Paradise shelduck	Mallard Black Swan Canada goose	Pukeko Australian bittern Banded rail Marsh crake Spotless crake South Island Fern bird Little shag Black shag White-faced heron South Island pied oystercatcher Spur-winged plover Pied stilt Black-backed gull Black-billed gull

(VI) RIVERS

The rivers of the Clutha district provide extensive areas of habitat for wildlife. Black shags are common throughout the rivers of the district. Waterfowl, particularly mallard, but also grey teal, utilise the quiet backwaters overhung by willow which provide essential roosting habitat.

Rivers in the Catlins support populations of shags and a remnant population of blue ducks. These endemic birds rely on fast running waters with closed canopy forest to support them.

(VII) ESTUARIES

These brackish water and saltwater ecosystems are scattered along the Clutha district coast. Although the estuaries found in Clutha district are generally small, they are part of a nationally important chain of coastal wetlands along the east coast of the South Island which nationally migrating waterfowl and wading birds use on their seasonal migrations.

Estuaries provide habitat for waterfowl, ducks and swans, herons and wading birds, such as pied stilts and oystercatchers.

(VIII) FISHERIES

With respect to the fish species of the district, refer to Section 2.4.4(iv) of the Plan.

2.6.3. NON-INDIGENOUS FAUNA OF VALUE TO THE COMMUNITY

Clutha District has high quality sports fisheries and game bird populations which, for the most part, are self-sustaining. They provide high quality recreational opportunities for anglers and hunters resident in the district as well as visitors to the district. The latter group provide an additional benefit in terms of economic activity associated with regional tourism.

Significant sport fisheries include the lower Clutha, Pomahaka, Waipahi, and Taieri Rivers, Lake Mahinerangi and the numerous rivers and streams in the Catlins locality. Significant game bird population exist at the Lake Waihola/Waipori wetland complex, Lake Tuakitoto, and the Tokomairiro, Taieri and Clutha Rivers.

Sports fisheries and game bird resources, and access to them, are under continuing pressure from the external effects of other resource uses. The quality of fish and game, and recreational angling and hunting, is dictated by the quality and extent of freshwater habitats. Equally important is the quality and extent of access to those habitats.

Table 9: SSWI Database

Sites of Outstanding Habitat Value	East/North Grid Reference (NZMS 1)	Description
Tunnel Rocks Reserve	3493 1938	Little Blue and Yellow-eyed Penguin colony site.
Sandy Bay	3564 2002	Yellow-eyed Penguin colony.
Penguin Beach	3485 1933	Yellow-eyed Penguin colony in bad condition.
Nugget Point	3574 2012	Large Yellow-eyed Penguin breeding colony.
North Jack's Bay	3499 1953	Yellow-eyed Penguins breeding site.
Mahaka Point	3296 1841	Breeding colonies of Yellow-eyed Penguin, Sooty Shearwater, Black backed Gull.
Long Point West Yellow-eyed Penguin Reserve	3388 1858	Yellow-eyed Penguin colony.
Long Point East Yellow-eyed Penguin Colony	3396 1859	Yellow-eyed Penguin colony and Sooty Shearwater colony.
Leithen Bush	2900 2820	Unmodified habitat with good bird and insect values. High numbers of Robins and Parakeets. Yellow Heads present.
Hina Hina Cove Yellow-eyed Penguin Colony	3453 1904	Yellow-eyed Penguin colony.
Falls Creek Yellow-eyed Penguins	3093 1747	Yellow-eyed Penguin colony.

Wisp Range Bush	3275 2070	Very good stand of native bush. Parakeets present.
Waipori Falls Scenic Reserve	3735 2655	High bird, scenic, and botanic value with a lowland to subalpine range.
Waiparau Penguin Colony	3136 1782	Yellow-eyed Penguin breeding site.
Tokomairiro River Scrub	3743 2320	High habitat value for Fernbird. Moderate value for other biota.
Taieri Mouth Bush	3870 2513	Good bird and plant diversity.
Tahakopa Peat Bog	3265 1895	Dry peat bog with some very small patches of water. Presence of Fernbird and Bittern. Average numbers of Finches. Good insect life in mud for food.
Shepherds Bush (habitat 1)	3097 2652	Island forest remnant. Winter feeding source for Kereru (New Zealand Pigeon) and Yellow-breasted Tits.
Purakaunui Bush	3375 1910	Largely unmodified forest.
Popotunoa Bush	3205 2315	Bush remnant with good regeneration.
Papatowai Scenic Reserve	3315 1875	A very restricted habitat type (podocarp forest, lowland) in the region. Supports good numbers of common wildlife.
Morgans Bush	3095 2678	Isolated forest remnant with remarkable tree and shrub diversity. Seasonal Kereru (New Zealand Pigeon) and Bellbird feeding value. Aesthetic value.
Mahinerangi Forest	3670 2730	Good numbers of scarce birds (South Island Tit, Black and Pied Fantail, Cuckoo, Brown Creeper).
Glendhu Forest Remnant	3430 2770	Very scarce numbers of this habitat type. Core habitat for many bird species.
Fletts Bush	3683 2508	Good regeneration of podocarps, Matai, Miro, Kahikatea, Totara. High habitat value.
Dusky Gorge - Pomahaka River	2997 2702 to 2987 2730	Good species diversity. Exceptional scenic quality. Water fowl numbers high during game season on river.
Craigellachie Forest Remnants	3408 2770	High scarcity of this habitat type (Silverbeech) in Clutha District.
Craig Rankin State Forest	3367 2070	Unusual vegetation type for the region (Matai). Good bird numbers.

Berwick State Forest Scenic Reserve	3745 2605	Excellent numbers of birds.
Kaitangata Bush (no imperial file card)	3625 2185	High habitat potential.
Wilson's Road Bush	3465 2115	60% cutover and 40% secondary forest.
Wilkes Creek Forest (Hina Hina State Forest)	3450 1915	Exotic conversion occurring.
Whisky Brandy Remnants	3136 2597	Gully remnants, 70% beech. Associated with the Rankleburn Forest. Diversity of vegetation and bird species. Scenic Value.
Wangaloa Bush	3667 2325	Regeneration good in many areas. Pigeons reported in area.
Waihola-Taieri Beach Road Bush	3855 2463	Plant diversity at present is good, although bush is deteriorating.
Upper East Branch Bush	3235 2596	Refugee site for wildlife when adjacent Douglas Fur is milled. Good numbers of Yellow-breasted Tits.
Unnamed Bush (former NZFS Rankleburn State Forest)	3203 2545	Small size but similar to other close patches of bush. Bird life good in numbers and diversity.
Tuapeka Bush Remnant	3428 2730	Silverbeech on steep gully site. Forest Service planting pine in hill country adjacent to bush so this site will become another core habitat for bird species.
Table Hill Scenic Reserve	3320 1940	Bush a bit cleared out. Bisected by revoked SH 92.
Shepherd Bush	3611 2488	Bush remnant in steep gorge. Gorse and kanuka.
Sallys Gully Road Bush	3702 2323	One of the few patches remaining in the area. Some Bellbirds. Could make an ideal habitat for Kiwi.
Ridley Road Bush	3820 2389	Good regeneration and good plant diversity.
Quarry Bush	3640 2212	Frequent Rata emergence, and Tuis common.
Purakaunui Bay Scenic Reserve	3405 1890	Forest in bad condition.
Pukekuri Bush	3887 2530	Some areas of good regeneration.
Pounaweia Bush	3477 1973	Very comprehensive botanically.

Owaka Bush	3280 2131	Regeneration very thick where fenced.
Otanomomo Flora and Fauna Reserve	3513 2188	Fair amount of regeneration to do to fill gaps and return to original state.
Omaru Stream Bush	3402 2098	Good numbers of most species.
McEwens Bush	3016 3027	Isolated area of beech harbouring birds not found elsewhere in the area.
Lower Big Creek Bush	3845 2370	Kamaha throughout. Good bird numbers.
Lochindorb Bush	3375 2168	Two separate sections of Bush.
Lake Tuakitoto Bush	3604 2259	Isolated example of this type of native forest.
Kaka Point Bush	3545 2070	Large coastal forest.
Hunts Bush	3340 2117	No regeneration.
Hunt Road Bush	3397 2082	Hardwood bush with good numbers of local birds.
Hukarere Bush Remnants	2939 2860	Eight small Silverbeech remnants. Good diversity of native bird species.
Glenomaru Valley Scenic Reserve	3410 2110	Reasonably open underneath bush allowing easy walking.
Glenledi Stream Bush	3780 2382	Bush is useful escape area for birds evicted from exotic felling.
Gaws Road Bush	3121 2331	The only reasonable piece of bush in this square. Kowhais.
Farquhar Bush	3260 2105	Cutover, with stock damage to understorey.
East Branch (Headquarters) Bush	3252 2582	Steep gully site. Very similar to other patches of bush close by. Good numbers of Yellow-breasted Tits.
Devils Gorge Pomahaka River	2985 2868 to 2975 2877	Remnant beech in a spectacular rocky gorge. Good bird diversity. Adjacent broadleaf remnant forest adds to value.
Crookston Reserve	3225 2722	Good numbers of Kowhai and large numbers of Bellbirds in lower area. Good plant diversity.
Coalsack Creek Bush	3793 2374	Impressive podocarps and thick undergrowth.
Carsons Stream Bush	3258 2725	Very good plant diversity. Parakeets present. Patchy second growth areas scattered throughout.

Bush South of Tawanui	3340 1960	Once scenically attractive but now scarred by clearing and burning.
Bull Creek Bush	3807 2384	Varied vegetation. Close to other native forest blocks and exotic forests.
Bowlers Creek Bush	3403 2747	Gully sites of primary Beech. Manuka/Kanuka on margins.
Blue Mountains	3224 2647	Silverbeech forest on steep parts. Presence of Yellowheads in high numbers.
Blue Mountain (East) former State Forest (former Tapanui State Forest)	3190 2670	Several Silverbeech areas connected by exotics has helped give a more continuous distribution of bird species. Declared soil and water catchment forest.
Blue Jacket Bush	3478 2685	Manuka canopy. Good bird list.
2080' Bush Patches	2893 2709	Several small disjointed forest patches which have collective value.
Waitangi Stream Bush	3370 1893	Heavy grazing has caused serious deterioration of this cutover forest.
Trig 412 Bush	3325 1905	Good numbers of common birds present but very modified and continually diminishing in size.
Trig 2 Bush Patches	2905 2746	Silverbeech forest.
Tolmie Road Bush	3420 2152	Poor quality.
Tarara Bush	3393 1918	Previous felling and burning.
Samson Bush	3147 1823	High aesthetic value. Representative sample of birds. Mainly cutover.
Potts Bush	3103 2578	Seasonal feeding source for Kereru (New Zealand Pigeon) and Bellbirds. One of the few remaining remnants of Podocarp/Hoheria/Kowhai forest left in District.
Pomahaka Scenic Reserve	3109 2516	Supports more common bush birds.
Old Sod Walls Bush #2	3697 2353	Secondary bush. No emergence but mainly Kamahi throughout both areas.
Old Sod Walls Bush	3680 2347	Secondary bush. No emergents but mainly Kamahi throughout both areas.
Nugget Stream Bush	3550 2022	Cutover forest. Excellent podocarp regeneration with good vegetation structure.

Murney Road Bush Remnant	3107 2534	Lightly modified and down-graded remnant bush. Valuable food source. Supports Bellbirds, Kereru (New Zealand Pigeon), and commoner bird species.
Mount Stuart Bush	3553 2493	Very limited plant diversity. Poor bird numbers. Degenerating secondary forest.
Misery Bush	3683 2333	Small bush remnant. Adjoins exotic forest. Poor regeneration.
Manuka Stream Gorge	3595 2462	Secondary bush with reasonably poor vegetation. Very thick undergrowth. Large numbers of many unidentified exotics.
Gunn Road Bush	3409 2194	Secondary scrub. Some Totara regeneration.
Glen Road Bush	3667 2498	Several gullies of hardwood with short scrub in between.
Flower Pot Bush	3095 2072	Virgin Podocarp/hardwood forest with a peripheral secondary forest. A small remnant of the larger Maclennan State Forest.
Falla Burn Bush	3562 2450	Only a canopy and upper understorey exists.
Dusky Down Bush	2953 2774	Virgin beech forest. Few birds, but bush valuable in terms of size.
Coal Gully Bush	3745 2353	Fairly small area. Little regeneration. Some good Rimus. Good numbers of Bellbirds.
Cannibal Bay Bush	3520 2005	A young bush with dense canopy. Good size.
Bush Near Scrub Burn	3292 2567	A low grade site. Linked to Beaumont Forest by scraggly scrub.
Brooksdale Bush	3135 2652	Feeding source for Kereru (New Zealand Pigeon). Below average numbers of native birds.
Big Creek Forest	3805 2410	Secondary forest of variable quality. Good diversity of vegetation.
Switzers Road Bush #1	2935 2760	Virgin beech forest. Not an exceptional area for bird life but significant in terms of size.
Puerua Bush	3485 2155	Young secondary forest with a few original podocarps.

- South East Otago Coastal Region Vegetation Survey 1978(A M Hanger and L Esler)
- Vegetation of Lake Tuakitoto 1985 (A Fraser)
- Detailed Botanical Investigation of Lower Clutha Valley (Birch Island to Blackcleugh Burn 1985) (G Ward)

- Umbrella Ecological District - Survey Report for the NZ Protected Natural Areas Programme 1988 (K J M Dickinson)
- Wetlands of Ecological and Representative Importance WERI - The New Zealand Wetlands Inventory
- Scenic Reserves of Otago Land District 1978 (R B Allan)
- Otago II Biological Survey Reserves Series No 20 1989 (G Ward and C M Munroe)
- Vegetation of Lakes Waihola, Waipori and Associated Wetlands 1987 (R S Tangney)

2.7. GEOLOGICAL SITES AND LANDFORMS

New Zealand has a unique and extremely diverse natural landform and geological heritage, although protection of this rich and diverse resource has to date been rather random and biased, being predominantly for aesthetic or biotic values. In light of this, the New Zealand Geological Society has developed a comprehensive inventory of significant geological sites and landforms within Otago Region. [Geological Society of New Zealand Miscellaneous Publication No 77 (First Edition 1993): [Inventory of Important Geological Sites and Landforms in the Otago Region.](#)]

For each site, the inventory gives an outline of why the site is of value, a brief geological, landform, and locality description, an assessment of its vulnerability (if any) to human activity, its known reserve status, information contacts, published references, and various other information. The inventory identifies 39 geological sites and landforms in Clutha District.

According to the inventory, 5 sites in Clutha District are of international scientific importance, namely:

- Akatore Creek metachert with akatoriete: the only known exposure of the mineral akatoriete.
- Nugget Point, Roaring Bay Triassic fauna: the richest Triassic foraminiferal fauna in the Southern Hemisphere.
- Taieri Gorge: an unmodified and well-defined coastal gorge.
- Wangaloa Paleocene molluscs, Mitchells Point: the most diverse Paleocene molluscan fauna in the Southern Hemisphere.
- Watson's Beach coombsite: the only known occurrence of coombsite.

A further 17 sites are considered to be of national scientific, educational, or aesthetic importance:

- Arthurton Quarry Permian fauna: unique whole specimens
- Balclutha Quarry prehnite - pumpellyite facies: well exposed example of prehnite pumpellyite facies greywackes of the Caples terrain.
- Benhar pottery works: was one of New Zealand's largest and most important ceramic works which used local clay.
- Clarendon phosphatic sandstone: the largest phosphate deposit in New Zealand.
- Gabriels Gully gold discovery site: first major alluvial gold find in New Zealand.
- Jacks Bay Jurassic macro fossil assemblage: unique, well preserved Temaikan shallow water macrofossil assemblages.
- Kaihiku Stream and Gorge Triassic macrofauna: good macrofaunas.
- Kaka Point Triassic fossiliferous metasediments: good exposure of middle Triassic rocks. Some of New Zealand's best and most accessible exposures of zeolitised ash beds within the geolite facies. Contains Italian ammonoids important in international correlation.
- Landslip Hill landslide and mid-Tertiary plant beds within silcrete: unusual sedimentary environment of plant beds well preserved in silcrete. A good example of a landslide.
- Nugget Point, Parks Bluff Triassic fauna: extremely rich brachiopod and bivalve faunas.
- Nugget Point, Triassic volcanoclastics: volcanoclastic sediments, tuffs and shell beds. Good exposure of Oretian to Otapirian sedimentary sequence.
- Nugget Point Zeolite facies: an exposure of one of the three main mineral assemblages for zeolite facies, in southern New Zealand.

- Otago coastal schist section: New Zealand's best and most accessible exposure of this section of Haast schist.
- Pomahaka River, Oyster Creek Oligocene estuarine fossils: diverse floral assemblage and unusual diverse estuarine molluscan fauna of oligocene age. Well preserved fossils.
- Taieri River Mouth psilomelane: manganese deposit with psilomelane
- Tuapeka fault plane: well exposed fault plane, with slickensides. Possible cretaceous normal fault in Otago schist.
- Wangaloa transgressive sequence: superb exposure of shallow water, storm dominated sequences.

There are a wide variety of human activities that can threaten the natural character or continued existence of these sites, for example, earthworks and quarrying. On the other hand however, it should be noted that these same activities may also expose and create important geological features. Other threats include development work such as reclamations, dams, marinas, swamp drainage, and of course trampling or vandalism by tourists and visitors alike.

Only one site within Clutha District is considered to be highly vulnerable to human damage or destruction, that being the only known exposure of the mineral akatoriete at Akatore Creek (that is Akatore Creek metachert with akatoriete).

2.8. COAST

For the purpose of this Plan, 'the Coast' is defined as 'the area in which coastal factors are dominant'. The Districts' Coast is also subject to the provisions of the New Zealand Coastal Policy Statement, and the Regional Councils Coast Plan. The provisions of this plan must not be inconsistent with those documents

With particular reference to the New Zealand Coastal Resource Inventory [Department of Conservation (1990): Coastal Resource Inventory, First Order Survey, Otago Conservancy] the District's coastline has been categorised in terms of nine separate units:

- Taieri Mouth to Akatore
- Akatore to Tokomairiro Mouth
- Tokomairiro Mouth to Molyneux Bay
- Kaka Point to Remarkable Cave
- Remarkable Cave to Hayward Point
- Hayward Point to Long Point
- Long Point to Lathyrus Bay
- Lathyrus Bay to Wallace Head
- Wallace Head to The Brothers Point

The characteristics of these areas as contained in the New Zealand Coastal Resource Inventory are briefly described below. Issues and provisions relating to the management of the Coast can be found in section 3-5 Heritage, 4.1 Rural Resource Area and 4.2 Coastal Resource Area.

It is appropriate to note that the Clutha District Plan only applies to land on the landward side of mean high-water springs, and those boundaries across river mouths defined on the Planning Maps. The area on the seaward side of mean high-water springs is the responsibility of the 'Otago Regional Council. For further clarification on this issue refer to Coastal Resource Area Section 4.2.1 Overview of the Plan.

It should be noted that the coastal units described here do not necessarily coincide with the Coastal Resource Areas identified on the Planning Maps and dealt with in Section 4.2. These descriptions generally refer to the narrow coastal margin where the sea meets the land.

2.8.1. TAIERI MOUTH TO AKATORE

The Taieri River flows into the sea at Taieri Mouth. Stretching from this confluence to Akatore, the unit is predominantly a long sandy beach with a number of rocky outcrops and small coastal cliffs interspersed along it. Taieri Island (Moturata) is a breeding site for sooty shearwaters and blue penguins.

This coastline has been modified for pastoral farming and a road follows the foreshore in many places. It is used extensively for recreation, especially beach walking, swimming, and boating.

2.8.2. AKATORE TO TOKOMAIRO MOUTH

This unit between Akatore Creek and the north bank of the Tokomairo River is approximately 19 kilometres in length. Akatore Creek is a small estuary with an associated wetland. On the northern bank of the estuary there is a complete sequence of native vegetation from high water through salt marsh and flax to tall scrub. South of the estuary are a series of wave cut platforms which extend down to Chrystalls Beach.

Chrystalls Beach is a sandy beach with a series of dunes and associated dune slacks and has been recognised as an area of natural character by the Regional Coast Plan. It contains the only high-quality dune slack community between Kaitorete Spit and Fortrose Spit, which has been fenced off and is managed by the Department of Conservation. Rare pingao is present in the dunes and cliff plants are found in the basaltic stack (Cooks Head Rock).

Quion Point is a breeding site for New Zealand fur seals.

The unit is not extensively used except as farmland but a number of tramping clubs and walking groups use this area for recreation on a regular basis.

2.8.3. TOKOMAIRO MOUTH TO MOLYNEUX BAY

The coast between the Tokomairo River and the Matau Branch of the Clutha River consists of steeply sloped beaches of medium to coarse sand backed by heavily modified sand dunes with short spaces of low sandstone. Further south is Molyneux Bay which includes the 25-hectare Puerau Channel Wetlands in the Clutha River Delta. The Clutha River Delta covers approximately 6½ kilometres of sand dunes.

The unit is 28 kilometres long and is extensively modified by development for agricultural purposes. Recreational use occurs around the river mouths.

2.8.4. KAKA POINT TO REMARKABLE CAVE

From Kaka Point to Tirohanga the coast is predominantly sandy beaches and intermittent rock shelves. The adjoining land is pastoral farmland with a small section of coastal forest and the Kaka Point township. Commercial fishing boats are based at Tirohanga.

From Tirohanga to Remarkable Cave the coastline has two major yellow-eyed penguin breeding colonies (Sandy Bay and Nugget Point) and various seal and sea bird breeding colonies. Unusual rock formations, rare plants, and fossils also occur at Nugget Point Scientific Reserve. Nugget Point is unique for the fact that it is a breeding site for New Zealand fur seals, elephant seals, sea lions, and is visited by leopard seals. The Regional Coast Plan also identifies Nugget Point as an area of natural character.

Virtually the entire unit has been developed for pastoral farming except for a small settlement at Kaka Point and the reserve at Nugget Point. The coast is extensively used for recreation, with the beaches having high public usage. Many of the traditional kai moana gathering areas are also still used.

The Kaka Point to Tirohanga area has been identified as a coastal hazard area by the Regional Coast Plan. The public road along the coast is at risk from erosion in this area.

See Schedule 6.10.5.4 for Ngai Tahu Statutory acknowledgement area, the Nuggets (Tokata).

2.8.5. REMARKABLE CAVE TO HAYWARD POINT

This coastal unit (including the Catlins estuary) is approximately 23 kilometres long. From Remarkable Cave to the Triplets the coast comprises relatively unmodified sand dunes (in Surat Bay and Cannibal Bay) and spectacular coastal cliffs (at False Islet and Remarkable Cave). To the south, Hayward Point, a rocky headland, marks the southern entrance to the Catlins Lake. The Catlins Lake is a shallow tidal estuary covering the 757 hectares. It is the largest estuary in the District and the only one which is likely to be subject to proposals for significant development in the foreseeable future. It provides important habitats for wading birds, waterfowl and inshore fish species. Furthermore, the estuary margins have significant areas of salt marsh and turf communities which are of high ecological value. It also has a large number of archaeological and historic sites and is very important culturally as an area of traditional habitation. Cannibal Bay to Surat Bay is a haul out site for Hookers sea lions, and has been identified as an area of natural character by Regional Coast Plan. The False Islet stacks are considered a well-defined landform of scientific value. Hayward Point is a breeding area for yellow eyed penguins.

The major modification to this area of coast has been the clearance of native vegetation for pastoral farming. This unit is popular locally for recreation.

2.8.6. HAYWARD POINT TO LONG POINT

This coastal unit is approximately 20 kilometres long and comprises a series of sandy beaches and coastal cliffs with prominent headlands at White Head and Long Point. From Hayward Point to White Head there is little modification to the coast. From White Head to Long Point the coast is also reasonably unmodified and is characterised by coastal cliffs with occasional sandy beaches.

This unit has been cleared of native coastal forest for pastoral farming and is used by locals for recreation. In particular, recreational use is high around Jacks Bay and its 1 kilometre sandy beach. Jacks Blowhole is also a popular attraction.

Penguin Bay and the area to the south has been identified as an area of natural character by the Regional Coast Plan. There are a number of breeding areas for yellow-eyed penguins and haul out sites for New Zealand fur seals in this area. The Purakaunui Bay to Cosgrove Island area is important as it is a breeding area for New Zealand fur seal, yellow eyed penguins, blue penguin, sooty shearwaters and fairy prions. It is also an area where Hookers sea lions haul out.

2.8.7. LONG POINT TO LATHYRUS BAY

From Long Point to Oyster Bay, the coast is mainly rocky seashore with coastal podocarp forest behind two thirds of the area. In this section, Pillans Head itself gives way to a 3½ kilometre length of coast with rocky headlands and sandy beaches. Early occupation of Papatowai (including the estuary and Tahakopa Bay) by Maori is recorded. Papatowai estuary is an important fish and bird breeding area and also a popular recreation area for holiday-makers. Tahakopa Bay Scenic Reserve borders Papatowai estuary and Tahakopa Bay. Oyster Bay to Lathyrus Bay is typical Catlins coast with unusual landforms on the Tautuku Peninsula and important estuarine fisheries. Tautuku Beach is largely unmodified and is backed by a narrow dune system and coastal podocarp forest. The Peninsula has been almost completely cleared of forest vegetation for agricultural purposes. This coastal unit is approximately 22 kilometres in length.

In general, while parts of this unit have been cleared of coastal forest, some tracts still remain. The section of coast is used by locals for recreation and also by visitors from all over New Zealand because of the proximity to the Forest and Bird lodge at Tautuku.

The entire length of this area has been identified as an area of natural character by the Regional Coast Plan. The area is important for numerous reasons including the Rainbow Isles spouting sea cave, significant headlands, and the large areas of unmodified podocarp/hardwood forests. The entire area is considered an outstanding scenic landscape area. There are also a number of yellow-eyed penguin breeding sites and New Zealand fur seal haul out sites. Skeleton Point and Rainbow Islands are also breeding sites for titi (mutton bird).

2.8.8. LATHYRUS BAY TO WALLACE HEAD

From Lathyrus Bay to Cathedral Caves the coast is only slightly modified and includes unusual landforms (for example Cathedral Caves), rugged cliffs and a small forest-backed sandy beach. Further south, Waipati Beach and the 54 hectare Waipati estuary are both virtually unmodified. The coastline from Waipati estuary through Chaslands Mistake to Wallace Head has only minor modifications and comprises rugged cliffs with spectacular views, and in some places has indigenous vegetation down to the high-water mark.

Although much of this unit is only slightly modified, some areas have been cleared of coastal forest for farming. This area of coast is well used by recreationalists.

The entire length of this area is also identified as an area of natural character by the Regional Coast Plan.

2.8.9. WALLACE HEAD TO THE BROTHERS POINT

The coast from Wallace Head to The Sisters is primarily backed by cutover and virgin podocarp forest. Further south to The Brothers Point the coastline comprises rugged cliffs, rocky points and small sheltered Sandy Beaches. Some coastal forest remains around Shades Beach and the Falls Creek Area. Within the latter, the largest yellow-eyed penguin colony in the southern Catlins exists (that is Te Rere Reserve).

Parts of this unit have been cleared of coastal forest for farming. It is used by local land-based recreationalists. Once again, the Regional Coast Plan identifies this area as an area of natural character.

There are three yellow-eyed penguin colonies along this part of the coast. They are situated at Wallace Head, Waiporu Head and Te Rere Reserve which are also recognised as fur seal haul out areas.



3. GENERAL SECTION

3.1. RESOURCE CONSENT APPLICATIONS

3.1.1. OVERVIEW

Section 75 of the Act requires Council to set out in the District Plan what information is to be submitted with an application for a resource consent.

This Section sets out Council's Objectives and Policies in respect of this issue, and then states what information should be included in any resource consent application. This Section also establishes in what circumstances further information may be requested; and issues relating to requests for Plan changes.

Where an activity can be classified as a permitted activity, no further resource consent from Council is required to establish the activity in any building or on land within the Resource Area where the activity is permitted. Where an activity is permitted subject to conditions, then the activity cannot proceed until such time as the conditions are complied with (refer to appropriate Resource Areas). Developers and resource users should therefore be aware that in some instances proof of compliance will be required before a building consent will be issued or the activity can proceed. This will be the case in respect of:

- (i) Hazard prone areas (see 3.1.3 (vii) below)
- (ii) Areas of potential instability, slippage, or subsidence (see 3.1.3 (viii) below)
- (iii) Areas without reticulated sewerage schemes (see 3.1.3 (vi) below)
- (iv) Provision of evidence of an appropriate level of services
- (v) Developments that may invoke the Financial and Reserve requirements (see Section 3.8 Financial and Reserve Requirements)
- (vi) Height and location of buildings in respect of yard requirement.
- (vii) Open space requirements
- (viii) Access, parking, loading and manoeuvring requirements
- (ix) Landscaping requirements
- (x) Reports detailing how noise and other adverse effects are to be mitigated to comply with performance standards
- (xi) Locations of areas of fill and excavation
- (xii) Location of services and connections (sewerage, stormwater, power, telephone)

Applicants should be aware that in some circumstances other consents may be required from other consent authorities, particularly the Otago Regional Council.

Circumstances can exist where an activity is a permitted activity within the provisions of this District Plan but may still require the consent of, for example, the Regional Council, relative to discharges to air or discharges to water.

The various types of resource consent are set out in section 87 of the Act. The functions of the Otago Regional Council are set out in Schedule 6.8.

3.1.2. OBJECTIVES AND POLICIES

OBJECTIVE APP.1

To ensure Council is able to make clear decisions on resource consents and environmental issues.

Explanation

As a consent granting authority, Council is publicly accountable for its decisions in respect of the District Plan and the Resource Management Act 1991. Decision-making based on informed knowledge will inevitably result in better decisions.

POLICY APP.1

To require that technical information and the Assessment of Environmental Effects that must accompany all applications under the Act or this District Plan to be sufficient, clear, concise, and relevant.

Explanation

Resource consent applications, proposals for requirements, and plan changes can involve complex environmental, cultural, and socioeconomic issues. Technical information is required to document the various aspects of the resource use on the receiving environment. The manner in which the technical information is written and presented will assist in the democratic process of decision-making, can assist in reducing uncertainties, and will improve the understanding of those who are likely to be affected by a resource consent application. Moreover, if the technical information is clearly and concisely presented, Council should not have difficulty deciphering information on which decisions are made.

Furthermore, Section 88 of the Act requires that an assessment of any actual or potential effects of an activity accompany any application for resource consent. This assessment is to be in accordance with the Fourth Schedule of the Act.

POLICY APP.2

Where technical information is required with a resource consent, to require that it is prepared by persons technically competent in their respective fields.

Explanation

The role of the technical expert is crucial in dealing with resource consents. Technical experts enjoy a privileged position because of their training, knowledge, and experience. They are able to assess the effects of proposals on the environment and the mitigation of adverse effects, with a high degree of

certainty. To maintain the integrity of technical information, it should be prepared by the appropriate people.

3.1.3. INFORMATION TO ACCOMPANY ALL RESOURCE CONSENT AND OTHER APPLICATIONS UNDER THE ACT OR THIS PLAN

All resource consent applications, and notice of requirements pursuant to Sections 168 and 189 of the Resource Management Act, shall be in the prescribed form accompanied with appropriate fee, and shall include, where appropriate, the following:

- (i) A comprehensive description of the activity for which consent is sought;
- (ii) Details of the activities location including, copies of all relevant certificates of title, and a site and location plan.
- (iii) A statement, on how the proposal:
 - does or does not comply with the rules, policies and objectives of the Plan
 - does or does not comply with the purpose and principles of the Act
- (iv) An assessment of any actual or potential effects that the activity may have on the environment, and the way in which any adverse effects may be mitigated. Any such assessment of effects shall;
 - (a) be prepared in accordance with the Fourth Schedule of the Act, and
 - (b) shall 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, and
 - (c) shall address those matters listed in the plan, and
 - (d) in respect of an application for a controlled activity or a restricted discretionary activity, only address those matters specified in the Plan.
- (v) A statement of consultation undertaken with Iwi authorities and affected parties, and the outcomes of that consultation, where consultation and/or affected parties consent is required.
Note: See Schedule 6.10 for issues regarding the Ngai Tahu Settlement Act 1998.
- (vi) Where an activity and/or building is proposed that will discharge effluent onto a site of less than 4000m² in an unreticulated area, a certificate is required from Council's Environmental Health Officer or from a person suitably qualified in effluent disposal which demonstrates that effluent can be safely disposed of within the site.
- (vii) Where any site or activity is located within an area prone or potentially prone to, natural hazards, the relevant hazard information and recommendation from the Otago Regional Council, and/or other relevant expertise.
- (viii) Where any site subject to an application in which it is intended to accommodate buildings to be used as living or work places for people, is subject to erosion, subsidence, slippage or inundation, a report from a person experienced and qualified in soils engineering (and more particularly land slope and formation stability) as to the suitability of the land for its intended purpose, and any restrictions or conditions that may be required on consent.
- (ix) A statement specifying all other resource consents that may be required from any consent authority in respect of the activity, and whether these have been applied for.

- (x) Where a heritage resource will be affected as a result of or is the subject of a resource consent application the following additional information will be required.

For applications affecting Archaeological sites:

- Applicants should check with the NZ Archaeological Association filekeeper for previous surveys of additional sites and with iwi. Applicants should note that if an archaeological site is to be modified, an application must be made to the NZ Historic Places Trust for an authority to destroy, damage or modify the site.

For applications affecting Heritage Buildings and Structures:

- Applicants should consult with the NZ Historic Places Trust. A full description of the cultural heritage value of the place is required in addition to photographic documentation of any building fabric to be altered. Applicants may also be required to prepare a building report or heritage inventory for the building or structure or a conservation plan. A useful guide for preparing a conservation plan is the Historic Places Trust's document: "Guidelines for preparing a Conservation Plan" prepared by Greg Bowron and Jan Harris.

- (xi) A plan, detailing the following information where it is relevant to the application;

- location
- dwellings
- farm buildings
- main fences
- vegetation and significant trees including listed trees, shelter belts and hedges.
- contour lines and/or spot heights (where appropriate)
- roads (legal boundaries and carriageways)
- existing easements, including rights of way and covenant areas
- farm effluent disposal systems and/or areas
- ponds and dams
- streams and rivers
- stop banks
- drains and swampy areas
- parking provision
- vehicular entrance - existing and proposed
- on site circulation
- known hazards, e.g. landslip
- internal races and tracks
- power lines
- services connections
- domestic septic tanks and effluent fields
- wells and boreholes
- lot boundaries
- existing boundaries between Certificates of Title

- vehicle manoeuvring spaces
- esplanade reserves and/or strips, access strips
- designations and other public works which affect the land
- airstrips
- railway lines
- heritage sites and/or archaeological sites
- areas of fill and excavation
- adjoining land uses
- any other relevant matters.

The plan shall be drawn to a common metric scale on a standard international paper size A1, A2, A3 or A4 showing topographic and relevant features on the land which are subject to, or may impinge on, or likely to be affected by the proposal. The plan shall show a north point, the date the plan was drawn, the plan title and the scale.

In respect of a **subdivision application**, the applicant shall submit 10 coloured A4 copies of the preliminary plan of subdivision which graphically illustrates the proposal. The following additional information shall also appear on a subdivision plan;

- the legal description of the land and adjoining parcels of land
- amalgamation conditions
- proposed esplanade reserves or esplanade strips
- proposed easements
- proposed covenants
- dimension and areas of proposed lots
- locality plan showing the site in part of the District.

Preliminary plans of subdivision and development site plans may be accompanied by an aerial photograph for the purposes of illustration but will not be accepted as the primary document because;

- (a) photographs cannot be readily reproduced
- (b) the details shown on the photographs can be easily obstructed by draughting information.

Subdivision applications should also outline the probable use of the land to enable Council to assess the suitability of the proposed subdivision.

- (xii) Where the activity may have an adverse effect on those matters listed in Sections 6, 7 and 8 of the Act, a specific statement specifying how such adverse effects will be avoided, remedied or mitigated.

REASON

Sound decision-making requires the inclusion of information relevant to the application and in a form which is readily understood. In the past, many applications have been inadequate in terms of the information submitted to describe the application. This can make the process costly and time-consuming.

3.1.4. FURTHER INFORMATION

Further information may be required from an applicant by Council where it is considered necessary to

- better understand the nature of the activity;
- to assess the effect it may have on the environment;
- to assess the ways in which adverse effects may be mitigated; or
- to assess how any subdivision resource consent application may affect any probable land use activity to follow.

The Council may also commission a report, at the applicant's expense, on any matters raised in relation to the application or on any environmental assessment of effects. Such a report may be commissioned where;

1. the site or activity is subject to or potentially subject to a natural hazard, or
2. the activity involves the use or storage of a hazardous substance, or
3. the activity may, in the opinion of the Council, give rise to significant adverse environmental effects.

Before commissioning any such report Council will first notify the applicant and provide them with an opportunity to discuss the matter. Such a report will generally only be commissioned where the applicant is unable to provide satisfactory information or an independent opinion is considered necessary.

3.2. MANAWHENUA

3.2.1. OVERVIEW

While the Resource Management Act imposes statutory duties on Council to recognise the principles of the Treaty of Waitangi (Section 8), it also imposes duties in respect of other Maori issues. The following outlines the most significant references to Maori concerns in terms of the District Plan and Council's responsibility under the Resource Management Act:

SECTION 6(E)

Requirement to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga as a matter of national importance.

SECTION 7(A)

Requirements to have particular regard to Kaitiakitanga.

SECTION 33(1) (2)

Council may transfer functions to an iwi authority.

SECTION 74(2)(B)(II)(III)

Council is to have regard to any planning document recognised by an Iwi authority and any regulations in relation to the conservation or management of taiapure fisheries when preparing District Plans.

SECTION 93(1)(F)

Iwi authorities are to be notified by Council of Resource Consent applications.

FIRST SCHEDULE CLAUSE 3(1)(D)

Council are required to consult with Iwi authorities or tribal runanga when preparing the District Plan.

This section of the Plan has been developed in consultation with the relevant runanga in Clutha District and addresses the issues raised in Section 6(e) and Section 7 (a) of the Act. The consultation process has identified the relevant Iwi authorities in the Clutha District as being Kai Tahu.

Runanga takiwa (area) and point of contact for Clutha District are as follows:

Te Runanga Otakou
PO Box 40
Portobello, Dunedin
(contact Moana Wesley)

Te Runanga Otakou centres on Otakou and extends from Heyward Point to the Clutha River and inland, sharing an interest in the lakes and mountains to the western coast with Runanga to the north and to the south. Moturata Taieri Whanau operate within this sphere from Bruces Rocks south to Tokomairiro, while the South Otago Runanga operate from Tokomairiro south.

Te Runaka Hukanui
School Road
Waihapi
(Contact Rena Fowler)

Te Runaka Hukanui centres on the Hokonui region and extends from Matau (Clutha River) to the south of Waikawa (Mataura River). Te Runaka Hukanui also has a shared interest in the lakes and mountains between Lake McKerrow and offshore from Martins Bay south with other Murihiku (Southland) Runanga and those located from the Shag River southwards. The South Otago Runanga operate within this sphere from the Matau (Clutha River) to the Southland boundary.

Note: See also Schedule 6.10 for issues regarding the Ngai Tahu Claims Settlement Act 1998.

3.2.2. KAITIAKITANGA (GUARDIANSHIP)

Kaitiakitanga refers to the concept of people being the guardians and protectors of places, objects and ideas of value to them. It is the traditional method used by Kai Tahu to protect, sustain and preserve resources. Specialised knowledge was retained by certain individuals in relation to a particular resource, this being known as kaitiaki. Kaitiaki were the medium through which the use, protection and management of natural and physical resources was achieved.

Kaitiakitanga is part of Maori culture and spiritual belief, rooted in the values of society. In terms of "managing the use, development and protection of natural and physical resources" under the Act an important concept of Kaitiakitanga is the exercise of guardianship, which includes the ethic of stewardship in managing resources.

Section 7 of the Act requires that particular regard is given to Kaitiakitanga. Kai Tahu seek to have the concept and spirit of Kaitiakitanga incorporated into the management of Clutha District's resources.

ISSUE:

- **The concept and spirit of kaitiakitanga is required to be incorporated into the management of Clutha District's resources.**

OBJECTIVE MAO.1 KAITIAKITANGA

To have particular regard to the concept of Kaitiakitanga in relation to managing the use, development, and protection of natural and physical resources.

POLICY MAO.1

To actively consult with the appropriate runanga on policy development relating to natural and physical resources of Clutha District.

Explanation

Early consultation with the appropriate runanga will ensure that the concept of Kaitiakitanga is given full consideration during the policy development phase of resource management. Furthermore, it will assist in the development of culturally appropriate techniques to implement those policies.

(Refer Methods MAO. 1 and MAO. 2)

POLICY MAO.2

To recognise the Kai Tahu Ki Otago Iwi Natural Resource Management Plan as a Kai Tahu resource management reference planning document for the District.

Explanation

At the time of preparing this Plan, Kai Tahu of Otago were in the process of preparing a Resource Management reference document that expresses Kai Tahu beliefs and values in relation to the District's resources. This document will be acknowledged by Council when developing and implementing resource management policies, and will give clear guidance on consultation requirements between Council and Manawhenua. There may be other Kai Tahu resource management documents prepared in the future that have relevance to the Clutha District.

(Refer Method MAO. 1)

3.2.3. WHENUA PAKAIIKA (ANCESTRAL LAND)

Whenua Papakaika is land inherited from ancestors that has the significance of being a place(s) of traditional settlement. Today this land comprises remnants of land reserved from the land sales in the 1840's, and other land and reserves subsequently allocated. Such land was, and is still intended to be available to Kai Tahu to provide for their economic, social and cultural security. However, legislation over the years has reduced the extent of this land resource and has created a situation where such lands are often fragmented, in multiple ownership, and unproductive.

It is Kai Tahu's view that whenua papakaika should be available to achieve the original purpose of the reserve and therefore restrictions should not be imposed that prevent or limit the use of such land and its resources for their economic, social, and cultural purposes.

It should also be noted that the Environment Court has not confined the definition of "ancestral lands" to lands in Maori ownership but considers it may relate to lands in places important to Iwi in general.

ISSUE:

- **The need for Kai Tahu to utilise whenua papakaika to achieve their economic, social, and cultural security should be recognised.**

OBJECTIVE MAO.2 WHENUA PANAKAIIKA (ANCESTRAL LANDS)

To recognise the relationship of Kai Tahu with their ancestral lands and provide for the use of these lands for economic, social, and cultural purposes.

POLICY MAO.3

To enable the development of papakaika housing on appropriate Maori ancestral land provided adverse environmental effects are avoided, remedied, or mitigated.

Explanation

While Maori ancestral land is often fragmented and in multiple ownership it still represents turangawaewae (place of belonging through ancestral rights linked to /and) for many Kai Tahu. Papakaika housing (which comprises more than one residential unit on the site) and the ability to live on ancestral land is important to Kai Tahu in providing Turangawaewae. The multiple ownership and eventual fragmentation of land holdings has, in the past, made it difficult for productive uses of such lands. This Plan contains provisions for the utilisation of these lands by the relevant owners provided there are no adverse environmental effects. Papakaika housing on such land enables productive use of the land, reinforces the land's traditional significance, and has positive wider social and community effects. Such development must be undertaken in accordance with a management plan which addresses issues such as waste disposal, servicing, native bush preservation, etc. Table 6 identifies those Maori Reserves and land allocated to Kai Tahu for landless Maori that exists within the Clutha District.

(Refer Rule MAO. 4)

POLICY MAO.4

To consider the effects of development proposals for Maori ancestral land in terms of the status of the land concerned.

Explanation

Not only do these lands provide Turangawaewae, the original purpose (as already mentioned) was also to provide for the economic security of Kai Tahu. Much of this land today may be suitable for a wide range of commercial activities such as tourism, forestry, land-based aquaculture, horticulture and the like. In determining any consent, it is considered appropriate that each particular area of land be considered in light of its history and significance to Iwi (including its spiritual association), and its potential to provide for Kai Tahu's economic security.

(Refer Rule MAO.5)

POLICY MAO.5

To reassess, as appropriate, the provisions of the Plan in relation to ancestral land and its resources returned to Kai Tahu as part of any Treaty of Waitangi settlement.

Explanation

Kai Tahu, as a result of settlement of the Kai Tahu claim to the Waitangi tribunal in 1987, may be returned lands for the purpose of re-establishing their economic base. It may be necessary that the provisions of the Plan be revisited in respect of such lands. This, of course, would depend on the status of the land returned and its intended purpose. Any such reassessments would have to follow normal Plan change procedures.

3.2.4. WAAHI TAPU (SACRED PLACES)

The Act does not define waahi tapu, the reason being that there are subtle differences in its meaning between the various Iwi. To Kai Tahu waahi tapu are places held in reverence according to tribal

custom and tradition. Some waahi tapu are important to Iwi, while others are important to individual hapu or whanau. Protection of waahi tapu is an obligation of kaitiaki - it reflects respect for the place of one's ancestors, such sites being indicators of past traditions and a source of cultural identity. For this reason, knowledge of the location of waahi tapu may be limited to a small number of individuals for example, a family caring for a waahi tapu site. These individuals are not always willing to divulge locations of waahi tapu for fear of desecration.

The most significant waahi tapu is Urupa (burial sites). Urupa can be either communal or individual. The location of many Urupa are being discovered because of higher population and settlement densities, and the effects of erosion. This has led to a need for reinterment.

Kai Tahu's main concern in relation to Waahi Tapu is that such sites are recognised and protected in a culturally sensitive way.

ISSUE:

- **The need to recognise waahi tapu and protect them from desecration in a manner that is culturally sensitive to Kai Tahu.**

OBJECTIVE MAO.3 WAAHI TAPU (SACRED PLACES)

To recognise the spiritual and customary importance of waahi tapu and ensure that all waahi tapu are protected in a culturally appropriate manner.

POLICY MAO.6

To ensure that the adverse effects development may have on waahi tapu are avoided, remedied or mitigated.

Explanation

The major threats to waahi tapu generally occur from land disturbance activities. In many instances the location of waahi tapu is not known and consequently they can be disturbed unwittingly. The New Zealand Archaeological Association filekeeper will have records of some waahi tapu sites, while the Iwi Resource Management Plan may also identify the general location of some sites. This Plan identifies some areas where there are high concentrations of archaeological sites. Where a site is known to exist, developers will be required to consult with Kaitiaki runanga on the appropriate methods to protect waahi tapu. Where sites previously not known are disturbed in the course of work or development, work will be required to cease until the appropriate protection can be put in place.

(Refer Rule MAO.2 and MAO.3)

POLICY MAO.7

To adopt appropriate procedures for the management of Koiwi Tangata (Maori skeletal remains) finds, and for notifying Kai Tahu of Koiwi Tangata finds.

Explanation

Kai Tahu Koiwi Tangata policy states a clear preference that wherever possible, Koiwi tangata in situ should not be disturbed and that the integrity of the burial remain intact (The Foundation Principle

of Koiwi Tangata Policy'). Kai Tahu request that they be the first point of contact when any Koiwi tangata remains are unearthed. It is inappropriate for Kai Tahu to be involved after such remains have been removed from their burial site and/or have been subject to scientific investigation or storage for a period of time. The District Plan recognises the prior right of Kai Tahu whanau, runanga, or kaitiaki to manage the removal (if required or deemed appropriate), reburial, or storage of unearthed Koiwi tangata.

(Refer Rule MAO.3)

3.2.5. WAAHI TAOKA (TREASURED RESOURCES)

Waahi Taoka are a range of resources and places that are important to Iwi and runanga. Taoka signifies the whakapapa (genealogical tree) of the Maori world, and Waahi Taoka are the various branches of that tree. Waahi Taoka therefore sustain life and are culturally and historically important to Kai Tahu. Waahi Taoka include -

Wai	- water
Noho kaika	- village sites
Tauraka waka	- landing sites (for canoes)
Tuhituhi nehera	- rock drawings
Mahika kai	- places where food was gathered procured or produced
Mauka	- mountains
Awa	- rivers
Wahi rakau	- areas of important trees
Mahika mataitai	- fishing areas
Wahi kohatu	- rock areas
Kohaka	- nesting areas (that is, shellfish seeding)
Kawa Hua Taiao	- cultural materials
Tauraka ika	- historic tribal fishing grounds
Pa whawhai	- Pa site

While having a different status to Waahi Tapu, consultation with appropriate Kai Tahu runanga is also required before any action is taken involving such sites.

ISSUE:

- **The need to recognise and protect significant Waahi Taoka is important to the culture and traditions of Kai Tahu.**

OBJECTIVE MAO.4 WAAHI TAOKA (TREASURED RESOURCES)

To recognise and provide for the special significance that all Taoka have in the culture of Kai Tahu.

POLICY MAO.8

In consultation with Kai Tahu runanga, to ensure that the adverse effects of activities on Waahi Taoka are avoided, remedied or mitigated.

Explanation

Waahi Taoka of significance to Kai Tahu will need to be identified in consultation with appropriate runanga. Any information passed on through the consultation process will be treated with the appropriate level of cultural sensitivity pursuant to section 42 of the Act. The main threats to Waahi Taoka generally occur from land disturbance activities. Where a proposed development may have an effect on waahi taoka, developers will need to consult with the appropriate runanga. Protection of significant Waahi Taoka can be applied through either conditions attached to resource consent or via heritage order procedure instigated by the appropriate heritage protection authority. Sites on public land can also be noted on Planning Maps and given protection via rules in the Plan.

(Refer Rule MAO.1)

3.2.6. WAI (WATER)

Of all natural resources, water is possibly the most important to Kai Tahu. Water is seen as the provider and sustainer of life and therefore water flow, water quality, the integrity of various traditional categories of water, and the Mauri (life force) of waterbodies is extremely important to Kai Tahu. Mahika kai, for example, is extremely dependent on the maintenance of water quality and quantity. The loss and degradation of this resource through drainage, pollution and damming is a major resource management issue to Kai Tahu and is considered to have resulted in material and cultural deprivation of Kai Tahu.

Water also plays a significant part in Kai Tahu's spiritual beliefs and cultural traditions. Kai Tahu believes that all life began with the mating of Maku and Mahoranuiatua which are both forms of water. Spiritual beliefs and practices are included in Kai Tahu's traditional values and controls relating to water recognise and reinforce the importance of water quality in all aspects of life. The condition of water is seen as a reflection of the health of Papatuanuku (the Earth Mother).

ISSUE:

- **Threats to the flow and quality of the water resource has resulted in material and cultural deprivation of Kai Tahu.**

OBJECTIVE MAO.5 WAI (WATER)

To recognise the significance of water to Kai Tahu's spiritual beliefs, cultural traditions and practices, and to provide for these where practicable and appropriate.

POLICY MAO.9

To take into consideration the importance of water to Kai Tahu culture by ensuring land management practices avoid, remedy or mitigate adverse effects on water bodies important to Kai Tahu.

Explanation

If inappropriately managed, land use practices such as vegetation clearance in riparian margins and catchment heads and poor control of fertiliser application can contribute to significant increases in sediment and nutrient loads in the district's waterbodies. Such contamination greatly undermines the sustainability of the District's water resource, and hence the integrity of Kai Tahu's spiritual beliefs, cultural traditions and practices.

(Refer Rule WAT.1, Rule WAT.3, Rule FIN.8 and Rule RRA.8)

POLICY MAO.10

To consult with Kai Tahu and work with the Otago Regional Council on water quality issues that affect Kai Tahu.

Explanation

Regional Council has primary responsibility for water quality and consequently Council must act in co-ordination with them to achieve the desired outcomes in relation to water quality. An issue of major concern to Kai Tahu is the discharge of human sewage into waterbodies.

(Refer Method MAO.2)

3.2.7. MAHIKA KAI (PLACES WHERE FOOD IS PRODUCED OR PROCURED)

Mahika Kai is the custom of procuring or producing food resources, and is therefore a cornerstone of Kai Tahu existence and culture. Highly organised seasonal timetables were defined to best utilise the resources available, and this has developed into a sustainable resource management ethic. It should be noted that it was through Kaitiakitanga that the balance between resource use and resource protection was achieved.

The loss to Kai Tahu of much of their mahika kai was subject to a Waitangi Tribunal hearing. The Tribunal has reported on its findings and produced the Kai Tahu Report 1991 in which it includes recommendations to the settlement of the claim and avoidance of further grievances. Kai Tahu request that their rights and expectations in respect of what little customary mahika kai remains in Clutha District be recognised and understood by Local Authorities. Kai Tahu believe that maintenance and enhancement of access to mahika kai resources is of extreme importance, as is protecting the resource from threats such as wetland drainage and pollution.

ISSUE:

- **The importance of mahika kai to Kai Tahu needs to be acknowledged and understood in terms of managing the District's resources.**

OBJECTIVE MAO.6 MAHIKA KAI (PLACES WHERE FOOD IS PROCURED)

To recognise the importance of mahika kai to Kai Tahu by, where possible, maintaining and enhancing mahika kai, as well as access to this resource.

POLICY MAO.11

In consultation with Kai Tahu, to identify significant mahika kai resources.

Explanation

Identification of mahika kai is an important first step in the management of this resource. Consultation with Kai Tahu is essential to achieve this step.

(Refer Method MAO.2)

POLICY MAO.12

To maintain and enhance access to mahika kai where practicable and appropriate.

Explanation

Mahika Kai resources are primarily water-based. Access to mahika kai is an important consideration when assessing the need for access to any waterbody or reserve. Council has the ability to establish access to water- bodies and reserves through the use of esplanade reserve, esplanade strip, and access strip provisions of the Resource Management Act. Where access to traditional sources of mahika kai has gradually been eroded over freehold land, this process may once again open the access that was guaranteed under the Treaty of Waitangi.

(Refer Rule FIN.8. Cross reference to New Zealand Coastal Policy Statement)

POLICY MAO.13

To avoid or mitigate the adverse effects of land-based activities carried out adjacent to mahika kai.

Explanation

As already mentioned, mahika kai are threatened by wetland drainage, pollution etc, which are primarily human-induced. To achieve the purpose of the Act and Council's functions under that Act, performance standards for land use activities will be developed in order to sustain the water and soil resource, thereby protecting mahika kai.

(Refer Rule WAT.1, Rule WAT.3, Rule FIN.8 and Rule RRA.8)

3.2.8. RULES

RULE MAO.1 PROTECTION OF WAAHI TAOKA AND MAHIKA KAI

Where any development or disturbance of land that may destroy, damage, or modify or otherwise adversely affect or disturb any site that from time to time is listed (after appropriate plan change procedures) in Table 13.7, the following shall apply.

- (i) The resource user shall immediately cease the activity or work that is having the effect, and

- (ii) Where the site is also an archaeological site as defined by the Historic Places Act 1993, the provisions of Sections 9 to 21 of that Act shall apply.
- (iii) Where the site is not an archaeological site, the resource user must first consult with Kaitiaki runanga (being either Te Runanga Otakou or Te Runaka Hukonui as set out in the Section 3.2.1 Overview) who will make their recommendation to the applicant within 20 working days of being consulted, unless special circumstances exist.
- (iv) Where no settlement under (ii) above can be reached, the proposal shall be dealt with as a discretionary activity, and shall be assessed in accordance with the following:
 - the significance of the resource to the relevant runanga
 - the alternatives available to the applicant

REASON

Archaeological sites are protected under the Historic Places Act 1993, and the procedure relating to any activity that may have the effect of destroying, damaging or modifying such sites is set out in Section 9 to 21 of that Act.

Part (iii) of this rule requires consultation with the relevant runanga to avoid or minimise the occurrence of lengthy delays and the need for appeals.

Where no agreement can be reached between the parties, discretionary activity status allows all the effects of the proposal to be considered by Council. Any subsequent decision also allows both parties the right to appeal to the Planning Tribunal.

RULE MAO.2 PROTECTION OF WAAHI TAPU

A. SITES LISTED IN TABLE 13.6 (PAGE 119)

Any activity that modifies, disturbs or otherwise adversely affects waahi tapu listed in Table 13.6 is a non-complying activity.

REASON

Waahi tapu are of extreme importance to Iwi. Urupa (burial sites) are the most important of all waahi tapu. While Urupa are given protection under the Historic Places Act 1993, the Maori Affairs Act 1953 and the Resource Management Act, these Acts can often be overridden by other legislation (e.g. Petroleum Act 1981) and consequently do not have the absolute protection that Kai Tahu require.

Table 13.6 lists known waahi tapu sites in the District that Iwi are prepared to publicly notify. Kai Tahu propose to update this site location register through the development of the Iwi Resource Management Plan. These sites, if considered appropriate, will be added to Table 13.6 through appropriate plan change procedures.

B. WAAHI TAPU NOT LISTED IN TABLE 13.6

Where any development or disturbance of land disturbs waahi tapu not listed in the Plan the following shall apply:

- (i) The resource user shall immediately cease the activity or work that is having the effect, and

- (ii) The resource user shall then contact the New Zealand Archaeological Association filekeeper for the Otago area and Kaitiaki runanga being either Te Runanga Otakou or Te Runaka Hukanui as set out in Section 3.2.1 Overview.
- (iii) Where waahi tapu is an archaeological site as defined by the Historic Places Act 1993, the provisions of Sections 9 to 21 of that Act shall apply.
- (iv) Where waahi tapu is not an archaeological site the following applies:
 - (a) The Kaitiaki runanga shall respond within 20 working days with their recommendation unless special circumstances exist.
 - (b) Where a favourable recommendation is made by the Kaitiaki runanga, the activity shall be considered as a restricted discretionary activity, with Council restricting the exercise of its discretion to avoiding, remedying or mitigating adverse effects of the waahi tapu site. Applications under this rule will not be publicly notified and consent will generally be granted subject to any condition(s) recommended by the runanga and imposed by Council.
 - (c) Where a favourable recommendation from the relevant runanga is not received, or agreement cannot be reached between both parties, the activity shall be considered as a non-complying activity.

REASON

Not all Waahi tapu sites are known or their specific locations divulged by iwi. This rule establishes the procedure where a site is found during the course of development or it becomes apparent that development may adversely affect a site known to iwi that is identified only through the "silent file" system. The "silent file" system is utilised so as to protect certain sites from desecration.

As Waahi Tapu are of extreme importance to Iwi, their wishes should be paramount. It should be noted that a non-complying activity would generally only receive consent subject to the conditions recommended by the relevant runanga. However, the resource user does have right of appeal to the Environment Court.

RULE MAO.3 KOIWI TANGATA

In the instance of Koiwi Tangata (unidentified Maori remains) being found, disturbed or unearthed, Kai Tahu shall be notified immediately, and the subsequent procedure for the management of such finds shall be in accordance with Kai Tahu spoken protocol the details of which can be provided by the local runanga or the District Council.

REASON

Kai Tahu have a strict protocol for dealing with the remains of their ancestors and this should clearly prevail.

RULE MAO.4 PAPAKAIKA HOUSING

Residential occupancy by Maori landowners (Papakaika) of land in multiple ownership in excess of one dwelling unit is a controlled activity, subject to the standards specified for residential activities set out in the Resource Areas within which the activity is located.

Council shall exercise its control in respect of the following matters:

- density of development
- mitigation of adverse landscape and visual effects

- effluent and stormwater management
- road access and any effect on the roading network
- provision of other services
- preservation of significant vegetation and heritage features.

REASON

As established by Rule MAO.5 below, the rules of the appropriate Resource Areas will apply to the erection of dwellings on Maori land unless otherwise provided by this section. In the Coastal Resource Area, dwellings are discretionary while multiple unit development in the Rural Resource Area is also discretionary. This rule provides for papakaikia housing without those restrictions. Providing for papakaika housing on Maori ancestral land strengthens turangawaewae, and enables productive use of land that has often been difficult in the past because of its multiple ownership and fragmented nature. The controlled activity status (where consent cannot be refused) allows Council to address the adverse effects of multiple unit development.

Policy 3.2.6 of the New Zealand Coastal Policy Statement requires that provision be made for papakaika housing in appropriate coastal areas.

RULE MAO.5 LAND USE

Unless otherwise provided by this section, the rules and performance standards of Section 3 General Provisions, and the rules and performance standards of the Resource Areas apply in all respects to Maori land, PROVIDED THAT the status of the land and the reason for the lands reservation will be a relevant consideration when determining any application for resource consent for any ancestral Maori land.

REASON

In terms of effects, the use of Maori land is no different to any other land. However, the status of any Maori land will be a relevant consideration in any resource consent application.

Table 10: Maori Reserves and Lands Within the Clutha District

Description	Location and Planning Map No.
Taieri Native Reserve Block C and Section 30 Block A	North side of the Taieri River, Map U49 and I45A
Clarendon Half Caste lands	Near Taieri Mouth township, Map No. I45A
Te Karoro Maori Reserve Land	Kaka Point, Map. U28, U66 and H46C
Glenomaru Landless Natives Block	South of Kaka Point. Map U28, U66 and H46C
Tautuku and Waikawa Landless Natives Block	Tautuku, Map No. G47A to D.

3.2.9. OTHER METHODS

METHOD MAO.1 KAI TAHU RESOURCE MANAGEMENT DOCUMENT

The Kai Tahu Otago Natural Resource Management Plan shall be recognised as a Kai Tahu Resource Management reference planning document for the District, and shall provide the basis and procedures for consultation with Kai Tahu.

REASON

The Kai Tahu Ki Otago Natural Resource Management Plan is a document prepared by the Kai Tahu of Otago, and expresses their views and beliefs in relation to the use, development and protection of Otago's natural and physical resources. This document will greatly assist in the consultation process and in identifying the resource values both held and sought by Kai Tahu in Clutha District.

METHOD MAO.2 CONSULTATION

To develop an active process of consultation with relevant Kai Tahu Runanga on policy development relating to natural and physical resources within Clutha District.

REASON

Consultation with Iwi is required by the Act. Ongoing consultation with Iwi is essential for future policy development to ensure Iwi values are identified and represented and that Council fulfils its duty under the Act.

METHOD MAO.3 LISTING OF IMPORTANT SITES AND RESOURCES

Where it is deemed appropriate by the relevant runanga, Council shall include archaeological sites, waahi tapu (including those sites registered by the Historic Places Trust), waahi taoka, and mahika kai of significance to Kai Tahu on the Register of Heritage Items through the plan change procedures.

Where the relevant runanga do not wish public registration of sites, consultation will be sought with the affected landowners in order to achieve appropriate protection.

REASON

While the Historic Places Act 1993 (Section 22) requires the Historic Places Trust to establish and maintain a register of historic places, historic areas, Waahi tapu, and Waahi tapu areas, that Act gives no formal protection unless they are archaeological sites. Identifying sites in the Plan not only raises people's awareness of their existence but can also afford protection via appropriate rules. The Kai Tahu Ki Natural Resource Management Plan will also provide guidelines in relation to this issue.

3.2.10. ANTICIPATED ENVIRONMENTAL RESULTS

1. The avoidance, remedying or mitigation of adverse effects on waahi tapu.

2. Recognition and provision for the role Maori have in the management of the District's resources.
3. Recognition and provision for customary Maori use and protection of resources.

3.3. TRANSPORTATION

3.3.1. OVERVIEW

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

3.3.2. THE ISSUES

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

3.3.3. OBJECTIVES

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

3.3.4. POLICIES

POLICY TRAN.1 EFFECTS OF LAND USE

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

POLICY TRAN.2 LOADING AND MANOEUVRING

To mitigate adverse effects on the safe and efficient operation of the roading network by requiring owners and occupiers, where appropriate, to avoid off-road loading and manoeuvring facilities for the servicing of premises

Explanation

The operation of retail type activities generally involves numerous loading and unloading operations during the normal course of business. Undertaking such activities on the road can greatly impede traffic flows.

However, Council recognises that there are circumstances where the provision of off-road loading facilities is neither practical nor necessary and therefore dispensations can be granted.

(Refer Rule TRAN.5)

POLICY TRAN.3 PARKING

To avoid, remedy or mitigate the adverse effects of land use activities on the safety and efficiency of the roading network by requiring the provision of adequate off-road parking having regard to the following factors:

- (a) the intensity and duration of the activity.**
- (b) the adequacy of parking in the location.**
- (c) the classification and use of the road, and the speed restrictions that apply.**
- (d) the nature of the site, in particular its capacity to accommodate parking.**
- (e) the characteristics of the previous activity that utilised the site.**
- (f) the prevalent amenity values in the location, in particular any residential amenity values.**

Explanation

Activities that attract and/or employ large numbers of people have the potential to compromise the safe and efficient operation of the roading network. The provision of adequate parking facilities can mitigate adverse effect on this. There are areas, however, where the provision of parking is not physically practical or necessary. The matters listed in the policy will assist Council in determining the appropriateness of parking requirements where a relaxation is sought.

POLICY TRAN.4 ROADSIDE VEGETATION

To ensure that the adverse effects that vegetation plantings can have on the transportation network, are avoided, remedied or mitigated.

Explanation

Council recognises that trees, hedges and shelter belts, can have significant impact on the safety of the roading system. Vegetation can impede driver visibility, disrupt road drainage systems, or cause shading of the carriageway resulting in icing during the winter months, which can have severe consequences in terms of public safety.

(Refer Rule TRAN.7 and Method TRAN.3)

POLICY TRAN.5 SIGHT LINE PROTECTION

To promote safety at road bends, accesses, intersections and road and rail intersections by mitigating the effects buildings and the planting of vegetation can have in such situations.

Explanation

Council recognises that road bends, road intersections and railway level crossings are particularly dangerous to the safety of motorists and accordingly adequate sight lines are to be preserved.

(Refer Rule TRAN.7 and 9)

POLICY TRAN.6 AIRPORTS

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

POLICY TRAN.7 THE ADVERSE EFFECTS OF THE TRANSPORTATION NETWORK

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

POLICY TRAN.8(A) ROADING HIERARCHY

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

POLICY TRAN.8(B) HEAVY TRANSPORT NETWORK

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

POLICY TRAN.9 CONSTRUCTION STANDARDS

To require that new roads and access points be constructed to a standard appropriate to their intended use, and that the adverse effects of maintenance, upgrading and construction be avoided, remedied, or mitigated.

Explanation

Construction of new roads and access points can have an adverse impact on water quality, vegetation, soil stability, visual amenity and safety. These aspects need to be recognised when new roads are planned and built.

(Refer Rule TRAN.1-3)

POLICY TRAN.10 TRANSPORTATION PROJECTS

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

POLICY TRAN.11 TRANSPORT AND ENERGY EFFICIENCY

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

3.3.5. RULES

RULE TRAN.1 ROADING ACTIVITY STATUS

(I) ACCESS AND LEGAL FRONTAGE FOR DEVELOPMENTS

Roads and Access Lots for the purpose of providing access and legal frontage to developments and subdivision are controlled activities provided

1. There is no adverse effect on; any heritage site listed in Table 13.1 to Table 13.8, and
2. The location is not or is not likely to be subject to material damage by erosion, subsidence, slippage or inundation (including the possibility of sea level rise) and the proposed development is not likely to accelerate any of these processes, and

3. Roads in Rural Areas are constructed in accordance with the "Guide to Geometric Standards for Rural Roads", National Roads Board, New Zealand, 1985 and roads in Urban Areas are constructed in accordance with NZS 4404 1981 Urban Land Subdivision.

Council shall exercise control in respect of the following matters:

- a. The effects of noise, vibration, glare, dust and other similar effects on affected property owners.
- b. Visual effects, and the techniques used to mitigate these.
- c. The roads impact on energy consumption in terms of its design and location.
- d. The method of construction, in particular,
 - The extent, timing, and duration of bare ground; and
 - the location, timing of construction design, and density of earthworks, and
 - the re-establishment of an appropriate vegetation cover; and
 - the disposal and stabilisation of waste material or fill; and
 - measures to avoid, remedy, or mitigate:
 - (i) loss of or damage to soil; and
 - (ii) movement of vegetation, soil, or debris, into any water body or coastal water; and
 - (iii) damage to riparian vegetation or soil; and
 - (iv) damage to animal or plant communities in water bodies or coastal water; and
 - (v) effects of the activity on river or stream flows.
 - (vi) Stormwater runoff.
- e. Design, construction and location of intersections with public roads excluding State highways in which case these matters will be subject to the requirements of the NZ Transport Agency.

Any applications for resource consent made under this rule shall generally be considered without notification or the written consents of affected parties.

(II) INTERNAL ACCESS ON PRIVATE PROPERTY IN RURAL RESOURCE AREAS

Provided Rule RRA.7 has been complied with, access roads or tracks (including bridges and culverts associated therewith) for the purposes of internal access are permitted activities provided that:

- (a) No site of heritage value listed in Table 13.1 to Table 13.8, is adversely affected.
- (b) The location is not or is not likely to be subject to material damage by erosion, subsidence, slippage or inundation and the proposed development is not likely to accelerate any of these processes.
- (c) That where such a road or track is to be visible from a public road, or public place that the permanent visual effects are mitigated against by, where practicable, following the contour, reducing the use of fill batters, or vegetating fill batters.
- (d) Intersections with public roads are to be constructed in accordance with the standards set out in Rule TRAN.4.
- (e) The following design and construction standards are complied with:
 - all formation surfaces with an inwards crossfall shall be drained by a watertable; and
 - cutoffs or culverts shall be constructed or installed so as to prevent scour, gullyng, or other erosion of the formed or constructed surface and to comply with Section VI of the

Freshwater Fisheries Regulations 1983 (which requires adequate provision for fish passage); and

- fill shall not be placed over woody vegetation except where the woody vegetation has been specifically placed for corduroying purposes; and
- all areas of fill including any formation surface overlying fill shall be compacted; and
- fill batters shall be constructed and vegetated, to a standard that is adequate to avoid batter erosion or failure; and
- spoil shall be disposed of by end-hauling where the formation by sidecasting of any road or track crosses any unstable site or crush zone.

(III) PUBLIC ROADS

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

RULE TRAN.2 ROAD REALIGNMENT

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

RULE TRAN.3 ROAD MAINTENANCE

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

RULE TRAN.4 ACCESS STANDARDS FROM A PUBLIC ROAD

Access standards for properties and activities shall be determined in accordance with the following standards;

(I) CONSTRUCTION AND MAINTENANCE

All vehicular access from a public road shall be designed, constructed and maintained to ensure that:

- they are able to be used in all weather conditions
- they have no adverse impact upon road drainage systems
- stormwater and detritus (including gravel and silt) do not migrate on to the road
- intersect with the property boundary within 15 degrees of a right angle

(II) SIGHT DISTANCES

Clear visibility along the road in both directions from the vehicular access shall comply with the following Table:

Table 11: Sight Distances (Source "Guidelines for Visibility at Driveways "Land Transport Safety Authority - Publication No. 6"). See also Figure 12.

Minimum Sight Distance from Access			
85 percentile	Sight Distance (m) per road classification		
Speed (km/h)	Local	Collector	Arterial S.H.

50	40	45	90
60	55	65	115
70	85	85	140
80	105	105	175
90	130	130	210
100	160	160	250
110	190	190	290
120	230	230	330

Note: The 85th percentile speed is defined as the speed which is not exceeded by 85% of the vehicles travelling over that particular route.

(III) ACCESS TO RURAL STATE HIGHWAYS AND REGIONAL ARTERIALS

Design and construction of access shall comply with the following standards:

- (a) Where the speed limit is 100 kph, spacing between accesses shall be not less than 200 metres (regardless of the side of road on which they are located), and no vehicle access shall be constructed within 100 metres of road intersections.
- (b) Width of vehicular access ways at the property boundary are to be no greater than 6 metres.
- (c) Heavy vehicular accesses shall be designed and constructed to:
 - i) Carry the volume and weight of traffic likely to use the access.
 - ii) To ensure heavy vehicles do not have to cross the road centre line when making a left turn.
 - iii) Ensure the surface is constructed to the same standard as the adjacent road carriageway.
 - iv) Has sufficient width to accommodate the swept path of the largest vehicle anticipated to use it.
- (d) Figures 7 to 9 establish the minimum design standards for access determined by activity type.
- (e) Access to State highways shall be to NZ Transport Agency design specification.
- (f) That any future development north of Limeworks Road involving access onto the State highway is a Restricted Discretionary Activity. Council's discretion shall be limited to the following matters:
 - a) Safe systems compliant access design;
 - b) Practicality of alternative access options to Limeworks Road;
 - c) The intensity and duration of the activity utilising the access;
 - d) Any effect on the safety and efficiency of the State highway;
 - e) The level and type of roading intervention required on the adjoining roading network;

(Note: Evidence of consultation undertaken with the NZ Transport Agency with respect to any proposed intervention identified in (e) above is required);

- f) The timing of the proposed intervention identified in (e) and the need for these measures to be implemented before development occurs on site.

In order to assess matters a) to f) any resource consent application shall be supported with an Integrated Transport Assessment.

(IV) ACCESS TO DISTRICT ARTERIAL AND COLLECTOR ROADS

- (a) Access for residential activities shall conform with the standards set out in Figure 11(a).
- (b) Access for non-residential activities shall conform with the standards set out in Figure 11(b) (page 92).
- (c) Distance from any road intersection shall be not less than 40 metres.

(V) ACCESS TO URBAN STATE HIGHWAYS AND URBAN ARTERIALS.

Design and construction of accesses shall comply with the following standards;

- (a) The vehicle crossing shall intersect with the road reserve boundary at an angle between 45 degrees and 90 degrees.
- (b) For activities that attract a low level of vehicles width measured at the edge of carriageways shall not be greater than 3.5 metres.
- (c) For activities that attract a high level of vehicles width measured at the edge of the carriageway shall be as follows:
- between 3.5 and 6.0 metres for a one way operation or
 - between 6.0 and 9.0 metres for a two way operation.
- (d) No access shall be constructed within 7.5 metres of the road reserve boundary of a road intersection.
- (e) Access shall be constructed in accordance with the details set out in Figure 10.

(VI) ACCESS TO LOCAL ROADS

Access to local roads shall be in accordance with (i) and (ii) above.

(VII) NON-COMPLIANCE

Any proposal that does not conform with these standards shall be considered as a restricted discretionary activity, with discretion restricted to this matter. Unless Council determines otherwise on the basis of safety concerns, written consent of affected parties need not be received and the application may not be notified except where the activity affects a State highway in which case, NZ Transport Agency's comments will be required.

Assessment Criteria (not part of this rule)

In considering any application under this rule, Council will consider the following:

- a. the intensity and duration of the activity;
- b. the classification and use of the road;
- c. any effect on the safety and efficiency of that road.

REASON

Development alongside of the roading network may reduce the safety and efficiency levels of the road. Performance standards have been developed by the NZ Transport Agency to ensure safety and efficiency levels are not compromised. These standards have been used as the basis for control, although in some instances they have been modified to suit local conditions. Refer to "Highway Planning under the Resource Management Act" Transit NZ, 1994.

RULE TRAN.5 LOADING AND MANOEUVRING

(I) SERVICING ACTIVITIES

Where the loading and unloading of goods is an integral part of an activity, loading facilities are to be provided.

All such loading areas shall be so located that no vehicle or machinery engaged in any loading or unloading operation shall stand on or be required to manoeuvre on any part of the road reserve.

Design shall be appropriate to the type of vehicles that have occasion to visit the site.

(II) SCHEDULED ROADS

Loading facilities together with access and turning space are to be provided and designed so that it is not necessary to reverse vehicles either on to or off the road, on properties fronting the following roads;

- all State highways, Regional and Urban Arterials;
- James, Elizabeth, John, Gordon, George and Charlotte Streets, Balclutha.

(III) NON-COMPLIANCE

Any proposal that does not comply with these requirements shall be considered as a restricted discretionary activity. Council shall restrict the exercise of its discretion to this matter.

Assessment Criteria (not part of this rule)

In considering any application under this rule, Council will consider the following:

- a) the configuration of the site;
- b) the size and intensity of the activity;
- c) the classification and use of the road;
- d) any effect on the safety and efficiency of the road.

Any application for resource consent under this rule shall generally be considered without notification or the written consent of affected people. Except that where a State highway is involved the application will be referred to NZ Transport Agency for comment.

REASON

The loading and manoeuvring of vehicles can have a major impact on the safety and efficiency of the roading network, and therefore it is imperative loading activities are controlled on certain busy and important roads.

RULE TRAN.6 PARKING

- (i) Every activity shall make sufficient provision for vehicular parking in accordance with Table 12 and the minimum dimensions stated in (ii) below and Figures 5 and 6 other than on public roads provided that in those areas with "service retail frontage" as depicted on the planning maps, no on-site parking is required except where the retail, service or assembly area floor space of any building is 300m² or more or in circumstances where buildings have been demolished or removed from a site.
- (ii) Construction of parking areas to accommodate in excess of 3 car spaces including vehicle access and turning spaces, shall be constructed in accordance with the following standards;
- a. Parking areas shall be formed and sealed or otherwise maintained, so as not to create a dust nuisance or permit vehicles to carry deleterious materials such as mud, stone, chip or gravel onto the road or footpath.
 - b. Stormwater originating from parking areas shall be adequately disposed of within the confines of the site with the exception of the Industrial Resource Area (Toko Plains), where all stormwater will be managed accordance with an approved Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.
 - c. Traffic safety is to be ensured by:
 - Vehicles using the parking area being prevented by means of a kerb-wall from entering or leaving the site except by access ways provided.
 - The parking area and turning spaces shall be laid out with sufficient manoeuvring space so that access can be obtained to the required parking space without the necessity for reversing on to or off the site.
 - Any part of the parking area which cannot be used for the parking shall be landscaped.
 - d. Privacy of neighbours is to be protected by ensuring that where the parking area adjoins a residential property, a solid fence, no less than 1.5 metres in height, shall be erected and maintained by the developing owner provided that the height of the fence shall be reduced at access points to enable adequate visibility on adjoining roads.
 - e. Queuing space being provided within the site for vehicles entering or leaving a private or public carpark on the following basis:
 - 6 metres length in both directions for car parks of 50-100 car capacity.
 - 15 metres length in both directions for car parks of greater than 100 car capacity.
 - f. Any lighting associated with the parking area shall have no adverse effect on adjoining properties or roads.
 - g. All areas of car parking in excess of 100m² shall provide a strip of not less than 1.5 metres in width adjacent to any boundary adjoining an area of open space (including roads and yards) except where a solid fence has been erected.

This strip shall create the opportunity for landscaping to provide visual enhancement or screening. Landscaping shall not impede traffic visibility and shall be maintained in a healthy and tidy condition at all times.

(iii) Breach of Standard

An activity that does not comply with the standards stated in Rule TRAN.6(i) and (ii) and Table 12 will be considered as a restricted discretionary activity. Council shall restrict the exercise of its discretion to the effect on the adjoining roading network, the effect on any heritage values of the site or the area, and the amenity values of the neighbourhood.

In granting any resource consent Council may require a cash contribution in lieu of the provision for vehicular parking which will be determined on the basis of the actual cost of developing the required amount of parking required by Table 12 (including the cost of purchasing the land).

Any application made under this rule will generally not be notified if the written approval of affected parties is received.

REASON

Large scale developments tend to attract a high number of visitors and/or employ a large number of people thereby increasing pressure on parking in the neighbourhood. To reduce the impact on the safety and efficiency of the roading network, off-street parking facilities of an appropriate standard are to be required. The exception is in the Districts commercial centres, which are invariably fully developed and cannot provide on-site parking. These areas are generally well served by existing public parking areas. However, activities that generate large, steady volumes of traffic (e.g. Supermarkets) will continue to be required to provide for their own parking needs. Such activities are generally not compatible with the concentrated town centres and prefer to locate on the periphery of these areas.

RULE TRAN.7 VEGETATION

(I) ROAD RESERVE VEGETATION

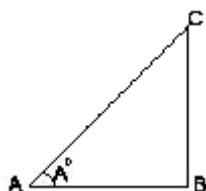
No vegetation shall be planted on a road reserve or property in such a manner that allows it to overhang the legal roadside boundary.

(II) ICE THAW

Production forestry, amenity planting or shelter belt planting more than 2 rows deep shall not be planted within 10 metres of the legal road reserve on the eastern or northern side of any road where the speed limit is 70km/hour or above.

(Note: See also Method TRAN.3)

Figure 4: Formula for Calculating Shadow Lengths



$AB = \text{shadow length}$

$BC = \text{height of tree}$

$A^\circ = \text{angle sun strikes the earth's surface.}$

Height of Tree

$\tan \text{ angle sun strikes the earth} = \text{Shadow length}$

Angle created when Sun Strikes Earth on the Shortest Day of the Year

Time	Angle
10.00am	19.0°
12 noon	24.5°

(III) VISIBILITY

No vegetation, which obstructs, impedes or restricts visibility of traffic at intersections, property accesses or road corners is permitted.

REASON

Vegetation, if inappropriately located, can greatly affect public safety on roadways by impeding visibility at corners and intersections, and by impeding the thawing of iced road surfaces.

Consideration was given to imposing the 10 metre restriction on all boundaries, however this was discarded because:

- (i) western and southern boundaries do not prevent the thawing process, and
- (ii) the effects of snow drift was not considered to be frequent enough to warrant buffer zones on these boundaries.

Single trees and shelterbelts have been excluded from this rule to provide flexibility. However, this type of planting is still subject to the Local Government Act 1974 (*see Method TRAN.3*) which gives Council the ability to have problem trees removed.

Applying the 10 metre rule only to production forestry was to give forest owners a degree of certainty although these trees are also subject to the provisions of the Local Government Act.

However, with trees being automatically set back 10 metres, the effect of removing offending trees at a later date is minimised. Furthermore, production forestry plantings tend to be on a greater scale than shelter belt plantings.

(IV) INDUSTRIAL RESOURCE AREA (TOKO PLAINS)

This rule does not apply to the Industrial Resource Area (Toko Plains), where landscaping is to be approved under SUB.4.D.1.

RULE TRAN.8 RAILWAY CONSTRUCTION AND MAINTENANCE

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

RULE TRAN.9 SIGHT LINE PROTECTION: RAILWAY

Any building or vegetation located within an area bounded by lines connecting points of 30 metres along the centreline of the road measured in each direction from the centreline of the nearest railway track to points 140 metres along the nearest railway track measured in each direction from the centreline of the road as more particularly shown in *Figure 13* shall be a non-complying activity.

REASON

Level railway crossings are particularly dangerous, and accordingly adequate sight lines must be preserved.

Note: The Land Transport Safety Authority has released a discussion document that deals with safety issues at Railway Level Crossings. Council is considering adopting this as a guideline.

RULE TRAN.10 BALCLUTHA AERODROME

The Balclutha Aerodrome shown on Planning Map 4, is subject to a proposed Management Plan which provides for its control, maintenance and ongoing development. Development consistent with that management plan is a permitted activity, while development not provided for is a non-complying activity

REASON

The Balclutha Aerodrome is classified as either Local Purpose Reserve (site for an Aerodrome) or Council land held in fee simple for purposes of an Aerodrome. A management plan has been prepared under the Reserves Act 1977 for the site and it is appropriate that the provisions of this plan be recognised by the District Plan. The operation of the Aerodrome will also be subject to Civil Aviation Requirements.

RULE TRAN.11 COMMERCIAL AIRPORTS

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

RULE TRAN.12 RURAL AIRPORTS

Deleted under Plan Change 33 – Refer Section 3.14 Infrastructure

3.3.6. WORKS PROGRAMME

Council is of the view that the District's programme of capital works is more appropriately addressed in the Annual Plan and Strategic Planning processes. Council's Annual Plan addresses the short-term capital expenditure programmes, while the Strategic Plan will identify Council's long-term goals and aspirations.

3.3.7. OTHER METHODS

METHOD TRAN.1 ROADING HIERARCHY

Council has adopted the following roading hierarchy to assist resource users in determining the effects activities may have on the roading network;

(I) RURAL ROADS

(A) STATE HIGHWAYS

Description: Roads identified by the NZ Transport Agency as routes of national or regional importance as defined by the Government Roading Powers Act 1989.

Primary Function: Provide part of a network of strategic routes through the country linking districts and regions.

Secondary Function: Provide links between the Clutha District and other Districts.

Maintenance and Use: State highways are fully funded, maintained and managed by the NZ Transport Agency.

Heavy Traffic Route.

(B) REGIONAL ARTERIAL ROAD

Description: Strategically important roads between districts in the region and between regions.

Primary Function: Provide links between the Clutha District and other Districts. Heavy Traffic Route.

Secondary Function: Provide links between centres of population or to larger roads.

Maintenance and Use: Council will maintain Regional arterial roads to the standards for which the NZ Transport Agency funding assistance is available within the constraints of Council's roading programme budget.

(C) DISTRICT ARTERIAL ROAD

Description: Roads that provide direct access through the district between communities.

Primary Function: Provide links between centres of population or to larger roads. Heavy Traffic Route.

Secondary Function: Provide access to dwellings, land and facilities.

Maintenance and Use: Council will maintain District Arterial Roads to the standards for which the NZ Transport Agency funding assistance is available within the constraints of Council's roading programme budget.

(D) DISTRICT COLLECTOR ROAD

Description: Roads that provide the most direct access from rural districts to District Arterial, Regional Arterial or State highways.

Primary Function: Provide access from rural areas to service towns or to larger roads. Heavy Traffic Route.

Secondary Function: Provide access to dwelling land and facilities.

Maintenance and Use: Council will maintain District Collector Roads to the standards for which the NZ Transport Agency funding assistance is available within the constraints of Council's roading programme budget.

(E) DISTRICT LOCAL ROADS

Description: Roads that provide access to permanently occupied dwellings within the District provided that;

- the road is not determined to be serving the function of a private driveway;
- the road is fenced on both sides;
- there are no gates, or provision for gates, or cattle stops across the road;
- the road is not utilised for any other rural or industrial activity; and
- that where a single property contains two or more dwellings beyond which there are no properties with dwellings fronting the road the road ceases to be a District Local Road beyond the first dwelling.

Primary Function: Access to residential homes.

Secondary Function: Access to land and facilities.

Maintenance and Use: Council will maintain District Local Roads to the standard for which NZ Transport Agency funding assistance is available within the constraints of Council's roading programme budget.

These roads are not considered Heavy Traffic Routes for the purposes of this Plan.

(F) DISTRICT ACCESS ROAD

Description: Roads that provide access to properties without permanently occupied dwellings.

Primary Function: Access to land

Secondary Function: Used as access to recreational areas e.g. streams, coastal areas sufficient to warrant Council involvement.

Maintenance and Use: Council will provide limited maintenance for District Access Roads:

- up to the first boundary on the last property on the road, where that property has no other road access; and
- to any recreational area where there is no other access and where Council considers it is in the District's interest to maintain the road.

Fences for the purposes of stock control may be erected. Gates are to be provided and shall be in terms of Section 344 of the Local Government Act 1974 and shall not be locked.

These roads are not considered Heavy Traffic Routes for the purposes of this Plan.

(G) NON-MAINTAINED ROADS

Description: Roads formed on legal roadlines but not maintained by Council as part of its roading network.

Primary Function: Secondary access to land or facilities or access internal to a property and not needed for general public use.

Secondary Function: Used as access to recreational areas e.g. streams, coastal areas, but not sufficient to warrant Council's involvement.

Maintenance and Use: The landowner through whose property the road passes may use the road and maintain it but must not destroy the road without Council approval.

Building and structures, other than for the purpose of public utilities shall not be erected on the road, unless prior approval is given by Council.

The landowner occupying the road shall be responsible for the control of noxious plants and pests on the road.

Fences for the purposes of stock control may be erected. Gates are to be provided and shall be in terms of Section 344 of the Local Government Act 1974 and shall not be locked.

Public access is a public right provided the type of transport used is limited by the physical nature of the road and the state of the surface. The type of transport used must not cause damage to the ground or pavement. It shall be the responsibility of the public wishing to access the road to determine the status and location of the road before entering onto it.

These roads are not considered Heavy Traffic Routes for the purposes of this Plan.

(H) UNFORMED ROAD

Description: Roads that are unrecognisable on the ground and exist on the plans and in legal terms only. Also known as 'paper roads'.

Primary Function: Provide legal frontage to sections of land. Access to waterbodies, the coast and other recreation areas.

Secondary Function: Unformed roads adjacent to waterbodies often have the purposes set out in section 229 of the Resource Management Act 1991.

Maintenance and Use: The landowner through whose property the unformed road passes may use it for the same purposes which applies to the landowner's property contiguous to the road.

Building and structures, other than for the purpose of public utilities shall not be erected on an Unformed Road unless Council's consent is received. Building location requirements shall apply.

The landowner using an Unformed Road shall be responsible for the control of noxious plants and pests on the road. Fences for the purposes of stock control may be erected. Gates are to be provided and shall be in terms of Section 344 of the Local Government Act 1974 and shall not be locked.

Public access is a public right provided the type of transport used is limited by the physical nature of the road and the state of the surface. Users must not cause damage to the ground or pavement or any riparian margin, particularly those unformed roads that form an esplanade margin as shown on the Planning Maps. It shall be the responsibility of the public wishing to access an Unformed Road to determine the status and location of the road before entering onto it.

Council is to investigate the future levying of rates and rentals for the use of Unformed Roads by landowners. Public legal right of access will not be affected by any such levy imposed.

These roads are not considered Heavy Traffic Routes for the purposes of the Plan.

Note: *Stopping Roads*

The procedure for stopping roads (whether formed or unformed) is set out in the tenth schedule to the Local Government Act 1974. Those procedures require any such proposal to be publicly notified. Council may consult with interested parties such as the Otago Fish and Game Council and the Department of Conservation where such roads provide physical access to a waterbody, the coast, or other land of conservation or recreation value.

(I) BRIDGES, CULVERTS AND FORDS

Description and Function:

Bridge – structure designed to carry road over an obstacle (river, stream, creek, railway line etc) by spanning it. Includes culverts with a cross-sectional area greater than or equal to 3.4 square metres.

Large Culvert – One or more adjacent pipes or enclosed channels running across and below road formation level having a cross sectional area less than 3.4 square metres and greater diameter than 600 mm.

Ford – a shallow place in a water course where the bed may be crossed by traffic.

Maintenance, Replacement and Use: Council will maintain all existing bridges, large culverts and fords on District Access and higher category roads, provided the structure is on Council's bridge register. *(Note: the NZ Transport Agency is responsible for such structures on State highways).*

Council will contribute up to 50% of the cost of:

- (i) a required bridge, culvert or ford replacement due to loss caused by flood or earthquake, and
- (ii) upgrading or renewing of a bridge, culvert or ford that is no longer suitable for its purpose because of its age and carrying capacity

PROVIDED THAT

- provision can be made for the cost within Council's roading programme budget
- there is no alternative access to the property
- the upgrade or renewal option is the most economical as determined by the current NZ Transport Agency Project Evaluation Manual
- the existing structure is on Council's bridge register.

(II) URBAN STREETS

STATE HIGHWAYS

State highways that pass through district townships.

URBAN ARTERIAL

Routes that primarily provide for the movement of traffic through the urban areas.

URBAN COLLECTOR

Routes that link arterial streets with residential streets. These streets serve a dual purpose as both access for residential buildings and the movement of traffic.

URBAN INDUSTRIAL

Routes that serve as direct access to predominantly Industrial and/or Commercial property.

URBAN RESIDENTIAL

Routes that provide direct access to residential buildings, including cul-de-sacs etc.

REASON

The roading hierarchy is considered the most effective method for determining the appropriateness of effects alongside the roading network, and for assessing the appropriate access standards to the roading network.

The hierarchy also determines the scale and relative priority of maintenance works on rural roads in terms of Clause 6 of the Second Schedule to the Act.

METHOD TRAN.2 MONITORING

Council shall monitor the effect that these policies and rules have on the transportation network by analysis of complaints received and any accidents occurring within the District.

REASON

Complaints and accident statistics are a ready guide as to how effective Council's policies and rules are at minimising adverse effects on the transportation network.

METHOD TRAN.3

Council will invoke the provisions of section 355 of the Local Government Act 1974 where vegetation is considered to be causing injury to a road, obstruction to traffic (including where the thawing of ice is being prevented) or obstructing visibility.

REASON

As stated in the Reason to *Rule TRAN.7(ii)*, vegetation can greatly affect public safety through reducing visibility and preventing the thawing of ice. *Rule TRAN.7(ii)* only partly addresses the problem of ice thaw but is considered to be a reasonable balance between imposing unnecessary constraints on land owners, and achieving the objectives of the Plan. Consequently, this method has been included in the Plan to draw the general public's attention to the fact that the Local Government Act will be used where a problem is identified.

It is considered prudent to address this issue at the time of planting rather than being forced to remove offending trees at a later date. To avoid this potential problem, trees should not be planted in a position where the road surface would be shaded between the hours of 10:00am and 2:00pm on the shortest day of the year. (*See Figure 4 for guidance on this issue*)

3.3.8. ANTICIPATED ENVIRONMENTAL RESULTS

1. A safe and efficient transportation system throughout the District.

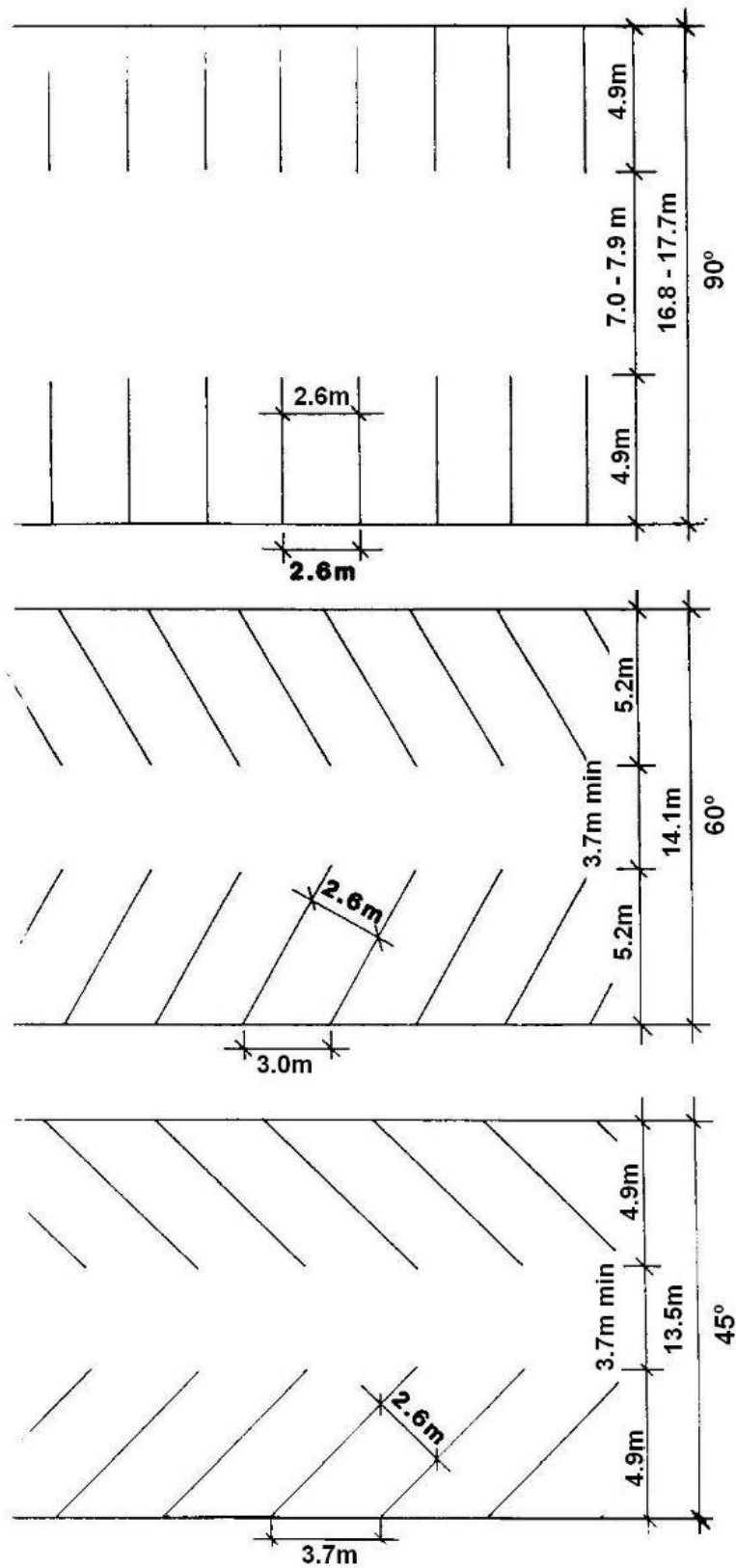
2. A reduction in the effects that heavy vehicles have on the Districts roading resource.
3. A reduction in the adverse effects land use effects have on the transportation system.
4. That adverse effects of the transportation system will be reduced.

TABLE 12: VEHICLE PARKING REQUIREMENTS (Rule TRAN.6)

ACTIVITY OR USE OF LAND OR BUILDING	SPACES REQUIRED
RESIDENTIAL	
Detached Dwelling Unit	1 per unit
Unit or attached unit being part of a Multi-Unit Residential development	1 per unit
Home Occupation	1 for every non-resident employee
Papakaika Housing	2 per unit
Motel	1 per unit
Travellers Accommodation	1 per bedroom or 1 per 4 occupants whichever is the greater
COMMERCIAL - INDUSTRIAL	
Shops	1 per 40m ² gross floor area
Supermarket	1 per 16m ² net floor area or 1 per 25m ² gross floor area (whichever is the greater)
Dairy or Convenience Store	1 per 40m ² gross floor area
Takeaway Food Bar	1 per 40m ² gross floor area
Service Stations	1 per 50m ² gross floor area excluding canopies over petrol pumps
Restaurant	1 per 4 seats plus 1 per staff member
Tavern	1 per 5m ² of net public floor space
Outdoor Display Area	1 per 100m ² gross display area
Vehicle Showrooms	1 per 100m ² gross floor area
Offices	1 per 40m ² gross floor area
Premises for doctors, dentists, veterinary surgeons	1 per 25m ² gross floor area
Industrial Premises and Warehouses	1 per 100m ² gross floor area or 1 per 2 staff members whichever is the greater

Industrial storage, internal or external except warehouses	1 per 100m ² gross floor area
EDUCATIONAL	
Childcare facility, Primary and Intermediate Schools	1 for every staff member
Secondary School	1 for every staff member plus 1 for every 50 students.
HEALTH	
Hospital, Convalescent Homes, Nursing Homes, Homes for the Aged	1 per staff member plus 1 per 20 persons that the building is designed to accommodate.
COMMUNITY/RECREATION	
Places of Assembly	1 per 10m ² gross floor area
OUTDOOR RECREATION INCLUDING WATER SURFACE ACTIVITIES	<p>The space requirements will be determined by Council, taking into account such matters as:</p> <ul style="list-style-type: none"> • the scale of the park or facility • the proposed use and its intensity • the location of the park to the road network and other land uses • the opportunity for 'shared' parking with adjacent developments. • the requirements of any management plan.

Figure 5: Typical Parking Layout (Rule TRAN.6)



N.B.
A 90 Percentile Car
is 4.77m in length

Figure 6: Standard Design Vehicles

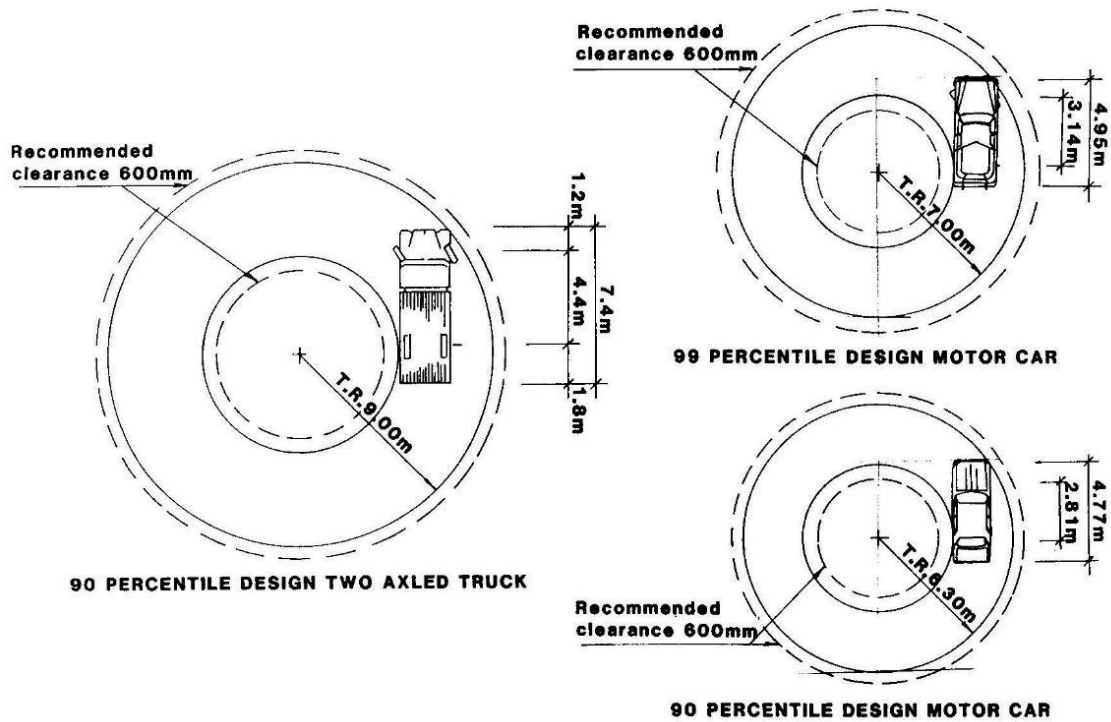
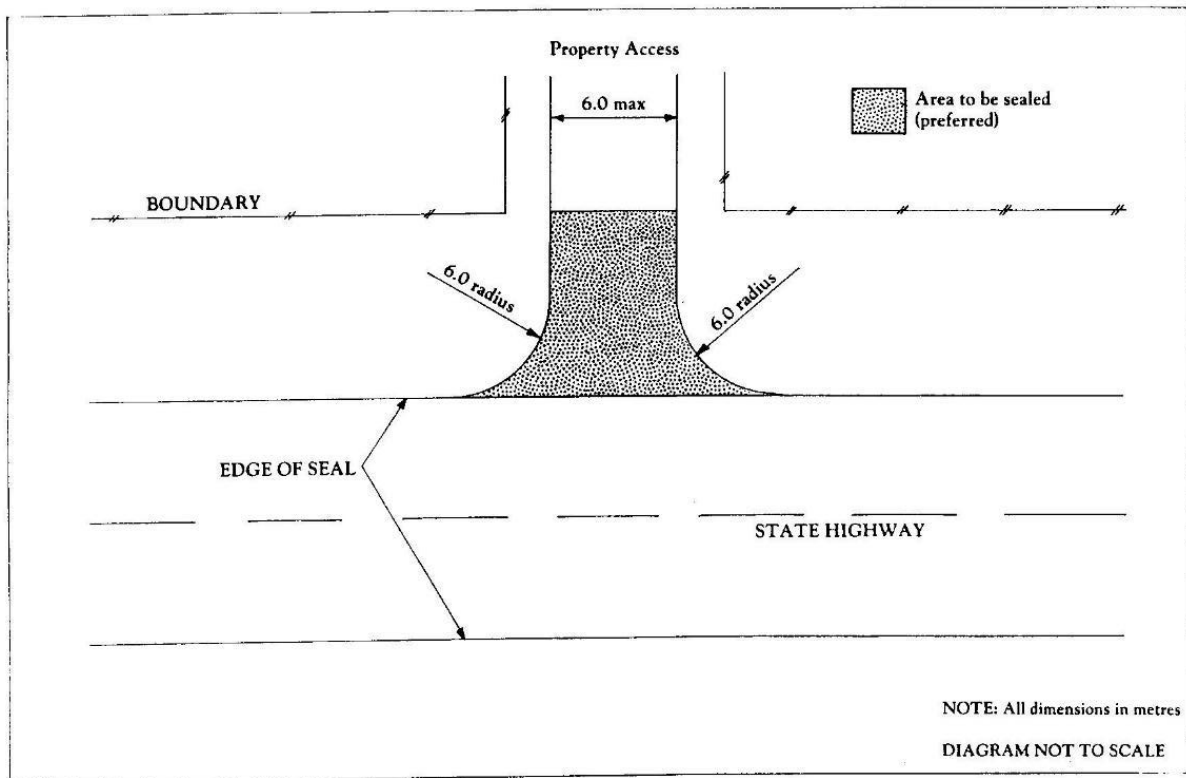


Figure 7: Private Access to Rural State Highway and Regional Arterials



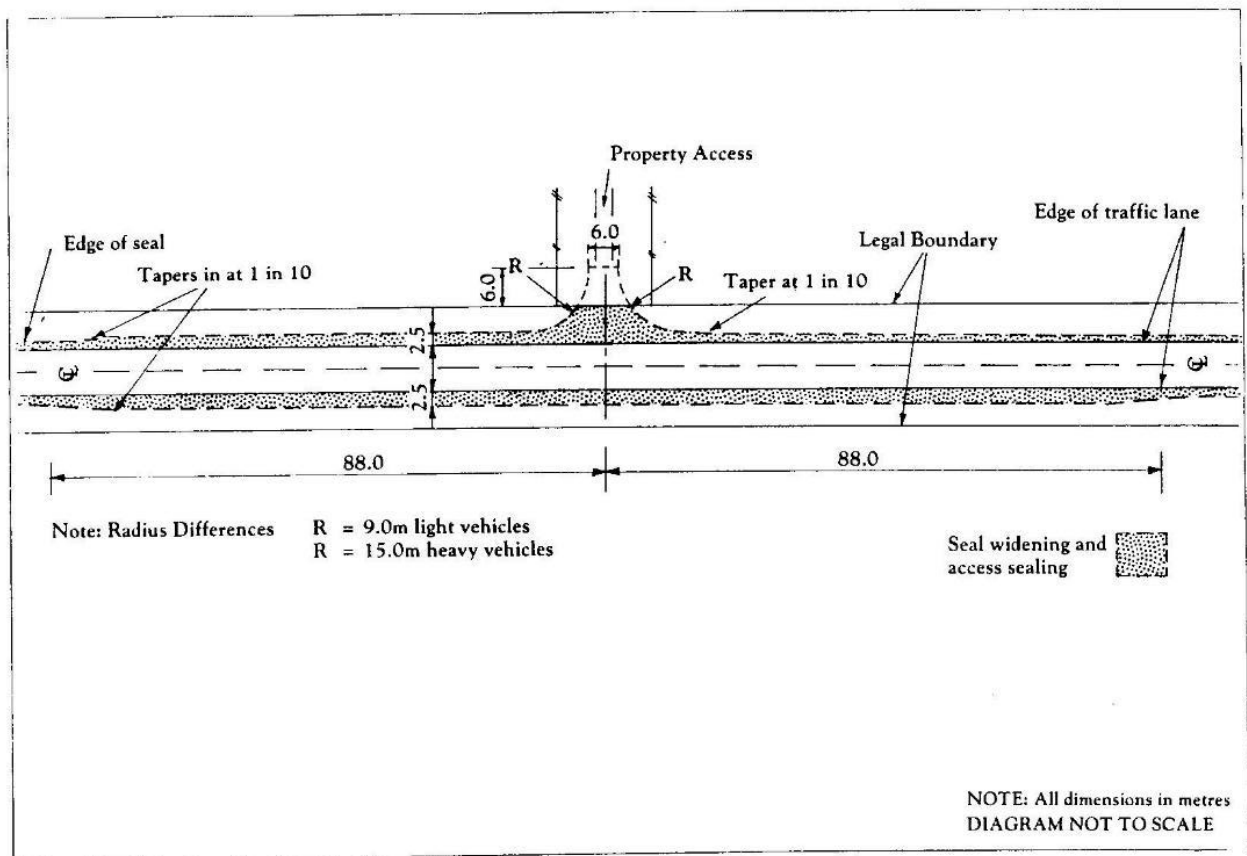
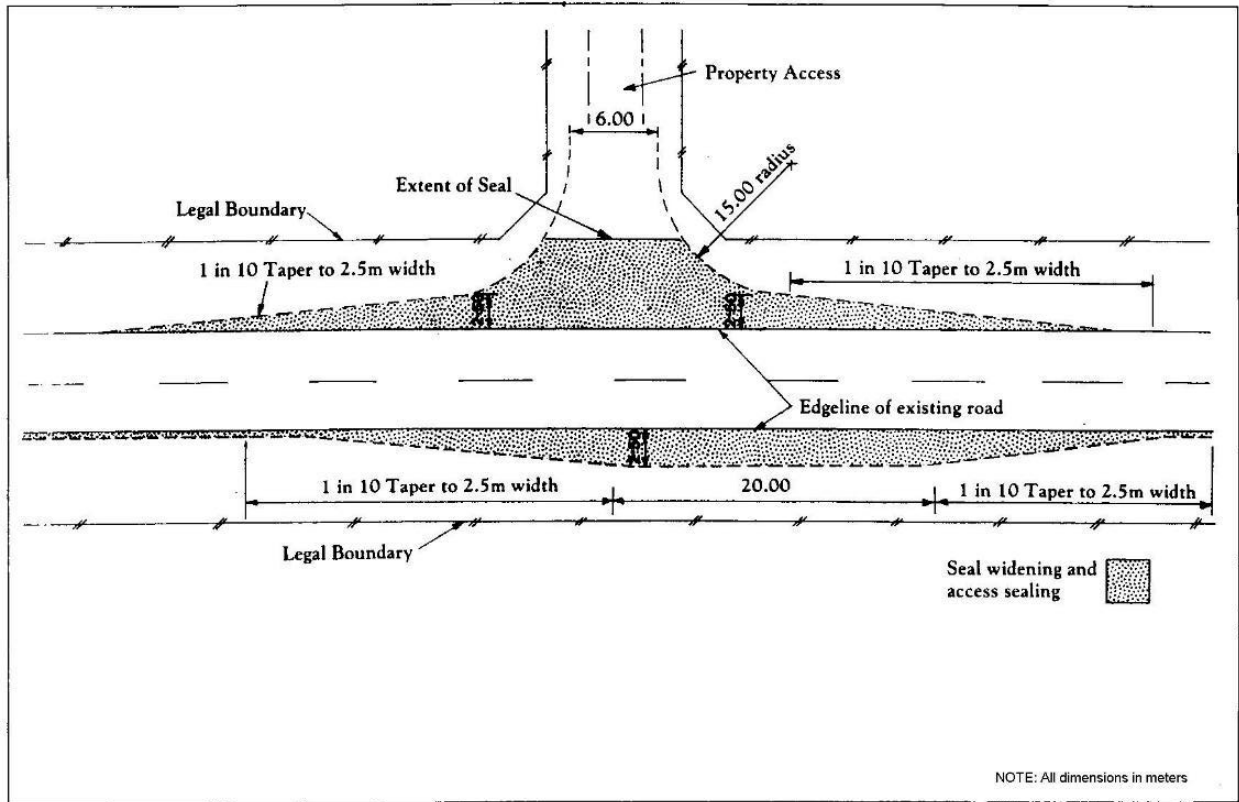


Figure 10: Access to Urban State Highway

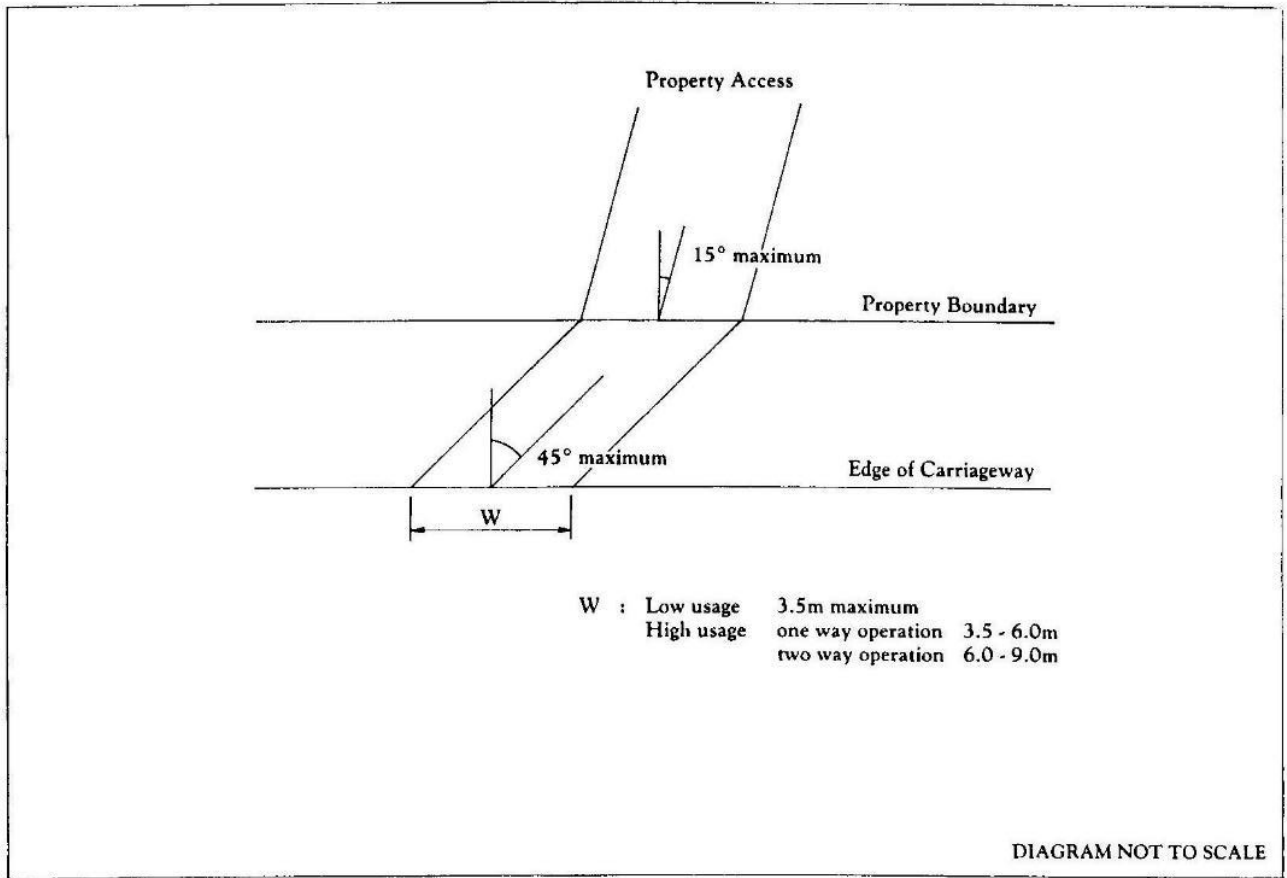
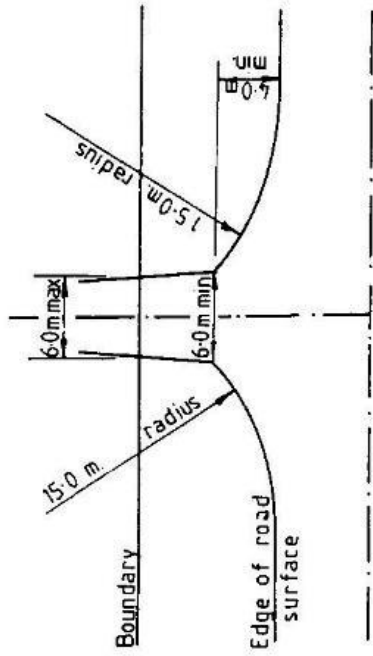


Figure 11: Access to District Arterial and Collector Roads

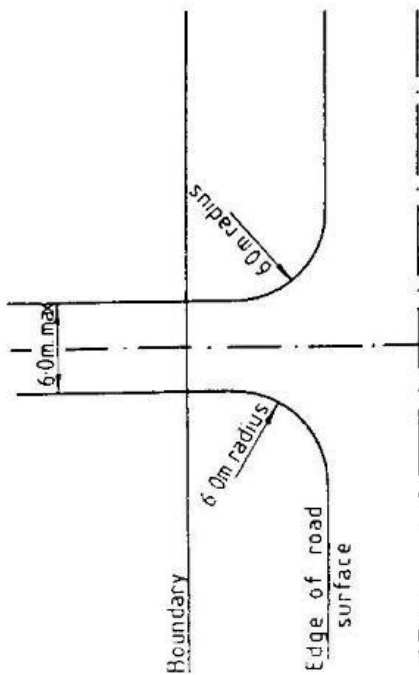
Figure 12: Measurement of Sight Distance

FIGURE 11(b)



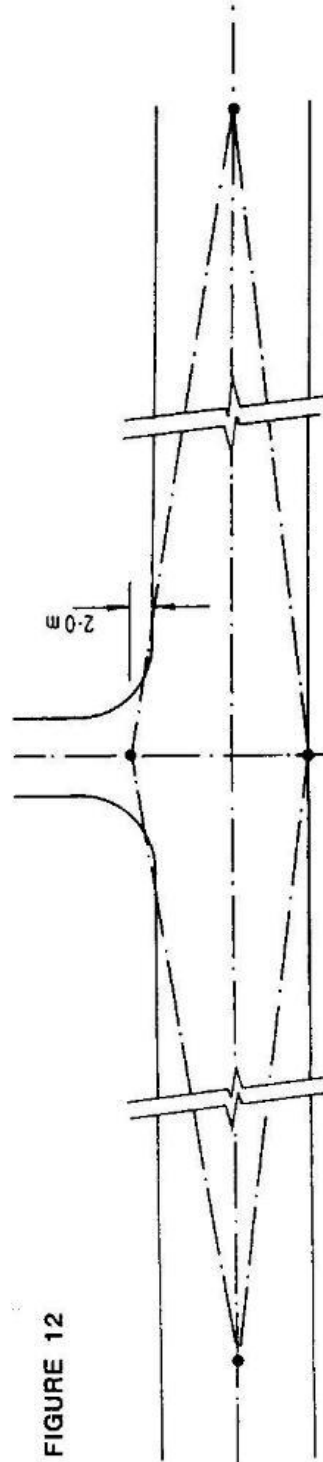
Access layout for Non-Residential activities including FARMING, FACTORY FARMING, INTENSIVE FARMING and OTHER PERMITTED USES

FIGURE 11(a)



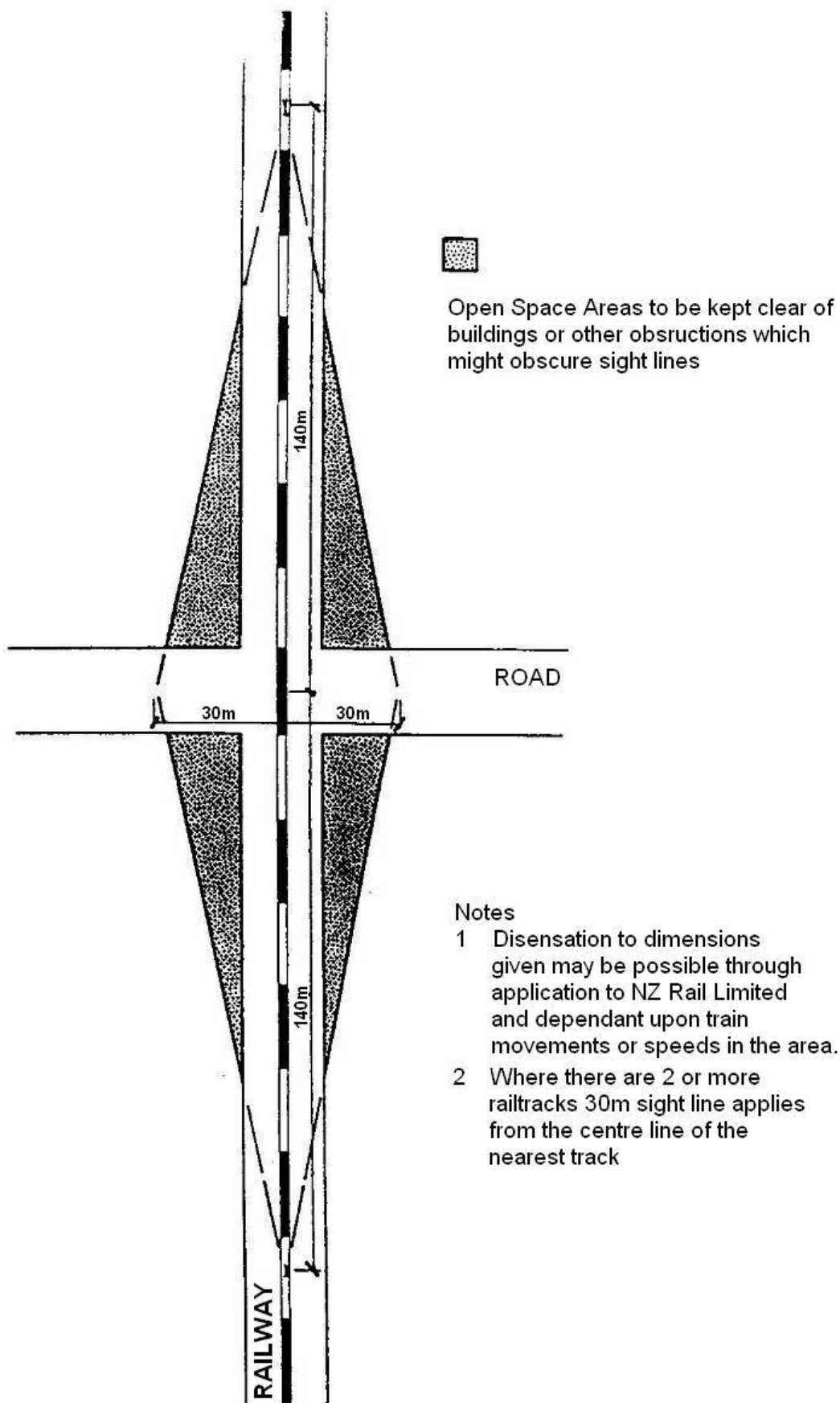
Access layout for Residential activities including DWELLINGS, LIFESTYLE BLOCKS, and RETIREMENT DWELLINGS

FIGURE 12



Measurement of Sight Distances – refer Table 7

Figure 13: Railway Sightlines



3.4. ENERGY

3.4.1. INTRODUCTION

The use of energy is of fundamental importance to the development and functioning of modern society. The RMA definition of “natural and physical resources” includes energy and, as a consequence, the development and use of energy resources must be addressed by the District Plan. This section only deals with activities that convert natural resources into electricity or transform another energy type into electricity. The extraction, processing and use of minerals and biomass in generating other energy forms are dealt with in other sections of the plan.

The Clutha District is relatively rich in energy resources. Development of a hydro-electric scheme began on the Waipori River in May 1900, with the Waipori Hydro-Electric Power Station commissioned on 27 April 1907. The river has since been progressively developed, with the Waipori Hydro Scheme today consisting of four generation stations. Waipori 1A delivers 10 MW, and Waipori 2A, 3 and 4 deliver 58 MW, 7.6 MW and 8 MW respectively.

The construction of a further hydro scheme in this catchment (the Deep Stream Enhancement Hydro Scheme) began in mid-2006 and was commissioned in 2008. This scheme channels water flowing from an existing Deep Stream diversion, impounds that water in a storage reservoir, and then allows the water to be released through canals containing two 2.5 MW generating units to Lake Mahinerangi. This scheme begins in the Dunedin City District but ends in the Clutha District.

Also located within the Waipori River catchment is the Mahinerangi Wind Farm. Resource consents are in place for a 200MW wind farm north of Lake Mahinerangi, which allow for a maximum of 100 turbines at a maximum height of 145-metres. The first stage of this development, which involves 12 three MW turbines, was completed in April 2011.

A smaller 7.65MW wind farm at Mount Stuart, comprising 9 turbines with a maximum height of 75 metres, was also constructed in 2011.

There are also other resources within the District that have potential for the development of electricity generation. These include the Lower Clutha River (which has been seen as a significant potential resource for hydro development for some years now) and significant coal and lignite reserves. Further opportunities also exist within the District for the development of wind powered generation.

Given the established electricity generation facilities within the Rural Resource Area and the significant potential for further sustainable development of energy resources within the Rural Resource Area identified above, electricity generation resources are recognised as an important part of the rural environment within the Clutha District. The reverse sensitivity effects of other activities that occur in the rural environment on existing and consented renewable electricity generation are required to be managed to the extent reasonably possible under Policy D of the National Policy Statement for Renewable Electricity Generation. The rules that address this matter are set out within the various zone provisions of the District Plan.

While electricity is critical to the efficient functioning of our communities, the development of generation facilities has the potential to both adversely and positively affect the environment. Depending on the type of generation facility developed, these effects can occur at a local level through to the global level. Global level adverse effects can arise from generation facilities that

release greenhouse gases, if not adequately offset, whereas renewable electricity generation facilities can result in positive global effects.

In response to the greenhouse gas issue, Central Government has set a target for 90% of the country's electricity to be generated from renewable resources by the year 2025. To achieve this, they have put in place a National Policy Statement for Renewable Electricity Generation. This District Plan must give effect to this National Policy Statement. It is recognised that to achieve the target New Zealand will require significant development of renewable electricity generation activities along with the protection of output from existing activities. This is further reinforced by Section 7(j) of the Act which requires Council to have particular regard to the benefits derived from the use and development of renewable energy. However, this Plan acknowledges that there will still be a requirement for conventional non-renewable electricity generation over the life of the Plan.

3.4.2. OBJECTIVES AND POLICIES

OBJECTIVE ELG.1 – RECOGNITION OF ENERGY RESOURCES

- A. To ensure that the benefits of the District's renewable and non-renewable energy resources and the electricity generation facilities that utilise such resources are recognised as locally, regionally and nationally important in the sustainable management of the District's resources.**
- B. To recognise that the use and development of renewable energy resources have the following particular benefits:**
 - a. Maintains or enhances electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;**
 - b. Maintains or enhances the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;**
 - c. Assists in meeting international climate change obligations; and**
 - d. Avoids or reduces reliance on imported fuels for the purpose of generating electricity.**

OBJECTIVE ELG.2 – DEVELOPMENT OF NEW ELECTRICITY GENERATION FACILITIES

To ensure the investigation, establishment, development and upgrading of energy generation facilities avoids, remedies, or mitigates any adverse effects on the environment.

OBJECTIVE ELG.3 – EXISTING ELECTRICITY GENERATION FACILITIES

To enable the ongoing operation, maintenance, upgrade and development of lawfully established electricity generation facilities.

OBJECTIVE ELG.4 – LOCAL EFFECTS OF NEW ELECTRICITY GENERATION FACILITIES

To ensure that the development of new electricity generation facilities has local benefits and that local adverse environmental effects (environmental, social, cultural and economic) are avoided, remedied or mitigated.

OBJECTIVE ELG.5 - SMALL AND COMMUNITY-SCALE DISTRIBUTED RENEWABLE ELECTRICITY GENERATION FACILITIES

To enable the development and operation of small and community-scale distributed renewable electricity generation facilities where the benefits are local and significant adverse environmental effects are avoided, remedied or mitigated.

OBJECTIVE ELG.6 – RESIDUAL ENVIRONMENTAL EFFECTS OF ELECTRICITY GENERATION FACILITIES

- A. To take into account offsetting measures when determining whether a proposal is consistent with sustainable management.**
- B. To recognise that in some circumstances not all environmental effects of electricity generation facilities can be avoided, remedied or mitigated, and to have regard to any environmental compensation measures offered in those circumstances.**

POLICY ELG.1

In determining the appropriateness of the development of a new electricity generation facility within the District, consideration shall be given to the following matters:

- a. the significance of the social, economic, cultural, landscape (including natural character and natural features) and ecological values, and hazard constraints of the land and local communities potentially affected by the facility;**
- b. the effects, both positive and adverse, the proposed electricity generation facility will have on those values identified in a) above;**
- c. Any local, regional, and national effects (both positive and adverse) over and above those local values/effects identified in a) above.**

POLICY ELG.2

In assessing the appropriateness of the location of any new electricity generation facility development proposed within the District, particular regard shall be given to:

- a. the constraints imposed on the proposed generation technology by the location of the necessary resources, infrastructure and logistical or technical requirements which may prevent some adverse effects from being avoided, remedied or mitigated;**
- b. Any functional or locational constraints affecting the associated transmission infrastructure.**

POLICY ELG.3

When assessing the effects of the proposed facility on the local environment under Policy ELG.1 the impact of the proposal in terms of the following matters, in addition to the requirements of other policies, will be given specific consideration:

I. SOCIAL

- a. The long-term effects on communities (both positive and negative), including the potential for displacement, dislocation or severance of communities; the impact of rapid and temporary population increases and the potential social and economic investment in the community;
- b. The impact, both positive and adverse, on reserves and other protected public and private land, and recreation areas, infrastructure (including the transportation network) and services;
- c. The adverse effects of construction particularly in terms of noise, lightspill, glare, vibration, dust, traffic generation, stormwater management, earthworks, and health and safety;
- d. The ongoing effects of the facility in terms of noise, lightspill, glare, vibration, dust, radio frequency emissions, traffic generation, stormwater management, earthworks, and health and safety;
- e. The impact on public access to, and along, the margins of the coast, lakes and rivers, and to natural and physical features.

II. ECONOMIC

- a. The positive economic benefits of the facility, including the direct positive effects for the community arising from the construction and operation of the facility (including but not limited to employment opportunities);
- b. The positive effects on the security of communities' electricity supply;
- c. The long term and/or irreversible effects on existing land uses within the affected area;
- d. The impact on the ability to access mineral resources;
- e. The impact on the ability to utilise high class or other special soil types.

III. CULTURAL

- a. The impact on waahi tapu sites or areas, and waahi taonga;
- b. The impact on the Kaitangata nohoaka site on the lower Clutha River;
- c. The impact on statutory acknowledgment areas under the Ngai Tahu Settlement Act 1998;
- d. The impact on other resources of value to Kai Tahu (refer to the relevant planning documents recognised by iwi and lodged with Council);
- e. The impact on historic heritage.

IV. HAZARD CONSTRAINTS

- a. Any known hazard or land stability constraints affecting the subject area;
- b. The potential impact of natural hazard events and the potential effect the activity itself may have on exacerbating or relieving natural hazard events.

V. LANDSCAPE

- a. Potential for the loss of, or irreversible change to, any identified values of landscapes or natural features identified as outstanding in the District Plan or any relevant Regional Policy Statement or Plan;
- b. The impact (both positive and negative) on any identified values of landscapes identified as amenity landscapes in the District Plan;
- c. The impact (both positive and negative) on natural features, natural character, landscape and visual amenity values in general;

VI. ECOLOGICAL

- a. Potential for the loss of, or irreversible change to, any significant indigenous vegetation and any significant habitats of indigenous fauna;
- b. Potential for the loss of, or irreversible change to, any regionally significant wetland and other areas of significant indigenous vegetation and/or significant habitats of indigenous fauna identified in the District Plan or any Regional Plan;
- c. The impact on the mauri and health of ecosystems of indigenous species, including mahinga kai species;
- d. The impact on habitats including those of invertebrates, birds and fish, and valued non-indigenous fauna;
- e. The potential for biodiversity protection or enhancement either on-site or elsewhere including but not limited to offsetting and environmental compensation;
- f. The potential for the establishment of invading exotic vegetation;
- g. Stormwater and earthworks management;
- h. The impact on vegetation adjacent to water bodies;
- i. The potential for shoreline or bank erosion.

The relevance of these matters will be determined on a case by case basis, having regard to the scale of the proposal and the nature of the receiving environment.

POLICY ELG.4

In determining the significance of the effects of the proposed electricity generation facility under Policy 1, consideration will be given to the following matters:

- a. Whether the facility will maintain or increase electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;
- b. Whether the facility will maintain or increase the security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;
- c. Whether the facility reduces or avoids reliance on imported fuels
- d. Whether the facility uses renewable natural resources rather than finite resources

- e. The methods proposed to avoid, remedy or mitigate the adverse effects on the environment identified in Policy 3 which may include:
- f. The ability to offset adverse effects and the measurable outcome that this form of mitigation achieves (i.e. a net loss of values; no net loss of values; or again in values);
- g. Environmental compensation (including measures or compensation which benefit the local environment or community affected) where there are any residual environmental effects that cannot be avoided, remedied or mitigated;
- h. Design measures which provide for operational requirements which may also complement and provide for mitigation opportunities;
- i. Adaptive management measures available to assist with avoiding, remedying or mitigating adverse effects;
- j. Where applicable, the benefit from the reversibility of the adverse environmental effects associated with the proposed generation technology;

POLICY ELG.5

To enable the ongoing operation, maintenance, upgrading and development of lawfully established electricity generation facilities, where the environmental effects of such work are compatible with the existing environment and none of the landscapes, natural features, wetlands, habitats or fauna listed in schedules of the District Plan, or any other wetland one hectare or greater in area, or areas of significant indigenous vegetation or habitat, are significantly adversely affected.

POLICY ELG.6

To enable the identification and assessment of potential sites and energy sources for electricity generation and research-scale investigation into emerging electricity generation technologies and methods.

POLICY ELG.7

To protect consented and existing energy generation facilities from incompatible subdivision, land use and development.

POLICY ELG.8

With respect to the assessment of wind farm noise effects during both the assessment of any resource consent application and the ongoing operation of wind farms, to:

- a. Require that wind farm sound be predicted, measured and assessed in accordance with NZS 6808:2010 Acoustics – Wind Farm Noise; and
- b. Recognise that compliance with this standard will ensure that noise and health effects associated with wind farms will be no more than minor; but
- c. Acknowledging that non-compliance with the standard in certain circumstances does not necessarily mean that noise and health effects are significant.

3.4.3. REASONS AND EXPLANATION FOR OBJECTIVES AND POLICIES

The ability to supply energy is essential to the functioning of communities, businesses and homes. Energy is necessary for the District's social and economic well-being as well as the health and safety of its residents and visitors. The Clutha District has significant energy resources (such as water, wind, coal and lignite) from which electricity could be generated. Some of these resources have already been developed but there is the potential for future development of energy resources within the District.

The objectives and policies of this Plan recognise that the development and operation of electricity generation facilities are important components in providing for the social, economic, and cultural well-being, and health and safety of the people of the District, and also the nation. However, the objectives and policies also acknowledge that the development and operation of such facilities can have significant environmental effects and often have a major impact on the communities affected by their development. Consequently, the local, regional and national benefits of such projects must be weighed up against potential adverse environmental effects. Policies 1 to 4 set out the matters that require consideration when determining the appropriateness of such developments.

Objective 3 and Policy 5 relate to electricity generation facilities that already exist in the District and recognise that these facilities require on-going maintenance and upgrading. They also facilitate further development at these sites where enhancement work can be carried out in a manner compatible with the existing environment. This recognises that the environment is already significantly influenced by such developments and that there is often scope within the existing footprint of the facility or the environment adjoining the facility to increase energy output without any additional environmental impact.

The requirements of the NPS for Renewable Electricity Generation are reflected throughout the policy suite. Central Government has set a target for 90% of electricity to be generated from renewable resources by 2025. It is recognised that to achieve this target, New Zealand will need to establish new renewable electricity generation activities. The District has a wide range of renewable resources that can be utilised for electricity generation. The specific benefits of renewable energy resources are recognised in Objective 1B and must be considered under Policy 4. Objective 5 and Policy 6 reflect specific requirements of the NPS. Objective 5 provides for the development and operation of small and community-scale distributed renewable electricity generation. Policy 6 enables the identification and assessment of potential sites, sources, technologies and methods for renewable electricity generation. Policy 7 reflects Policy D of the NPS. The rules implementing this policy, however, are located within the provisions of the various Resource Areas of the District Plan.

3.4.4. RULES

NOTE: TO BE A COMPLETE CODE

The rules in this section of the Plan provide a complete code for those activities to which this section applies. Other than in relation to Section 3.7 – Subdivision, Section 3.8 – Financial and Reserve Requirements, the application of appropriate noise standards within the general section of the plan,

and the Definitions in Section 5, no rule in any other part of this plan shall apply to any activity dealt with by this section, unless the application of that rule is directly referred to in this section of the Plan.

RULE ELG.1 PERMITTED ACTIVITIES

A. SCHEDULED ENERGY GENERATION FACILITIES

Any work or activity associated with the ongoing operation, maintenance, enhancement, refurbishment or upgrading within the existing envelope of any electricity generation facility that has status as a scheduled activity at Schedule 6.11 of this Plan in accordance with the provisions of that schedule is a permitted activity subject to the conditions contained within that schedule.

B. LAWFULLY ESTABLISHED ENERGY GENERATION FACILITIES

Any work or activity associated with the ongoing operation, maintenance, enhancement, refurbishment or upgrading within the existing envelope of any lawfully established electricity generation facility is a permitted activity.

C. INVESTIGATION AND ASSESSMENT WORKS FOR ELECTRICITY GENERATION PROJECTS

The following activities undertaken for the identification and assessment of potential sites and energy sources for electricity generation and research-scale investigation into emerging electricity generation technologies and methods are permitted activities:

- i. The erection of meteorological masts that do not exceed 100 metres in height in the Rural Resource Area and 20 metres in height in all other Resource Areas except if navigational lights are required on such structures;
- ii. Digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions;
- iii. The installation of instruments into drill holes for monitoring groundwater levels and land movement;
- iv. Erecting survey monuments and installing instruments to monitor land movement;
- v. Installing flumes and weirs to measure water flows;
- vi. Erecting telemetry stations for the transmission of instrument data;
- vii. Installing microseismic stations to measure microseismic activity and ground noise;
- viii. Erection of signs or notices giving warning of danger;
- ix. Construction and maintenance of access tracks and roads to any investigation and assessment sites and facilities;

except on land listed in and/or identified in the following tables:

- Table 9 (SSWI Database);
- Table 13.1 (Register of Heritage Buildings)
- Table 13.3A (Potentially Outstanding Landscapes);
- Table 13.3B (Outstanding Natural Features);
- Table 13.5 (Significant Wetlands);

- Table 13.6 (Waahi Tapu);
- Table 13.7 (Waahi Taoka and Mahika Kai);
- Table 13.8 (Areas of Significant Habitat); and
- Any table that replaces the aforementioned Tables;

or on land that would otherwise trigger Rules RRA.13 or COA.6.

and **subject to** the following conditions:

- At the end of the investigation or assessment period, any ground disturbed by such activities shall be reinstated to a condition no less than that which existed prior to the commencement of the work. Should ground disturbance be required to be undertaken in areas adjoining Public Conservation Land and/or land listed in the tables identified above, plant and machinery shall be effectively cleaned of weed seeds and/or weed material prior to work commencing. Reinstatement of indigenous vegetation shall be on a “like with like” basis and any plants with wilding potential (as identified in the relevant Weedbusters material (refer www.weedbusters.co.nz) or its successor) shall not be planted;
- All New Zealand Standards in relation to noise, radio frequency emissions and any other emissions shall be complied with;
- Any public road damaged in such investigation or assessment activity shall be reinstated to a condition of a similar or improved standard to that which existed prior to commencement of the work;
- No such investigation or assessment period shall exceed five (5) years;
- All equipment and structures shall be removed at the end of the investigation or assessment period and the site shall be restored and rehabilitated to a condition no less than that which existed prior to the works commencing;
- All earthworks shall be undertaken in accordance with Section 10 of the Historic Places Act 1993 and that the accidental discovery of cultural and/or archaeological material shall be managed in accordance with the “Accidental Discovery Protocol” attached at Schedule 12.
- The construction of access tracks and roads shall comply with the conditions set out in Rule RRA.7 (iv).

RULE ELG.2 CONTROLLED ACTIVITIES

A. LAWFULLY ESTABLISHED FACILITIES AND SCHEDULED ACTIVITIES

Any work or activity provided for in Rule Energy 1(a) and 1(b) that does not comply with the permitted activity conditions is a controlled activity. Council’s control is restricted to the matters which are not complied with and mitigation measures required to address any environmental effects that may arise as a result.

B. INVESTIGATION AND ASSESSMENT WORKS FOR ELECTRICITY GENERATION PROJECTS

- Any work or activity provided for in Rule Energy 1(c) that does not comply with the permitted activity conditions is a controlled activity. Council’s control is restricted to the matters which are not complied with and mitigation measures required to address any environmental effects that may arise as a result.

A resource consent application made under this rule shall not be publicly notified.

- Any work or activity provided for in Rule Energy 1(c) that is located on land listed in the following tables:
 - Table 9 (SSWI Database);
 - Table 13.1 (Register of Heritage Buildings);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding Natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat), and
 - Any table which replaces the aforementioned Tables

or on land that would otherwise trigger Rules RRA.13 or COA.6.

is a controlled activity subject to compliance with the conditions specified in Rule ELG.1(c) (excluding condition (e)). Council's control is restricted to additional matters required to mitigate adverse effects on the relevant landscape or ecological values present at the site, and the time period over which the work may be carried out.

A resource consent application made under this rule shall not be publicly notified.

C. METEOROLOGICAL MASTS

Meteorological masts that require navigational lights are controlled activities. Council's control is restricted to effects on air traffic safety and amenity values.

RULE ELG.3 RESTRICTED DISCRETIONARY ACTIVITIES

A. LAWFULLY ESTABLISHED FACILITIES AND SCHEDULED ACTIVITIES

Any activity that seeks to extend any lawfully established electricity generation facility or any electricity generation facility that has status as a scheduled activity at Schedule 6.11 of this Plan within an area contiguous to the existing facility is a restricted discretionary activity.

Council's discretion is restricted to the following matters:

- i. The adverse effects of construction particularly in terms of noise, lightspill, glare, vibration, dust, traffic generation, stormwater management, earthworks, and health and safety;
- ii. The ongoing effects of the facility in terms of noise, lightspill, glare, vibration, dust, traffic generation, stormwater management, earthworks, and health and safety;
- iii. The impact on reserves and other protected public and private land, and recreation areas, community facilities, infrastructure and services;
- iv. The impact on public access to, and along, the margins of the coast, lakes and rivers, and to natural and physical features;
- v. The potential impact of natural hazard events and the effect the activity itself may have on exacerbating or relieving natural hazards;
- vi. The impact on sites and resources of value to Kai Tahu;

- vii. The impact on historic heritage;
- viii. Any geotechnical constraints of the affected area;
- ix. The effects on natural character, natural features, landscape and visual amenity values in general;

A resource consent application made under this rule shall not be publicly notified.

B. SMALL AND COMMUNITY-SCALE DISTRIBUTED RENEWABLE ELECTRICITY GENERATION FACILITIES

The development of small and community-scale distributed renewable electricity generation facilities (as defined) is a restricted discretionary activity except where they are located on land listed in the following tables:

- Table 9 (SSWI Database);
- Table 13.(1 Register of Heritage Buildings)
- Table 13.3A (Potentially Outstanding Landscapes);
- Table 13.3B (Outstanding Natural Features);
- Table 13.5 (Significant Wetlands);
- Table 13.6 (Waahi Tapu);
- Table 13.7 (Waahi Taoka and Mahika Kai);
- Table 13.8 (Areas of Significant Habitat), and
- Any table which replaces the aforementioned Tables;

or are on land that would otherwise trigger Rules RRA.13 or COA.6.

Council's discretion is restricted to the following matters:

- i. The adverse effects of construction particularly in terms of noise, lightspill, glare, vibration, dust, traffic generation, stormwater management, earthworks, and health and safety;
- ii. The ongoing effects of the facility in terms of noise, lightspill, glare, vibration, dust, traffic generation, stormwater management, earthworks, and health and safety;
- iii. The impact on reserves and other protected public and private land, and recreation areas, community facilities, infrastructure and services;
- iv. The impact on public access to, and along, the margins of the coast, lakes and rivers or to natural and physical features;
- v. The potential impact of natural hazard events and the effect the activity itself may have on exacerbating or relieving natural hazards;
- vi. The impact on sites and resources of value to Kai Tahu;
- vii. The impact on historic heritage;
- viii. Any geotechnical constraints of the affected area;
- ix. The effects on natural character, natural features, landscape and visual amenity values in general;
- x. The effects on any significant indigenous vegetation, significant habitats of indigenous fauna or any significant wetland;

- xi. The potential for the establishment of invading exotic vegetation.
- xii. A resource consent application made under this rule shall not be publicly notified.

RULE ELG.4. DISCRETIONARY ACTIVITIES

A. SMALL AND COMMUNITY-SCALE DISTRIBUTED RENEWABLE ELECTRICITY GENERATION FACILITIES

The development of small and community-scale distributed renewable electricity generation facilities (as defined) located on land listed in the following tables:

- Table 9 (SSWI Database);
- Table 13.1 (Register of Heritage Buildings);
- Table 13.3A (Potentially Outstanding Landscapes);
- Table 13.3B (Outstanding Natural Features);
- Table 13.5 (Significant Wetlands);
- Table 13.6 (Waahi Tapu);
- Table 13.7 (Waahi Taoka and Mahika Kai);
- Table 13.8 (Areas of Significant Habitat), and
- Any table which replaces the aforementioned Tables;

or are on land that would otherwise trigger Rules RRA.13 or COA.6,

is a discretionary activity.

B. NEW ELECTRICITY GENERATION FACILITIES

Any activity that involves or is associated with the construction and commissioning of a new electricity generation facility, other than a small and community-scale distributed renewable electricity generation facility is a discretionary activity.

For the purposes of this rule “construction and commissioning” activities include those activities directly involved with the building and operation of a new electricity generation facility. This includes site preparation, earthworks, quarrying, concrete batching, plant construction, road construction and widening, traffic generation, reservoir formation, clearance or inundation of vegetation, but specifically excludes investigative activities such as geological sampling, surveys and geotechnical investigations.

Activities associated with “construction and commissioning” includes the need to reroute or relocate network utilities and community facilities; the need to construct new infrastructure including the system of electricity transmission (including substations) required to convey electricity to the distribution network and/or the national grid as provided for in the definition of ‘electricity generation facility’.

C. ALL OTHER ACTIVITIES ASSOCIATED WITH ELECTRICITY GENERATION FACILITIES

Any electricity generation activity or associated activity, including investigation and assessment works for electricity generation facilities, that is not covered by any other rules in the Energy Section is a discretionary activity.

3.5. HERITAGE

3.5.1. OVERVIEW

Section 6 of the Resource Management Act 1991 requires Council to recognise and provide for the following as 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:

(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

Section 7(e) of the Act requires Council to have particular regard to the recognition and protection of the heritage values of sites, buildings, places or areas.

This Plan identifies three distinct types of heritage which, over time, have all contributed to the development of Clutha District's unique character. Such contributions, Council believes, should continue to be recognised in the future progress of the District. The three types of heritage are:

- natural heritage
- built heritage
- cultural heritage.

In the context of this Plan, natural heritage includes natural features and landscapes, indigenous vegetation and habitats of indigenous fauna. Built heritage refers to historic buildings, structures, precincts and streetscapes. Cultural heritage includes the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and sites of archaeological significance.

The other aspects of Section 6, such as the preservation of the natural character of the coast and margins of waters and access to these resources are dealt with in other sections of the Plan. The coast is specifically dealt with in Section 4.2, public access is dealt with in Section 3.8 Financial and Reserve Requirements, and the margins of waterbodies are dealt with in Section 3.6 Water and 4.1 Rural Resource Area.

The Historic Places Trust and the Maori Heritage Council also have roles to play in respect of the Districts heritage, particularly in terms of the identification, protection, preservation and conservation of historical and cultural heritage. The Trust is required to compile and maintain a register of historic places, areas, waahi tapu, and waahi tapu areas, and is to supply this to Council to assist in protection of these areas under the Resource Management Act 1991.

The Trust also has an advocacy role in respect of heritage issues, and may give Council notice of a requirement for a heritage order where it considers appropriate.

The Otago Regional Council may also be involved in the identification and protection of heritage resources when carrying out its duties under the Act.

The Department of Conservation manages the Crown's conservation estates and other natural and historic resources entrusted to it. The Department also has an advocacy role in respect of heritage resources for which it does not have a managerial role.

It should be noted that a significant majority of the District's areas of significant indigenous vegetation and significant habitats of indigenous fauna are already protected under various Acts such as the Conservation Act and the Reserves Act. Most of this land has been identified on the planning maps in green and is listed in Schedule 6.1.

The majority of this land is held or managed by the Department of Conservation. The remainder of this land is held or managed by the Clutha District Council, the Otago Regional Council, other Government Departments, private organisations and individuals. These bodies, with the exception of other Government Departments, are not exempt by Section 4 of the Act in respect of work and activities on these lands. However, the legislation under which this land is held or managed, generally sets down rules and regulations governing the use of this land. As at the notification of this Plan, this includes land held or managed under the following Acts:

- Conservation Act 1987
- Reserves Act 1977
- National Parks Act 1980
- Historic Places Act 1993
- New Zealand Walkways Act 1990

Section 4 of the Act states that the Crown (and therefore the Department of Conservation) is bound by the Act except as provided for by Section 4 (2) and (3).

The Department is not bound by the Act for work or activities of the Crown that would otherwise contravene a rule in the District Plan carried out within any land held or managed under the Conservation Act 1987 and those other Acts specified in the First Schedule of that Act (other than land held for administrative purposes) that,

- a) is consistent with a conservation management strategy, conservation management plan or management plan established under any of these Acts, and
- b) does not have a significant adverse effect beyond the boundary of the site.

The Crown is also not bound by the Act for any work or activity of the Crown which is a land use in terms of Section 9 of the Act that the Minister of Defence certifies is necessary for reasons of national security.

3.5.2. THE ISSUES

NATURAL HERITAGE

- **Loss of areas of significant indigenous vegetation held in private ownership due to a demand to utilise these areas for timber production and farming purposes.**

Explanation

Many of the District's areas of significant indigenous vegetation do not have the benefit of some existing form of formal protection. Furthermore, the importance of protecting areas of significant indigenous vegetation is often in conflict with a landowner's need to make a living off the land

- **Modification and loss of significant habitats of indigenous fauna on privately owned land with a consequent threat to the survival of the District's wildlife due to the effects of land development and recreational activities.**

Explanation

Threats to the values of wildlife habitats are primarily human-induced, for example, logging, repeated burning, extensive browsing, and conversion to pasture.

- **The District contains a number of outstanding landscapes and natural features which are either productive environments or subject to development proposals.**

Explanation

Many of the District's outstanding landscapes and natural features are productive environments, whose resources are utilised for farming, forestry or energy purposes. This is particularly so in the Catlins, Blue Mountains and the Waipori River Gorge. Other landscapes may be located in areas that are subject to development proposals (e.g. large-scale production forestry in the Catlins or hydroelectric power development in the Rongahere Gorge). Large parts of some of these areas are already protected (e.g. Catlins Conservation forest, Nugget Point Scientific Reserve) and are consequently of less concern to Council. Productive land uses can often contribute to landscape values of an area.

BUILT HERITAGE

- **Modification and loss of significant historic buildings, structures, precincts and streetscapes due to a general lack of awareness and appreciation of historic values.**

Explanation

Previously buildings, structures, precincts or streetscapes with heritage value considered to be worthy of protection have not received a great level of awareness amongst the general public, nor have the reasons for protecting such items. Such heritage items have more than often been demolished rather than renovated or restored. Renovations that had been carried out have not always been sympathetic to the item's heritage value.

- **Some townships in Clutha District (for example Lawrence and Benhar) have a distinct character derived from the historical association of the town which, although often overlooked, is worthy of protection.**

Explanation

Previous modifications or development in these townships has often not been in keeping with the historic character of the township. In these particular places, the identity and sometimes the survival of the township is dependent on its association with its heritage values.

- **Lack of culturally appropriate protection for ancestral lands, water, sites, waahi tapu and other taonga which are important to the culture and traditions of Maori.**

Explanation

Previously a lack of knowledge and consideration of Maori culture, traditions, and protocol has resulted in the absence of sufficient and appropriate protection for the District's cultural heritage.

3.5.3. OBJECTIVES AND POLICIES

OBJECTIVE HER.1

To recognise the importance of, and provide for the appropriate protection, conservation, use and where possible, enhancement of the District's natural, built, and cultural heritage resources.

OBJECTIVE HER.2

To ensure that the District's indigenous vegetation, habitats of indigenous fauna and indigenous biodiversity are recognised and provided for in the on-going use, development and protection of the District's natural and physical resources.

POLICY HER.1

To maintain a process of consultation with;

- **the Department of Conservation,**
- **Historic Places Trust**
- **Otago Fish and Game Council**
- **Manawhenua**
- **other relevant heritage protection authorities**
- **the wider community**

to ensure that the District's heritage resource information is up to date and accurate.

Explanation

Identifying and recording heritage resources in the District Plan is an essential first step in developing methods to protect and/or enhance them. This policy is also important in order to initiate greater public awareness of what resources have heritage value(s) and for what reason(s).

(Refer Method HER.1)

POLICY HER.2A - ASSESSMENT MATTERS FOR DETERMINING EFFECTS ON NATURAL VALUES

In assessing any application for resource consent that involves the clearance, modification or removal of indigenous vegetation or the clearance, modification or removal of any habitat of

indigenous fauna, Council shall have regard to the following matters to determine the appropriateness or otherwise of the proposed activity:

- a. The significance of the affected resource as determined by Policy HER 2B;
- b. Methods proposed to avoid, remedy, or mitigate adverse effects including:
 - soil and water protection measures;
 - pest/weed control;
 - fencing and stock control measures;
 - replanting in eco-sourced indigenous species;
- c. Any offsetting or environmental compensation measures including proposals to compensate for or to redress biodiversity loss, such as setting aside reserves/protected areas elsewhere or funding initiatives;
- d. Whether the application includes a forest management plan or system of implementation prepared to a standard at least equivalent to a plan approved under Part IIIA of the Forests Act 1949;
- e. Where the land involved is SILNA land, the statutory objectives for that land;
- f. Any natural character, landscape or other amenity related values of the land;
- g. The role the resource plays in ecosystem services (including natural hazard mitigation);
- h. The value of the resource to Kai Tahu;
- i. The social, cultural, recreation and/or economic effects of the proposal;
- j. Where the subject property has been involved in any previous assessment processes, the outcome of such assessments.
- k. The purpose the land is held for.

POLICY HER.2B - ASSESSMENT CRITERIA FOR SIGNIFICANCE

In assessing any application for resource consent that involves the clearance, modification or removal of indigenous vegetation, the significance of the resource shall be determined by regard to the following matters:

- a. The representativeness, rarity and distinctiveness, naturalness, diversity and pattern and its relationship with other areas of indigenous vegetation and habitats of indigenous fauna (ecological context) of the indigenous vegetation or habitat of indigenous fauna;
- b. Whether the affected indigenous vegetation or habitat of indigenous fauna is one of the four priorities specified in the Statement of National Priorities for Protecting Rare and Threatened Indigenous Biodiversity on Private Land (MfE 2007);
- c. Whether the area has been identified in Table 13.5 or Table 13.8 or any table substituted in their place.

POLICY HER.2C ENCOURAGEMENT OF VOLUNTARY PROTECTION MEASURES

To encourage and recognise secure, long term voluntary protection of areas of indigenous vegetation and habitats of indigenous fauna through the following mechanisms:

- Consider financial incentives through Council's Long-Term Plan process;

- Provide information and advice to landowners on options and availability of funding to achieve voluntary protection;
- Promote and facilitate direct consultation between landowners and the Department of Conservation, QEII Trust and other organisations in relation to areas of significance in private ownership;
- Recognise the positive environmental benefits of voluntary protection when assessing any application for resource consent.
- Facilitate the provision of information to owners of land which contains vegetation or habitats that fall within categories listed under Rule RRA.13(b)(iii), on the values of that resource and mechanisms available to protect that resource.

Explanation

This section of the Plan reflects Part 2 and Part 4 of the RMA, by recognising that managing the use, development and protection of indigenous vegetation and habitats of indigenous fauna is a matter of national importance and that Council has duty to maintain indigenous biodiversity. Section 6(c) of the Act requires that Council recognises and provides for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna when exercising its functions and powers under the Act. However, this section is not an end or objective on its own but is accessory to the principal purpose of the Act. It is but one of many matters that Council must consider when determining whether a resource consent application promotes the sustainable management of the District's natural and physical resources. This policy framework enables Council to assess the attributes of the proposal and the significance of the affected resource on a case by case basis against the identified matters to determine the appropriateness of the proposed activity. This is considered to be the approach that will best promote the sustainable management purpose of the Act.

POLICY HER.3

To identify the Districts outstanding natural features and landscapes and, where appropriate, protect them from inappropriate subdivision, use and development.

Explanation

Section 6(b) of the Act requires Council to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development, as a matter of national importance. However, this is not an objective of the Act on its own but is accessory to achieving the principal purpose of the Act, the promotion of the sustainable management of the Districts natural and physical resources.

Consequently, when implementing the policy through Method HER.5. Council will also give significance to the fact that many of the outstanding natural features and landscapes of the District are also environments that sustain the livelihood of many of the District's people. Buildings, structures, shelter belt and forestry plantings are therefore part of the sustainable management of these areas. Tree planting may in fact be the only sustainable activity in landscapes subject to weed invasion or erosion.

POLICY HER.4

To conserve the heritage values of those buildings and structures, identified in the Register of Heritage Items contained in Table 13.1.

Explanation

Adequate formal protection for these items is essential to ensure their heritage values are not modified or lost.

POLICY HER.5

To identify and where appropriate protect areas of the District with a marked concentration of historical buildings, structures, or features.

Explanation

A number of areas in the District (for example, Lawrence, Benhar, Gabriels Gully) are notable for a concentration of heritage buildings or features. These areas are not only a valuable resource for their historic importance but also for economic potential (in terms of tourism etc.) to both the town itself, and the District as a whole. The establishment of “heritage precincts” is one way to maintain the historical character of a place.

POLICY HER.6

To encourage development that enhances the unique character of the District’s towns, particularly their commercial centres.

Explanation

While not all buildings, structures, precincts or streetscapes have historical significance, in some towns a unique mix of these features creates a special character or atmosphere which is also worthy of maintaining or enhancing. Council shall encourage maintenance and development that is in keeping with, or enhances the special character or atmosphere of towns.

POLICY HER.7

To encourage the retention, preservation and reuse of the District's built heritage.

Explanation

Council recognises that it is not always appropriate or necessary to formally protect historic or significant buildings although such buildings may contribute to the character and amenity values of an area. In order to retain these buildings of lesser historical importance but which make a valuable contribution to a neighbourhood, Council will actively promote their retention and preservation.

POLICY HER.8

To protect significant cultural heritage items which are not protected by the provisions of the Historic Places Act 1993.

Explanation

While the Historic Places Act 1993 protects sites associated with human activity that occurred before 1900, whether or not they are registered by the Trust, Council recognises that some significant items (for example, waahi tapu, waahi taoka, sites of archaeological importance dated post 1900) not protected by these provisions are also threatened by potential modification or loss and require culturally appropriate protection.

3.5.4. RULES

RULE HER.1 REGISTERED HERITAGE BUILDINGS AND SIGNIFICANT TREES

With regard to buildings and structures listed in Table 13.1.

- (i) Redecoration or restoration of any original features, details or fabrics is a permitted activity provided it is carried out in the same manner and design and with similar materials to those originally used and does not detract from the historical character of the registered item.

REASON

Works that are in keeping with, or are carried out to enhance the character of any historic building, structure, precinct or streetscape should be encouraged and accordingly resource consent is not seen as necessary.

- (ii) Any alteration or addition proposed will first be considered as a non-notified restricted discretionary activity. Council shall restrict the exercise of its discretion to matters of design, materials and colours used and any effect on the special character of the registered item. The written consent of the New Zealand Historic Places Trust is required.

REASON

This rule allows a certain degree of flexibility regarding the development of registered items whilst still ensuring any development is in keeping with the historical character of the item.

- (iii) Works which may modify, destroy or detract from the character of a registered building or structure shall be considered as a discretionary activity which Council shall both, publicly notify and serve notice upon the New Zealand Historic Places Trust and other such interested groups as it sees fit.
- (iv) Any work or activity (excluding minor pruning) which would adversely affect those trees listed in Table 13.2 is a discretionary activity.

REASON

There may well be a valid reason why a registered heritage item needs to be altered or demolished (for example, public safety) and consequently the discretionary resource consent procedure enables Council to relax the standards when legitimate circumstances can be shown.

RULE HER.2 HERITAGE PROTECTION ORDER: HOFFMAN KILN, BENHAR

(I) AREA SUBJECT TO HERITAGE ORDER

On 31 July 1992, Council confirmed a requirement from the New Zealand Historic Trust for a Heritage Order for the following:

Building: Hoffman Kiln, Benhar, situated at the end of Benhar Road, and between the Main South Railway Line and Loop Road, Benhar.

Land: The land on which the kiln stands is known as Lot 10 DP 25340, and is part of the land in CT 17B/797 - Otago Registry.

This land is bounded by Benhar Road, an unformed legal road, and the main South Railway.

The land to which the requirement relates is shown on planning map U10, and is identified as H12. The land area involved can be summarised as follows:

Area of Building:	466m ²
Curtilage:	380m ²
Total Area:	846m²

(II) EFFECT OF HERITAGE ORDER

No person may, without the prior written consent of the Historic Places Trust, do anything including

- undertaking any use of land described in s9(4) of the Act,
- subdivide any land,
- change the character, intensity, or scale of the use of any land, that would wholly or partly nullify the effect of the heritage order, and in particular the following restrictive conditions of the order shall apply:
 - a) In relation to the place
 - (i) No person shall alter, modify, extend, remove, damage or demolish the building known as the Hoffman Kiln, Benhar (as shown on Planning Map U10 Register No. H 12), or any part of that building, including all exterior and interior walls, the chimney, the roof of the building, and all remaining interior fittings and spaces.
 - (ii) No person shall carry out or permit to be carried out any activity which has or is likely to have an adverse effect on the safety or structural integrity of the building.
 - b) In relation to the surrounding area

No person shall erect or place any structure or substance in or on or over any part of the land, or undertake any disturbance to the curtilage surrounding the Hoffman Kiln, Benhar, shown on Planning Map U10.

RULE HER.3 ACTIVITIES UNDERTAKEN ON CONSERVATION AND RESERVE LAND
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(a) Work undertaken by Bodies other than the Crown

Any work or activity undertaken by persons or bodies on or within land held or managed under the Conservation Act 1987 and those other Acts specified in the First Schedule of that Act, is a permitted activity provided that,

- It is consistent with the particular Act under which the land is held, or any management strategy or plan developed under that Act, and
- It does not create a significant adverse effect beyond the boundary of that land, including significant adverse effects on the safe and efficient functioning of the roading network or effects relating to the bulk and location of buildings; and
- It does not result in any existing flood hazard being accelerated or worsened or any new flood hazard being created by the activity or work (including any earthworks within the site); and
- Notice is given to Council of the intention to carry out any such work or activity that outlines the intention and nature of the work or activity and how it complies with the points above.

Any activity that does not comply with this rule shall be considered as a discretionary activity.

(b) Work undertaken by the Crown

Where any work of the Crown does not meet the conditions of Section 4(3)(a) and (b) of the Resource Management Act, the activity shall be considered in accordance with the underlying zone rules and standards.

REASON

The rules relating to resource use within these lands are generally set out by the relevant Act. Therefore Council need only intervene when the objectives of the Act are not being achieved or there is a significant effect generated outside the boundary of the land concerned.

3.5.5. OTHER METHODS

METHOD HER.1 CONSULTATION

Council, as well as applicants submitting resource consent applications or applications for plan changes, shall consult with the appropriate person(s) from the Department of Conservation, Historic Places Trust and other relevant Heritagege Protection Authorities, and iwi regarding all matters arising that involve heritage issues.

REASON

Consultation is an important part of the resource management process and, in the particular case of heritage resources, it is essential to ensure that all sites and items are identified, recorded and accorded the appropriate levels of protection.

METHOD HER.2 REGISTER OF HERITAGE ITEMS

(I) HISTORIC PLACES ACT

Section 34 of the Historic Places Act 1991 requires the Historic Places Trust to maintain, and supply to Council, a record of registered historic places, historic areas, waahi tapu and waahi tapu areas that are located in this District.

Council is required to keep this record available for public inspection during its usual business hours.

(II) DISTRICT PLAN HERITAGE REGISTER

Council has compiled a register of buildings, trees, sites etc of heritage value for inclusion in the Plan (see Table 13). This register is comprised of the following:-

13.1 REGISTER OF HERITAGE BUILDINGS

This includes buildings registered by the Historic Places Trust (referred to in (i) above) and other buildings identified by Council through public consultation. The items on this list are subject to Rule HER.1(i) to (iii).

13.2 REGISTER OF SIGNIFICANT TREES

This list has been developed by consultation with the public and comprises trees of historic or botanical significance or trees that are of landmark significance or contribute significantly to scenic and/or amenity values of a location the trees on this list are subject to Rule HER.1(iv).

13.3 OUTSTANDING NATURAL FEATURES AND LANDSCAPES

- Table 13.3A: This list generally comprises landscapes identified by Council as having significance in terms of Section 6(b) of the Act. Rule RRA.15 and Method HER.5 applies to these sites.
- Table 13.3B: This list comprises outstanding natural features that have significance in terms of section 6(b) of the Act. Rule RRA.16 applies to these sites.

13.4 REGISTERED ARCHAEOLOGICAL SITES

These archaeological sites have been registered by the Historic Places Trust. Method HER.3 applies to these sites.

13.5 SIGNIFICANT WETLANDS

These wetlands have been identified as being of ecological and representative importance within the Clutha District by the Department of Conservation and are sourced from the WERI (Wetlands of Ecological and Representative Importance), the SSWI (Sites of Significant Wildlife Interest) and the New Zealand Wetlands Inventory. Rule RRA.13 applies to these sites.

13.6 WAAHI TAPU

Rule MAO.2 applies to sites listed under this table. (see also Section 3.2.4 Waahi Tapu)

13.7 WAAHI TAOKA

Rule MAO.1 applies to sites listed under this table (see also Section 3.2.5 Waahi Taoka)

13.8 SITES OF OUTSTANDING AND HIGH HABITAT VALUE

Rule RRA.13 applies to sites listed under this table.

Council may, from time to time, identify other buildings, structures, sites, landforms or landscapes it considers worthy of protection under the Plan, and shall, after adequate public consultation and the preparation of appropriate plan change, amend this Heritage Register accordingly. Any other person can also make an application to Council to amend the Register through the plan change procedure.

METHOD HER.3 ARCHAEOLOGICAL AND CULTURAL HERITAGE

The Heritage New Zealand Pouhere Taonga Act 2014 protects sites associated with human activity that occurred before 1900, whether registered by Heritage New Zealand or not. Those archaeological sites registered by Heritage New Zealand are listed at Table 13.4.

The procedure to be followed in the case of any accidental discovery of archaeological material, including koiwi takata, wahi taoka and wahi tapu is set out in Schedule 6.12.

The procedure relating to any activity that may have the effect of destroying, damaging or modifying such sites is set out in Section 9 to 21 of the Historic Places Act 1993.

REASON

Protection of archaeological sites is already adequately provided for by the Historic Places Act 1993, and consequently Council need not take any further action.

(Refer Rules MAO.1 to 3, concern cultural sites and procedures important to Kai Tahu)

METHOD HER.4 NATURAL HERITAGE

To fulfil its duty under Section 6(c) of the Act, Council shall undertake the following course of action;

- (i) Engage the services of an appropriate expert in the field during 1996 to undertake an assessment of the District for the purpose of identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna,
- (ii) As a first step in providing for the appropriate level of protection of sites identified by the assessment to be undertaken under (i) above, Council shall consult with landowners to encourage the voluntary protection of those areas through sustainable management plans or the following methods of protection:
 - Covenants under the QEII Trust, Conservation or Reserves Act.
 - rates relief
 - fencing subsidies
 - Land Acquisition Fund
 - Forest heritage fund
 - Nga Whenua Rahui
 - acquisition by public bodies (see Section 3.8)
 - management agreements
- (iii) To work with affected landowners, the Department of Conservation, other affected bodies, and the wider community, to develop appropriate methods of protection of areas identified,
- (iv) Initiate plan change procedures to implement the preferred approach identified under (iii) through the District Plan.

REASON

Rule RRA.13 is considered an interim measure by Council to fulfil its duties under section 6(c) of the Act. The process outlined above will specifically identify areas of significance and will involve all affected parties in the development of the appropriate management approach for those areas.

METHOD HER.5 POTENTIALLY OUTSTANDING LANDSCAPES (TABLE 13.3(A))

It is recognised by Council that the areas listed in Table 13.3(A) are potentially outstanding landscapes in terms of section 6(b) of the Act.

Council shall undertake an assessment of these (and any other) areas for the following purposes.

- to identify the significance of the sites in terms of s6(b) of the Act.
- to identify the features and characteristics that warrant protection

- to identify the effects of activities that may have an adverse impact on those values
- to develop objectives, policies and methods to protect those areas from inappropriate subdivision, use and development, while recognising that these areas often support productive uses that people derive their livelihood from.

Council shall in consultation with resource users and the community, undertake such an assessment to confirm whether the areas identified in Table 13(3A) and any other areas, qualify for inclusion in the plan as outstanding landscapes. The Council will use its best endeavours to have such work completed or near completion by the end of 1997 and will then prepare any necessary changes to the plan.

Until such time as this work is completed, activities in these areas are subject to Rule RRA.15.

REASON

In achieving the purpose of the Act, Council is required to recognise and provide for the protection of outstanding landscapes from inappropriate subdivision, use and development as a matter of national importance. (*see section 6(b) of the Act*). However, this is not an objective on its own but is accessory to achieving the principal purposes of the Act, the promotion of sustainable management of the Districts natural and physical resources. The landscapes listed in Table 13.3(A) have been identified because of their potential in terms of section 6(b) of the Act. Further assessment is needed to determine if they are in fact outstanding and if so, what values make them outstanding. The study may also identify other areas that are considered outstanding landscapes which are not currently listed in the plan.

As has been pointed out previously in this section, Council recognises these areas often support productive uses from which people derive their livelihoods (for example, the Catlins and the Blue Mountains). Consequently, Council considers the most appropriate option is to work with resource users and the community at large to assess the actual values and significance of these areas and to provide the appropriate level of protection where a landscape is found to be outstanding.

Council is also mindful that at least two of these sites could potentially be subject to development proposals that would effectively destroy their current values. Lake Tuakitoto overlays a significant lignite resource, while the Rongahere Gorge has been subject to investigation for the purposes of hydroelectric power development. Natural heritage values are but one of the considerations for resource use and development in these areas.

METHOD HER.6 COMMUNITY PROJECTS
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Council shall encourage communities to take responsibility for enhancing the unique character of their local environments by promoting the implementation of "Main Street" programmes, urban renewal programmes or beautification programmes in the District's towns.

REASON

Previous experience both in New Zealand and overseas has shown that the best results are achieved by encouraging the local communities to take responsibility for their own town's future. Programmes such as "Main Street" have been very successful at preserving the heritage values and character of towns, thereby installing community pride in those towns and initiating economic benefits of tourism, new business etc.

METHOD HER.7 BUILT HERITAGE

Council shall encourage individuals to restore and reuse buildings of heritage and/or amenity value by, where appropriate, assisting building owners with the provision of design information. Where appropriate, Council may give consideration to rates relief for restoration work to significant buildings.

REASON

Council considers that the best way to provide the retention of District's heritage and amenity buildings (outside of those listed) is to provide advice and education on how best to re-use and maximise the return on these buildings. A great deal of work has been done in this area by other local authorities that can also be applied to the Clutha District.

METHOD HER.8 MONITORING

In order to assess the effectiveness of these policies, rules and methods, Council shall monitor the following;

- the reuse or demolition of the District's built resources through analysis of building consents and demolition permits
- the effect of land use activities on indigenous vegetation, fauna and outstanding features and landscapes through monitoring resource consents, and through discussions with the Department of Conservation
- any new Historic Places Trust classifications.

3.5.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. The significant natural heritage sites of the District will be protected from inappropriate use and development.
2. The built heritage of the District's towns will be preserved and enhanced.
3. Cultural heritage sites will be protected in a culturally appropriate manner.

Table 13: Register of Heritage Buildings Sites and Objects

Table 13.1: Register of Heritage Buildings (Refer Rule HER.1(i)-(iii) Page 103)

Reg No.	Map No.	Name and Address	Legal Description	H.P.T Details	Reason for Registration	
				Re No.	Class	
H1	U47	St Mary's Church (Anglican)	Pt Section 7 Block XII, North Molyneux SD	5200		Historic Building

		Kaitangata Highway, Stirling				
H2	U47	The "Stone" House Stables and Loft, Hislop Road, Stirling	Pt Sec 9 Blk XII, Inch Clutha SD	5204	II	Historic Building
H3	U47	The "Stone" House, Hislop Road, Stirling	Pt Sec 9 Blk XII, Inch Clutha SD	5203	II	Historic Building
H4	U47	The "Stone" House Cowshed, Hislop Road, Stirling	Pt Sec 9 Blk XII, Inch Clutha SD	5235	II	Historic Building
H5	H46A	Inveresk Barn and Men's Quarters, Clutha-Kaitangata Road, Stirling	Pt Lot 13 DP 1177 Pt Sec 11, Blk X, North Molyneux SD	5206	II	Historic Building
H6	H46A	Inveresk Homestead, Clutha-Kaitangata Road, Stirling	I Pt Lot 13 DP 1177 Pt Sec 11, Blk X, North Molyneux SD	5205	II	Historic Building
H7	H46A	W Smiths Home, "The Bush", Anderson Road, Stirling	Pt Sec 9, Blk XII, North Molyneux SD	No HPT Classification		
H8	H46A	Hermitage Manse, Stirling-Balclutha Road	Lot 52, DP 2254 Hermitage Estate, being Pt Sec 3, 4 and 5, Blk XIV, North Molyneux SD	No HPT Classification	Historic and significant building	
H9	U7	Balmoral Homestead, Centre Road, Inch Clutha	Lots 1/2 DP 17812, Blk XIII, Clutha SD	5201	II	Historic Building
H10	H46A	Inch Clutha School House (Former), Lawson Road, Inch Clutha	Lot 1 DP 444I, Blk X, Inch Clutha SD	5202	II	Historic Building
H11	U7	Chicory Kiln, Centre Road, Inch Clutha	Section 13, Lots I/10, DP 73 Blk XIII, Inch Clutha SD	3359	II	Historic Building

H12	U10	Hoffman Kiln and Curtilage, Benhar Road, Benhar	Lot 10 DP 25340	5179 Heritage Order	I	Historic Building
H13	U10	"Lesmahagow", (McSkimmings Home), Benhar Road, Benhar	DP 2795	No HPT Classification	Historic/landmark significance	
H14	H46A	Telford Woolshed and Stables, Balclutha-Owaka Road, Otanomomo.	Pt Sections 5, 7 and 9, Blk XXI, Clutha SD	5199	II	Historic Building
H15	H46A	Telford Farm Training Inst. Administration, Balclutha- Owaka Rd, Otanomomo	Pt Secs 5, 7, 9, Blk XXI, Clutha SD	2127	I	Historic Building
H16	H46A	Millhouse, Waitepeka	Lot 3, Deeds Plan 269, Blk XXXVIII, Clutha SD	No HPT Classification	Historic and scientific significance	
H17	H46A	Willowmeade Homestead, Valley Road, Puerua	Pt DP 1360, Blks XXVIII and XXIX, Clutha SD, Blk I, Warepa SD	5178	I	Historic Building
H18	G45D	Clinton Homestead, Telford's Road, Waiwera South	Sec 1 I Blk V, Pomahaka Pt Lot 1, DP 6500, Blk V, Pomahaka SD	5181	I	Historic Building
H19	G46B	Kettles Homestead Remains, Graigilea, Warepa	Sections 17 and 18, Block II, Warepa SD	No HPT Classification	Historical significance.	
H20	H45C	Old Sod Cottage, SH No. 1, Lovells Flat	Pt Secs 3, 4 Blk VII, North Tuakitoto SD	No HPT Classification	Historic and Landmark significance.	
H21	H45B	Clarendon Cemetery, Clarendon-Berwick Road, Clarendon	Sec 43B, Blk VII, Waihola SD	No HPT Classification	Historic cemetery	
H22	H45B	Limeworks Cook House, McNeil Road, Milburn	Sections 21, 1015R and Part Sections 20 and 34, Bock I, Table Hill SD	No HPT Classification	Historic Building	

H.23	H45C	Bon Accord Vault, Vicinity of S.H.1	DP 2676	No HPT Classification	Historic significance.	
H24	U36	Anglican Cemetery, Back Road	Pt Sec 94, Blk II, Tokomairiro SD	No HPT Classification	Historic cemetery	
H25	H45C	Glenore Cemetery, Vicinity of Mt Stuart	Pt Sec 7, Blk L, Tokomairiro SD	No HPT Classification	Historic cemetery	
H26	H46B	Wangaloa Cemetery, Wangaloa Domain	Secs 13, 14 and 15 Blk VII, Coast SD	No HPT Classification	Historic cemetery	
H27	H45B	Horseshoe Bush Stables, Lime Springs Farm, Clarendon	Section 4 Block V Waiholo SD	2126	II	Historic Building
H28	H45 D	Toll House, State Highway 1, Helensbrook, Milton	Lots 2 and 3, DP 9151, Block VI, Tokomairiro SD	3212	II	Historic Building
H29	H45 D	Clarks House, State Highway 1	Pt Sec 158, Blk XX, Tokomairiro SD	No HPT Classification	Historic and Significant Building	
H30	U4	Balclutha Bridge, State Highway 1, Balclutha		5180	I	Historic Building
H31	U52	All Saints' Church (Anglican), 15 Forest Street, Tapanui	Secs 1/3, Blk XVII, Town of Tapanui	2363	II	Historic Building
H32	G44A	Newstead Station Stables, Moa Flat Road, Moa Flat	Pt Lot 19 DP 1817 Blk VI Crookston SD	335	I	Historic Building
H33	G47A	Heathfield Cemetery, Chaslands	Section 29 Block X Tautuku SD	No HPT Classification		
H34	U57	Tuapeka Punt and Jetty, Clutha River, Tuapeka Mouth	Sec 172, Blk I Waitahuna West SD	No HPT Classification	Historic and scientific significance.	

H35	U32	Building, (unnamed) 13 Ross Place, Lawrence	Pt Sec 5, Blk III, Town of Lawrence	5211	II	Historic Building
H36	U32	Wool Table Building, 15 Ross Place, Lawrence	Pt Secs 1, 2, 5, Blk III Town of Lawrence	5236	II	Historic Building
H37	U32	Bank of New Zealand Building (Former), 25 Ross Place, Lawrence	Pt Secs 12-15, Blk II Town of Lawrence	5214	II	Historic Building
H38	U32	Lawrence General Store, 20 Ross Place, Lawrence	Sections 10 and 43, Blk XLII Town of Lawrence	5213	II	Historic Building
H39	U31	Building (Octagonal Chimneys) 27 Ross Place, Lawrence	Part Sections 11 and 12, Blk II, Town of Lawrence	5237	II	Historic Building
H40	U31	War Memorial and Gates, Peel St and Cnr Ross Place, Lawrence	Secs 1, 1A, 2, 2A, 2B, 3, Pts 3A and 11 Blk I Town of Lawrence	5183	II	Historic Building
H41	U31	Bank of New South Wales (Former) Peel Street and Cnr Ross Place, Lawrence	Pt Sec 1 and Pt DP 496, Blk II, Town of Lawrence	5216	II	Historic Building
H42	U32	Athenaeum 9 Ross Place, Lawrence	Pt Sec 6, Blk III, Town of Lawrence	5210	II	Historic Building
H43	U32	Holy Trinity Church Belfry (Ang), 11 Whitehaven Street, Lawrence	Secs 3/6, Blk VI, Town of Lawrence	2245	II	Historic Building
H44	U31	Wardens Court (Former), 4 Colonsay Street, Lawrence	Sec 4, Blk LXVI, Town of Lawrence	2249	I	Historic Building
H45	U32	St Patricks Hall (Former) Colonsay Street, Lawrence	Secs 4 and 8, Blk III, Town of Lawrence	2248	II	Historic Building

H46	U32	St Patrick's Church (Catholic) 12 Colonsay Street, Lawrence	Pt Secs 1/2, Blk IV, Town of Lawrence	2247	II	Historic Building
H47	U31	Post Office (Former), 2 Colonsay Street, Lawrence	Sec 9, Blk LXVI, Town of Lawrence	2244	II	Historic Building
H48	U31	Church (Presbyterian) and Community Hall, 7 Colonsay Street, Lawrence	Secs 7/8, Pt 6 Blk 2, Town of Lawrence	2243	II	Historic Building
H49	U32	Whareview, 3 Iona Street, Lawrence	Section 5 Block IX Town of Lawrence	7121	II	Historic Building
H50	U32	Anthem House, 17 Lancaster Street, Lawrence	Secs 3 and 4, Blk VII, Town of Lawrence	2242	II	Historic Building
H51	U32	House, 11 Lismore Street, Lawrence	Lots 1/2 DP 18042	2246	II	Historic Building
H52	U31	Opportunity Shop (Former F Martin Building), 33 Ross Place, Lawrence	Sec 9, Blk II, Town of Lawrence	5215	II	Historic Building
H53	U31	A1 Dairy and Hair Shop, Main Street, Lawrence	Section 6 Block XLI Town of Lawrence	5212	II	Historic Building
H54	U32	Chinese Joss House (Former) 12 Maryport Street, Lawrence	Section 10 Block XXII Town of Lawrence	5185	II	
H55	U37	Tokomairiro Church (Presbyterian) , Main Street, Milton	Lots 82, 84, 107, Pt 85, Blk X, DP XI	2250	II	
H56	U65	Waiwera Hotel (Former) Main South Road, Waiwera South, Clinton	Pt Secs 10 and 12, Block XLIX, Clutha SD	5208	II	

H57	G45D	Ashley Downs Homestead , Taylor Road, Clinton	Lot 1, DP 16374	5209	II	
H58	U5	Railway Bridge (Blair) , Kaitangata-Balclutha Road		5207	II	
H59	G44C	Kelso Dairy Factory	Part Section 45, Block II, Greenvale SD	No HPT Classification	Historic Building	
H60	G44C	Stone Culvert	Part Section 8 Block XIII Greenvale SD	No HPT Classification	Historic Structure	
H61	U8	Beaumont Bridge, Clutha River, Beaumont	Part State Highway 8 (Clutha River)	No HPT Classification	Historic Structure	
H62	H45B	Old Taieri Ferry Bridge	Part Henley Road (Taieri River)	No HPT Classification	Historic Structure	
H63	G46B	Kaihiku Road Bridge	Part State Highway 1 adjacent to Lot 1 Deeds Plan 212	No HPT Classification	Historic Structure	
H64	H46A	Somerville Flour Mill - remnants of mill race	Lots 1, 2, 4, 5 and Part Lot 6 Block I Clutha SD	No HPT Classification	Historic Structure	
H65	H46A	Puerua Church	Section 12 Blk XXIII Clutha SD	No HPT Classification	Historic Building	

Table 13.2: Register of Significant Trees (Refer Rule HER.1(iv) Page 103)

Reg No.	Map No.	Name and Address	Legal Description	Reason for Registration
H71				
H72	H46A	Rata Trees , Vicinity Kaitangata-Wangaloa Road	Part Section 10, Block IX Kaitangata SD	Scenic significance and botanical interest. No H.P.T Classification
H73	U59	Totara Tree, (White Memorial tree) vicinity of S.H.1, South of Waihola	Pt Section 7, Blk XIX, Waihola Survey District	Historical significance. No H.P.T Classification
H74	H45C	Exotic Trees , Vicinity S.H.1 Mount Stuart Recreation Reserve	Part Lot 2, DP 3336	Scenic significance and botanical interest. No H.P.T Classification

H75	U31	Oak Trees, Oban Street, Lawrence	Section 1, Blk LXII Town of Lawrence	A group of Oak Trees with historical significance dating back to 1887. No H.P.T Classification
H76	U53	Oak Tree, cnr Warwick, and Devon Street, Tapanui	Lot 2, DP 15093	Significant tree. No H.P.T Classification
H77				
H78	U9	Ash, Eastferry and Stonewall Street, Beaumont	Secs, 8-11, 13 Blk VI, Town of Beaumont	Significant tree/significant group of trees - scenic, landmark, and botanical significance
H79	U9	Sycamore, Eastferry and Stonewall Street, Beaumont	Secs, 8-11, 13 Blk VI, Town of Beaumont	Significant tree/significant group of trees - scenic, landmark, and botanical significance
H80	U9	Thuja, Eastferry and Stonewall Street, Beaumont	Secs, 8-11, 13 Blk VI, Town of Beaumont	Significant tree/significant group of trees - scenic, landmark, and botanical significance
H80A	U9	Walnut, Eastferry and Stonewall Street, Beaumont	Secs, 8-11, 13 Blk VI, Town of Beaumont	Significant tree/significant group of trees - scenic, landmark, and botanical significance
H80B	U9	Walnut, Eastferry and Stonewall Street, Beaumont	Secs, 8-11, 13 Blk VI, Town of Beaumont	Significant tree/significant group of trees - scenic, landmark, and botanical significance
H80C	U8	English Oak, Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance
H80D	U8	English Oak, Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance
H80E	U8	English Oak, Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance
H80F	U8	English Oak, Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance

H80G	U8	English Elm, Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance
H80H	U8	Ash (Fraxinus)Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance
H80I	U8	Irish Strawberry, Weardale Street, Beaumont	Section 1, Blk XX, Dunkeld Township	Significant tree/significant group of trees - scenic and landmark significance
H80J	G45B	Group of Beach and Totatara Trees, Toms Creek picnic area, Rongahere Gorge	Part Beaumont Rongahere Road, Rongahere Gorge	Significant group of trees of scenic and botanical interest
H80K	U59	War Memorial Oak Trees, Greenwich Street, Waihola	Part Section 19 and Part unformed legal road, Block VI, Town of Waihola	Historic and landmark significance
H80L	U59	Baumgardt tree, Waihola Domain, Waihola	Part Section 13 Block II Town of Waihola	Historic and amenity significance
H80M	U38	Trees, Taylor Park, Milton	Part Sections 103 and 104 Block XII Tokomairiro Survey District	Scenic and landmark significance
H80N	G45A	Wellingtonia Tree, Tapanui Cemetery, Tapanui	Part Section 2 Block IV Glenkenich Survey District	Landmark and amenity significance

Table 13.3A: Potentially Outstanding Landscapes (refer Rule RRA.15 (page 210) and Method HER.5 (page 106))

Reg No.	Map No.	Name	Description	Reasons for Registration
-				
-		Inland Catlins	The area generally south of the Catlins lake and extending inland to the Wisp range and south to the Southland District boundary.	Provides scenic backdrop to Catlins coast. Outstanding landscape. Significant native vegetation and habitat.
H82	H44D	Waipori Gorge	Bush clad Waipori River Gorge below Lake Mahinerangi.	Significant native vegetation. Outstanding landscape.

H83	I45A	Lower Taieri River Gorge	A relatively unmodified coastal river gorge.	Significant wetlands and native vegetation. Outstanding landscape. International scientific importance.
H84	G45B G44D	Rongahere Gorge (including Birch Island)	An area of relatively unmodified Clutha River gorge with significant native vegetation stands.	Significant native vegetation and habitat. Outstanding riverine/native bush landscape.
H85	G44C G44D G45A G45B	Blue Mountains	Prominent landmark in the Districts landscape.	Outstanding natural feature, comprising numerous outstanding landscapes.
H86	H45B	Waipori/Waihola wetland system	Large wetland complex in the lower Taieri River catchment.	Outstanding natural feature. Significant habitat of national importance.
H87	H45C H46A	Lake Tuakitoto	Large wetland in the lower Clutha catchment	Outstanding natural feature and significant habitat of national importance.
H92	G47B	Table Hill (Catlins)	Prominent landmark, adjacent to Owaka-Invercargill Road.	Outstanding natural feature.
H94	H45D, H46B, U11, U12	Chrystalls Beach	Coastline between Toko Mouth and Bull Creek	Significant coastline. Kai Tahu cultural and spiritual values Cooks Head Rock. Significant Natural Character
H95	H46C	Tirohanga to Cannibal Bay	Nugget Point Coastline	Outstanding scenic value of coastline, significant habitats and significant headland Significant Natural Character
H96	H46C, H47A	Cannibal Bay to Surat Bay	Coastline	False Islet stacks, well defined landforms of scientific value. Outstanding scenic values and habitat areas. Significant Natural Character

H97	H47A G47B to D	Penguin Bay to the Brothers Point	Coastline	Outstanding scenic and landscape values as an unmodified environment. Includes significant headlands; Jacks Blow hole; Cathedral Caves; Rainbow Isles spouting sea cave; unmodified podocarp/hardwood forests; significant habitat areas Significant Natural Character
H98	Variou s	All Coastal Islands	Taieri (Moturata) Island; Tuhawaiki Island; Cosgrove Island; Chasm Island; Rainbow Isles; Kinakina; Triplets; White Islands; Duff Islands	Kai Tahu cultural and spiritual values; significant part of the coastal landscape; habitat Significant Natural Character
H99				

Table 13.3B: Outstanding Natural Features - Refer Rule RRA.16 page 211

Reg No.	Map No.	Name	Description	Reasons for Registration
H81	H46C	Nuggets Point	A spectacular, rugged promontory jutting into the Pacific Ocean.	Significant wildlife, scientific and historic values. Outstanding landscape/coastline. Significant headland.
H88	G46D	Scotsman Bonnet	Prominent landmark in the Owaka Valley	Outstanding natural feature.
H89	G47D	Cathedral Caves	Four large sea caves, cut from the rock by wave action	Outstanding natural feature.
H90	G47B	Purakaunui Falls	Scenic waterfalls adjacent Owaka-Invercargill Road.	Outstanding natural feature.
H91	H47A	Jacks Blowhole	Found at Jacks Bay. Some 60metres deep and is connected to the sea at its base.	Outstanding natural feature.
H93	H45D	Cooks Rock, Chrystalls Beach	A basaltic stack on the coast north of Toko Mouth.	Outstanding natural feature.

H.200	I45C	Akatore Creek metachert with akatoriete	The only known exposure of the mineral akatoriete	Outstanding natural feature. International scientific importance.
H.201	H46C	Nugget Point, Roaring Bay Triassic fauna.	The richest Triassic foraminiferal fauna in the Southern Hemisphere	Outstanding natural feature. International scientific importance.
H.202	H46B	Wangaloa Paleocene molluscs, Mitchells Point	The most diverse Paleocene molluscan fauna in the Southern Hemisphere	Outstanding natural feature. International scientific importance.
H.203	H45D I45C	Watson Beach Coombsite.	The only known occurrence of coombsite.	Outstanding natural feature. International scientific importance.
H.204	G45C	Arthur Quarry Permainface	Unique whole specimens	Outstanding natural feature. National scientific and educational importance.
H.205	H46A	Balclutha Quarry prehnite pumpellyite facies	Well exposed example of prehnite pumpellyite facies greywackes of the caples terrain.	Outstanding natural feature. National scientific and educational importance.
H.206	H45B	Clarendon phosphatic sandstone	The largest phosphate deposit in New Zealand.	Outstanding natural feature. National scientific and educational importance.
H.207	H44C	Gabriels Gully gold discovery site	First major alluvial gold find in New Zealand.	Outstanding natural feature. National scientific and educational importance.
H.208	U22	Jacks Bay Jurassic macro fossil assemblage	Unique, well preserved Temaikan shallow water macrofossil assemblages.	Outstanding natural feature. National scientific and educational importance.
H.209	G46B	Kaihiku Stream and gorge triassic macrofauna	Good macrofauna	Outstanding natural feature. National scientific and educational importance.
H.210	U28	Kaka Point Triassic fossiliferous metasediments: good exposure of middle Triassic rocks.	Some of New Zealand's best and most accessible exposures of zeolitised ash beds within the geolite facies. Contains Etalian ammonoids important in international correlation	Outstanding natural feature. National scientific and educational importance.

H.211	G45C	Landslip Hill landslide and mid-Tertiary plant beds with silcrete	Unusual sedimentary environment of plant beds well preserved in silcrete. A good example of a landslide.	Outstanding natural feature. National scientific and educational importance.
H.212	H46C	Nugget Point, Parks Bluff Triassic fauna	Extremely rich brachiopod and bivalve faunas.	Outstanding natural feature. National scientific and educational importance.
H.213	H46C	Nugget Point, Triassic volcanoclastics	volcanoclastic sediments, tuffs and shell beds. Good exposure of Oretian to Otapirian sedimentary sequence.	Outstanding natural feature. National scientific and educational importance.
H.214	H46C	Nugget Point Zeolite facies	An exposure of one of the three main mineral assemblages for zeolite facies, in Southern New Zealand.	Outstanding natural feature. National scientific and educational importance.
H.215	H45D I45A I45C & U11, U12, U49, U50, U51	Otago Coastal Schist section	New Zealand's best and most accessible exposure of this section of Haast schist	Outstanding natural feature. National scientific and educational importance.
H.216	G45A	Pomahaka River. Oyster Creek Oligocene estuarine fossils.	Diverse floral assemblage and unusual diverse estuarine molluscan fauna of oligocene age. Well preserved fossils.	Outstanding natural feature. National scientific and educational importance.
H.217	U49	Taieri River Mouth psilomelane	Manganese deposit with psilomelane	Outstanding natural feature. National scientific and educational importance.
H.218	H44C	Tuapeka fault plane	Well exposed fault plane with slickensides. Possible cretaceous normal fault in Otago schist.	Outstanding natural feature. National scientific and educational importance.
H.220	H46B	Wangaloa transgressive sequence	Superb exposure of shallow water, storm dominated sequences	Outstanding natural feature. National scientific and educational importance.

Table 13.4: Registered Archaeological Sites (Refer Method HER.3 (Page 105 And Rules MAO.1- 3 Page 66))

There are approximately 1,200 archaeological sites within Clutha District, all of which are protected by Section 10 of the Historic Places Act 1993. These sites have been shown as 'A' on the Planning Maps. For more accurate information on these sites please refer to "Historic Places Inventory Bruce, Clutha and Tuapeka Counties, New Zealand Historic Places Trust, June 1986". Only the following sites have been registered by the Historic Places Trust.

Reg No.	Map No.	Name	Legal Description	Historic Places Trust Information	
H100		Ovens	Sec 1S Pukekawa Settlement, Blk V, Hillend SD	II	5627
H101	G47B	Midden	Tahakopa Scenic Reserve, situated in Blk 9, Woodland SD	II	5628
H102	G47B	Midden /Burial	Road Reserve situated in, Blk IV Tautuku SD	II	5629
H.103	G47B	Midden	Papatowai Scenic Reserve, Blk IV Tautuku SD	II	5630
H.104	G47B	Oven	Section 2 Block II, Tautuku SD	II	5631
H.105	H44C	Old Road	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5636
H.106	H44C	Crusher Site	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5637
H.107	H44C	Mining Complex	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5638
H.108	H44C	Mining Complex	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5639
H.109	H44C	Mining Complex	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5640
H.110	H44C	Wagon Track	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5641
H.111	H44C	Mining Complex	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5642
H.112	H44C	Water Races	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5643
H.113	H44C	Quartz Mining	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5644
H.114	H44C	Water Wheel	Otago Pioneer Quartz, Historic Reserve, Blk IV, Waipori SD	II	5645

H.115	H46C	Midden	Nuggets Road Reserve, Blk V, Glenomaru SD	II	5646
H.116	U27	Midden	Road Reserve adjacent to Secs 1-3, 7- 12, Blk XIII, Molyneux SD	II	5647
H.117	H46C	Midden	False Islet Recreation, Reserve Blk V, Glenomaru SD	II	5648
H.118	H47A	Midden	Sec 1102R and adjacent road reserve, Blk I, Woodland SD	II	5649
H.119	U22	Midden	Road Reserve Blk I, Woodland SD	II	5650
H.120	U22	Midden	Road Reserve Blk I, Woodland SD	II	5651
H.121	U22	Midden	Road Reserve Blk I, Woodland SD	II	5652
H.122					
H.123					
H.124					
H.125					

Table 13.5: Significant Wetlands (Refer Rule RRA.13 Page 210)

Reg No.	Map No.	Name	East/North Grid Ref NZMS 1	Description
H.87	H46A	Lake Tuakitoto	3587 2270	Rush and Sedge swamp. Lowland lake. Artificial water level. Number 5 in top 10 New Zealand Wetland Wildlife Habitats. Large numbers of Fernbird.
D52	H45B	Lake Waipori and Lake Waiholā	3811 2572	Shrub swamp, Rush and Sedge swamp, Grass swamp. Habitat and breeding area for a large number of bird species.
H.131	G47C	Waipati Estuary and Bush	3190 1786	An unmodified estuary with Seral zone bush surrounding.
H.132		Taylor Road Lake	3291.2340	Lowland lake with 2 small islands. Excellent habitat for ducks.
H.133	G47B	Tautuku Estuary	3256 1824	Slow flowing river mouth. High numbers of Fern bird present in an unmodified environment. Vegetation not common in region.
H.134	G47B	Tahakopa	3256 1895	Rush and Sedge swamp, Shrub bog and

		Wetland		heathland, Podocarp Swamp, Flax Swamp. Adjacent land drained. Habitat is a former peat bog. Presence of Fernbird and Bittern. Average numbers of Finches. Good insect life in mud for food.
H.135	U51	Lower Coutts Gully	3893 2474	Salt Rush and Reed Swamp, Succulent Herb Swamp, Rush and Sedge Swamp. Some of habitat tidal. Rather conglomerate wetland, some cleared, partially drained, other parts still in dense vegetation. Excellent breeding and feeding areas.
H.136	H45B	Fletts Pond	3692 2506	Lowland lake, Rush and Sedge swamp. Originally an old gold mining dam. Good waterfowl loafing area. Small pond alongside is an ideal breeding area.
H.137	H47A	Catlins Lake and Estuary	3440 1970	Large area of mudflats with associated wetland and saltmarsh. A large area of this habitat type which is much restricted in the region. Diverse avifauna and botany.
H.138	G47B	Tahakopa River Mouth	3295 1875	Slow flowing brackish water with extensive mudflats at low tide. Good numbers of W F Heron and other waders and shags. Good mudflat fauna and shellfish for food. Whitebait and other fish.
H.139	H46B	Shagree Creek Swamp	3746 2275	Thick coastal swamp relatively unmodified. Habitat bisected by a bridge and road. Excellent Fernbird habitat.
H.140	G45A	Pomahaka River Oxbow Swamps	3078 2567 3076 2570 3076 2567 3076 2565 3081 2564 3080 2560	Several old river oxbows on eastern side of Pomahaka River. Excellent waterfowl habitat. Excellent escape, loafing, and feeding areas.
H.141	G45D	Home Lake	3385 2330	A shallow lowland lake with a good weed bed. Mallard and Swan breeding.
H.142	C45C	Hickey Pond	3129 2445	Human-made pond providing ideal cover for waterfowl and habitat for Marsh Crake.
H.143	G46A	Hazeldale Road Dam	3166 2197	Human-made dam. The value of this habitat is enhanced by the absence of suitable water in the District. Habitat moderate for waterfowl. Breeding area.

H.144	H44C	German Stream Dam	3545 2634	Lowland lake; Rush and Sedge swamp. This dam plays host to good numbers of waterfowl. Fish present.
H.145	H44A	Eldorada Dam	3634 2802	A large human-made farm dam. The largest pond of its type in the area apart from Lake Mahinerangi.
H.146	H45D	Tokomairiro Swamp	3774 2310	Tidal swamp. A lot of shallow ponds in addition to main channel. Some of habitat is former World War II paddy fields. Excellent habitat for Pied Stilts which are in very high numbers.
H.147	G45A	Whisky Gully Wetland	3167 2621	Shrub Bog and heathland, Restiad Bog and Tussockland, Cushion Bog.
H.148	G46C	Weydon Burn	3085 2037	Restiad Bog and Tussockland, Rush and Sedge Swamp Grass Swamp, Slow Single-Channel River.
H.149	H46A	Waitepeka Swamp	3514 2156	Flax Swamp, Rush and Sedge Swamp
H.151	G45B	Trig Q Ponds	3330 2477	Lowland Lake, Rush and Sedge Swamp
H.152	U54	Toko Mouth	3773 2290	Slow Single-Channel River
H.153	G47B	Tahakopa Bay	3318 1876	Shrub Swamp, Rush and Sedge Swamp, Flax Swamp, Lowland Lake. Nationally significant forest sequence from swamp to high podocarp forest.
H.154	H46C	Puerua River Deviation	3541 2135	Channel of River 1.5 kilometres long.
H.155	H46A	Puerua Channel Wetland	3506 2170	Rush and Sedge Swamp
H.156	H46C	Port Molyneux	3575 2134	Coastal spit of unconsolidated sand which has caused Clutha River to change its course.
H.157	G45D	Pomahaka River	3364 2364	0.5 kilometres of the river
H.158	H44C	Pioneer Creek	3600 2732	Valued as waterfowl habitat
H.159	U18	Otanomomo Swamp	3510 2210	
H.160	H46A	Otanomomo Scenic	3516 2189	Rush and Sedge Swamp, Shrub Swamp, Flax Swamp. Farm dam at lower end of wetland.

		Reserve		
H.161	G47B	Maclennan River Scenic Reserve	3298 1907	Rush and Sedge Swamp, Shrub Swamp. Slow Single-Channel River. Wetland contains the largest stand of <i>Dacrycarpus dacrydioides</i> in South East Otago.
H.162				
H.163	G47B	Lenz Reserve	3257 1845	Shrub Swamp, Rush and Sedge Swamp, Flax Swamp, Slow Single-Channel River. Provides an important part of the Tautuku Bay landscape.
H.164	G47B	Lake Wilkie	3272 1840	Lowland Lake, Flax Swamp, Podocarp Swamp.
H.165	G47D	Hukihuki Stream	3207 1800	Rush and Sedge Swamp, Shrub Bog and Heathland, Podocarp Swamp, Slow Single-Channel River. Forms part of a largely unmodified stream/estuary of Wapati.
H.166	G46A	Catlins River Swamp	3099 2169	Restiad Bog and Tussockland.
H.167	G47B	Catlins River	3386 1965	Slow Single-Channel River. 1.5 kilometre-long part of river.
H.168	G44D	Carson's Creek	3294 2717	1.3 kilometres long.
H.169	G44C	Blue Mountains	3175 2660	Cushion Bog, Shrub Bog and heathland, Restiad Bog and Tussockland. Same as Whisky Gully wetland.
H.170	G46C	Ajax Bog	3146 2031	Restiad Bog and Tussockland, Cushion Bog. Podocarp Swamp.
H.171				

Table 13.6: Waahi Tapu (Refer Rule MAO.2 Page 66)

Reg No.	Map No.	Name	Description
H.180	U28	Urupa, Kaka Point	Part Section 49, Block VI, Glenomaru Survey District

Table 13.7: Waahi Taoka And Mahika Kai (Refer Rule MAO.1 Page 66)

Reg No.	Map No.	Name	Description
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Table 13.8: Areas of Significant Habitat Of Indigenous Fauna (Refer Rule RRA.13 Page 210)

Reg. No	Map No	Name	Description
H221	H47A	Tunnel Rocks Reserve	Little Blue and Yellow-eyed Penguin colony site. Site of outstanding habitat value.
H222	H46C	Sandy Bay	Yellow-eyed Penguin colony. Site of outstanding habitat value.
H223	H47A	Penguin Beach	Yellow-eyed Penguin colony in bad condition. Site of outstanding habitat value.
H224	H46C	Nugget Point	Haul out site for New Zealand fur seals, elephant seals, Hooker's sealions. Visited by leopard seals. Breeding area for yellow-eyed penguin, blue penguins. Visited by erect-crested penguins, Fiordland crested penguins, snares crested penguins, and rockhopper penguins.
H225	H47A	North Jack's Bay	Yellow-eyed Penguins breeding site. Site of outstanding habitat value.
H226	G47B	Mahaka Point	Breeding colonies of Yellow-eyed Penguin, Sooty Shearwater, Black backed Gull. Site of outstanding habitat value.
H227	G47B	Long Point West Yellow-eyed Penguin Reserve and Chasm Island	Yellow-eyed Penguin colony. Site of outstanding habitat value. Haul out for New Zealand fur seals.
H228	G47B	Long Point East Yellow-eyed Penguin Colony	Yellow-eyed Penguin colony and Sooty Shearwater colony. Site of outstanding habitat value. Haul out for New Zealand fur seals.
H229	F44B F44D	Leithen Bush	Unmodified habitat with good bird and insect values. High numbers of Robins and Parakeets. Yellow Heads present. Site of outstanding habitat value.
H230	H47A	Hina Hina Cove Yellow-eyed Penguin Colony	Yellow-eyed Penguin colony. Site of outstanding habitat value. Haul out for New Zealand fur seals.
H231	G47C	Falls Creek Yellow-eyed Penguins	Yellow-eyed Penguin colony. Site of outstanding habitat value.

H232	G46D	Wisp Range Bush	Very good stand of native bush. Parakeets present. Site of high habitat value.
H233	H44D U62	Waipori Falls Scenic Reserve	High bird, scenic, and botanic value with a lowland to subalpine range. Site of high habitat value.
H234	G47A	Waiparau Penguin Colony	Yellow-eyed Penguin breeding site. Site of high habitat value.
H235	H45D	Tokomairiro River Scrub	High habitat value for Fernbird. Moderate value for other biota. Site of high habitat value.
H236	I45A	Taieri Mouth Bush	Good bird and plant diversity. Site of high habitat value.
H237	G47B	Tahakopa Peat Bog	Dry peat bog with some very small patches of water. Presence of Fernbird and Bittern. Average numbers of Finches. Good insect life in mud for food. Site of high habitat value.
H238	G44C	Shepherds Bush (habitat 1)	Island forest remnant. Winter feeding source for Kereru (New Zealand Pigeon) and Yellow-breasted Tits. Site of high habitat value.
H239	G47B	Purakaunui Bush	Largely unmodified forest. Site of high habitat value.
H240	G45C G45D	Popotunoa Bush	Bush remnant with good regeneration. Site of high habitat value.
H241	G47B	Papatowai Scenic Reserve	A very restricted habitat type (podocarp forest, lowland) in the region. Supports good numbers of common wildlife. Site of high habitat value.
H242	G44C	Morgans Bush	Isolated forest remnant with remarkable tree and shrub diversity. Seasonal Kereru (New Zealand Pigeon) and Bellbird feeding value. Aesthetic value. Site of high habitat value.
H243	H44C H44D	Mahinerangi Forest	Good numbers of scarce birds (South Island Tit, Black and Pied Fantail, Cuckoo, Brown Creeper). Site of high habitat value.
H244	G44D	Glendhu Forest Remnant	Very scarce numbers of this habitat type. Core habitat for many bird species. Site of high habitat value.

H245	H45B	Fletts Bush	Good regeneration of podocarps, Matai, Miro, Kahikatea, Totara. Site of high habitat value.
H246	F44D G44C	Dusky Gorge - Pomahaka River	Good species diversity. Exceptional scenic quality. Water fowl numbers high during game season on river. Site of high habitat value.
H247	G44D	Craigellachie Forest Remnants	High scarcity of this habitat type (Silverbeech) in Clutha District. Site of high habitat value.
H248	G46D	Craig Rankin State Forest	Unusual vegetation type for the region (Matai). Good bird numbers. Site of high habitat value.
H249	H45B	Berwick State Forest Scenic Reserve	Excellent numbers of birds. Site of high habitat value.
H250	H46A	Kaitangata Bush	Site of high habitat value.
H251	I45A	Taieri Island (Moturata)	Breeding area for sooty shearwaters and blue penguins.
H252	I45C	Quoin Point	Breeding area for New Zealand fur seals.
H253	H46C H47A	Cannibal Bay to Surat Bay	Haul out site for Hooker's sealions
H254	H47A U22	Hayward Point and Jacks Bay	Breeding area for yellow-eyed penguins.
H255	H47A	Tahawaiki Island	Haul out site for New Zealand fur seals. Breeding area for sooty shearwaters and blue penguins.
H256	H47A	Penguin Bay	Breeding area for yellow-eyed penguins. Haul out site for New Zealand fur seals.
H257	H47A	Duff Islands to Castle Rock	Haul out site for New Zealand fur seals.
H236	I45A	Taieri Mouth Bush	Good bird and plant diversity. Site of high habitat value.
H237	G47B	Tahakopa Peat Bog	Dry peat bog with some very small patches of water. Presence of Fernbird and Bittern. Average numbers of Finches. Good insect life in mud for food. Site of high habitat value.
H238	G44C	Shepherds Bush (habitat 1)	Island forest remnant. Winter feeding source for Kereru (New Zealand Pigeon) and Yellow-breasted Tits. Site of high habitat value.

H239	G47B	Purakaunui Bush	Largely unmodified forest. Site of high habitat value.
H240	G45C G45D	Popotunoa Bush	Bush remnant with good regeneration. Site of high habitat value.
H241	G47B	Papatowai Scenic Reserve	A very restricted habitat type (podocarp forest, lowland) in the region. Supports good numbers of common wildlife. Site of high habitat value.
H242	G44C	Morgans Bush	Isolated forest remnant with remarkable tree and shrub diversity. Seasonal Kereru (New Zealand Pigeon) and Bellbird feeding value. Aesthetic value. Site of high habitat value.
H243	H44C H44D	Mahinerangi Forest	Good numbers of scarce birds (South Island Tit, Black and Pied Fantail, Cuckoo, Brown Creeper). Site of high habitat value.
H244	G44D	Glendhu Forest Remnant	Very scarce numbers of this habitat type. Core habitat for many bird species. Site of high habitat value.
H245	H45B	Fletts Bush	Good regeneration of podocarps, Matai, Miro, Kahikatea, Totara. Site of high habitat value.
H246	F44D G44C	Dusky Gorge - Pomahaka River	Good species diversity. Exceptional scenic quality. Water fowl numbers high during game season on river. Site of high habitat value.
H247	G44D	Craigellachie Forest Remnants	High scarcity of this habitat type (Silverbeech) in Clutha District. Site of high habitat value.
H248	G46D	Craig Rankin State Forest	Unusual vegetation type for the region (Matai). Good bird numbers. Site of high habitat value.
H249	H45B	Berwick State Forest Scenic Reserve	Excellent numbers of birds. Site of high habitat value.
H250	H46A	Kaitangata Bush	Site of high habitat value.
H251	I45A	Taieri Island (Moturata)	Breeding area for sooty shearwaters and blue penguins.
H252	I45C	Quoin Point	Breeding area for New Zealand fur seals.
H253	H46C H47A	Cannibal Bay to Surat Bay	Haul out site for Hooker's sealions

H254	H47A U22	Hayward Point and Jacks Bay	Breeding area for yellow-eyed penguins.
H255	H47A	Tahawaiki Island	Haul out site for New Zealand fur seals. Breeding area for sooty shearwaters and blue penguins.
H256	H47A	Penguin Bay	Breeding area for yellow-eyed penguins. Haul out site for New Zealand fur seals.
H257	H47A	Duff Islands to Castle Rock	Haul out site for New Zealand fur seals.
H258	H47A	Purakaunui Bay to Cosgrove Island	Haul out site for Hooker's sealions Breeding area for New Zealand fur seals. Breeding area for yellow-eyed penguins, blue penguins, sooty shearwaters and fairy prions.
H259	G47B	Skeleton Point and Rainbow Isles	Breeding area for yellow-eyed penguins and titi. Haul out site for New Zealand fur seals.
H260	G47D	Waipati Beach	Haul out site for Hooker's sealions.
H261	G47C G47D	Chaslands Mistake	Haul out site for New Zealand fur seals.
H262	G47C	Wallace Head	Haul out site for New Zealand fur seals.
H263	G47C	Waiparau Head	Breeding area for yellow-eyed penguins
H264	G47C	The Brothers	Breeding area for yellow-eyed penguins

3.6. WATER

3.6.1. OVERVIEW

Council is responsible for the control of any actual or potential effects of activities in relation to the use of the surface of water, rivers and lakes.

The surface of water on any lake or river, for the purpose of the Act, is included in the definition of "land" by the provisions of Section 9(5). Under Section 9(4), the word "use" in relation to the surface of rivers and lakes includes the use and erection of structures, any destruction or the disturbance of the habitats of plants or animals, or the deposit of any substance, and any entry onto, or passing across the surface of water in any lake or river.

Consequently, Council has a responsibility to control the effects of these activities which include boating, navigational aids, jetties, wharves and mooring areas. The Otago Regional Council has very similar and complementary responsibilities regarding the beds of waterbodies.

While the Otago Regional Council is the body principally responsible for maintaining and enhancing water quality and quantity, Council must also give consideration to and make appropriate provision or any impacts of land use on water quality and quantity.

The Otago Regional Council may also develop Regional Plans in respect of water management, and this District Plan must not be inconsistent with any such plans.

See Schedule 6.10 for issues regarding Ngai Tahu Claims Settlement Act 1998.

3.6.2. THE ISSUES

The following are considered to be significant resource management issues facing the Districts water resource;

- **Land use activities are having an adverse effect on water quality and water quantity in some parts of the District.**

Explanation

Both ground water and surface water quality is being adversely affected by certain land management practices. Activities such as vegetation clearance, working soil on steep slopes, grazing riparian margins, applying fertiliser in riparian margins, draining wetlands, effluent discharge and harvesting tree crops in riparian margins have all contributed to significant increase in sediment and nutrient loads in a number of the District's waterways. Degradation of the District's water seriously affects the ecological health of the District and greatly affects recreation and consumption uses.

- **Catchment areas are sensitive to any change in the effects of land use and any such change could result in the inefficient use and development of the District water infrastructure resources.**

Explanation

The Clutha District is serviced by 21 water schemes (see Table 14). While 7 of these schemes draw their water from the Clutha River, a number of catchment areas are very small and vulnerable to adverse effects of land use activities which in turn threatens the sustainability of the resource. Several of these catchment areas are forested, with the rest being farmed. Clear felling trees, intensive stocking, draining wetlands, burning, amongst other activities, can all have adverse effects on the catchments and therefore the public resource, if not managed appropriately.

Table 14: Clutha District Water Catchments

Scheme	Source	Catchment Description
Balclutha	Clutha River	Large. Mixed use
Balmoral No 1 and 2	Waitahuna River	Large. Mixed use
Benhar	Clutha River	Large. Mixed use
Clinton	Pomahaka	Large. Mixed use. Part in Central Otago District.
Clydevale	Back Stream	Production Forestry catchment although good native bush riparian buffer zone
Kaitangata	Clutha River	Large. Mixed Use
Kaka Point (Richardson)	Puerua River	Large. Farmed catchment
Lawrence	Phoenix Dam	Small, production forestry catchment
Milton	Tokomariro River	Large. Mixed use
Moa Flat	Timber Creek	Small fragile catchment in Central Otago District.
North Bruce	Meggat Burn	Small production forestry catchment
Owaka	Bores	Farmed catchment
Pomahaka	Pomahaka River	Large. Mixed use. Part in Central Otago District
Richardson	Clutha River Puerua River	Large. Mixed use
South Bruce	Clutha River	Large. Mixed use
Stirling Town	Clutha River	Large. Mixed use
Tapanui	Whisky Creek	Native Bush and Tussock catchment. Possible Forestry use
Tuapeka	Waitahuna and Tuapeka Rivers	Tuapeka catchment is mainly production forestry with some farming.

		Waitahuna is a large, mixed use catchment.
Waihola	Meggat Bum	Small production forest catchment
Wangaloa	Clutha River	Large. Mixed use.
Glenkenich	Pomahaka (main) Greens Creek (alternative)	Pomahaka is a large, mixed use catchment. Part in Central Otago District. Greens Creek is a small farmed catchment.

- **Land use activities and water surface activities can impact on the incidence and severity of flooding in lower river reaches.**

Explanation

Drainage of wetlands and clearance of native vegetation in catchment headwaters greatly impact on the incidence and severity of flooding. Flooding has been a significant problem in Clutha District in the past. Those areas prone to flooding are shown on the planning maps. Conversely, healthy vegetation cover, particularly forestry, can mitigate the incidence and severity of flooding by regulating run-off.

- **Recreational uses can adversely impact on each other and ecological values and can compete for space on the surface of the District's waterways.**

Explanation

The District's waterways are used for a number of recreational uses such as fishing, sailing, boating, water-skiing and swimming. These uses are often incompatible in the same area. For example, high speed water-skiing is not compatible in a popular swimming or sailing area; high speed boating on rivers can have adverse effects on fishing, whitebaiting, bird and fish populations, and the banks of waterbodies. Some activities can also have adverse impacts in terms of noise levels generated.

- **Activities and structures on the water surface can adversely impact on the safety and efficiency of navigation.**

Explanation

Inappropriate location and design of wharfs and marinas and inappropriate location of some activities can adversely impact on the passage of vessels on the water surface.

- **Public access to and along the margins of the District's waterbodies is important to both the residents of the District and the Region, however it is often restricted.**

Explanation

The District's water resources are a well-used recreational asset and access to and along waterbodies, is very important to the public at large. There are areas in the District where access to, and along, the margins of the District's waterbodies is restricted.

Development alongside waterbodies has potential to further reduce public access. Section 6 of the Act requires that public access to and along waterbodies be maintained and enhanced as ' a matter of national importance.

(Note: Rules in respect of Esplanade Reserves are found in Section 3.8 Financial and Reserves Requirements).

- **The subdivision and sale of land serviced by rural water supply schemes can often affect the sustainability of the scheme.**

Explanation

There are twelve Rural Water Schemes serving Clutha District. Each is considered a valuable physical resource and asset of the District.

Subdivision and sale of land serviced by a rural water supply scheme can give rise to situations whereby individual titles in different ownership are served from the same point of supply without easements protecting any independent connection.

Several problems arise from this situation such as

- (i) One property is rated for the units, when there are other properties using the water.
- (ii) The situation in (i) can give rise to conflict over maintenance and security of supply to both parties.
- (iii) Water is often extended into land that has not paid capital contribution. This can affect the stability of the scheme and stretch its capacity beyond its design limits.
- (iv) Intensive subdivision can lead to a situation where there is not enough water available to service all new allotments adequately.
- (v) Allotments created for some rural purposes may have no need for water.

While the majority of these problems can be rectified at the time of subdivision and addressed by way of condition of consent, such problems cannot at present be addressed where a title is transferred without subdivision.

Two options have been considered by Council to alleviate this problem.

Firstly, Council could utilise the legislation process by, in association with other local authorities, requesting an amendment to the appropriate legislation concerning the transfer of land, or enact its own legislation which establishes rules relating to rural water supply schemes when land is transferred.

Secondly, Council could develop policies and methods in the District Plan on the basis that water supply schemes constitute a physical resource, upon which the actions of people transferring land served by such schemes can have a significant effect.

In terms of its functions under Section 31 of the Act, Council has the ability through its District Plan, to control such effects on the viability of water supply schemes.

This option is seen as the most cost efficient alternative, and achieves integrated management of the resources of the rural environment.

- **The Districts waterbodies are significant recreational and ecological resources, the values of which can be adversely affected by land use and water surface activities.**

Explanation

As noted in section 2.4 of this Plan, the Districts rivers, lakes, and wetlands are a significant recreational and ecological resource. Development and use of adjoining land; use of the waters surface; and the use of the water itself, can adversely affect these values, and in some instances these values can be lost altogether.

- **Land use and water surface activities, including structures, can have adverse effects on:**
 - (a) the stability of the beds and banks of waterbodies,**
 - (b) the habitats of plants and animals within or adjacent to waterbodies,**
 - (c) the stability of structures located in or near water bodies,**
 - (d) the amenity, natural character and landscape values of waterbodies and their margins;**
 - (e) the incidence of plant and animal pest**

Explanation

Activities such as the erection of wharves and jetties, high speed boating etc., can all adversely impact on those matters listed above and must therefore be considered by Council in controlling the effects of land use and water surface activities. These issues are also recognised by the Otago Regional Council, who have primary responsibility in respect of water quality and the beds of waterbodies. An integrated approach to resolving these issues will need to be developed between the Clutha District and Otago Regional Council.

3.6.3. OBJECTIVES AND POLICIES

OBJECTIVE WAT.1 - SAFETY AND EFFICIENCY OF NAVIGATION

To ensure that the safety and efficiency of navigation is maintained.

(Refer Policy WAT.1)

OBJECTIVE WAT.2 - RECREATION

To maintain and enhance the recreational resources of the District, particularly by maintaining, and where practicable, enhancing public access to and along the margins of the Districts waterbodies.

(Refer Policy WAT.2-3, Policy WAT.13, Policy SUB.2, and Policy FIN.9-11)

OBJECTIVE WAT.3 - ENVIRONMENT

To ensure that structures erected and activities carried out upon the water's surface or within the margins of the Districts waterbodies, avoid, remedy or mitigate adverse effects on the environment, particularly the natural character of the Districts waterbodies and their margins.

(Refer WAT.4, Policy RRA.4 and Policy RRA.5 page 199)

OBJECTIVE WAT.4 - WATER SUPPLY CATCHMENTS

To maintain, and where practicable enhance, both the quality and quantity of water within the catchment areas of the District's water supply schemes to ensure a continued safe and sustainable supply of water for the District, without compromising instream values.

(Refer Policy WAT.7-9)

OBJECTIVE WAT.5 - RURAL WATER SUPPLY SCHEMES

To protect the sustainability of the District's rural water supply schemes.

(Refer Policy WAT.10-12)

POLICY WAT.1

To ensure that any adverse effects of works carried out or structures erected upon the water's surface on the safe and efficient passage of vessels are avoided, remedied or mitigated.

Explanation

The right of navigation is paramount in the areas beyond 30 metres lakeside of the water's edge, and there is a common law right to navigate the waters of New Zealand. It is essential that this is maintained and restricted to account for specific activities that can only operate in that particular area. To maintain navigational standards, Council considers it appropriate that all structures proposed to be erected on the water surface receive resource consent.

Section 395(1A) of the Act requires Council to forward a copy of any application for land use consent for any entry onto, or passing across, the surface of a navigable river or lake to the Minister of Transport. The Minister then reports on navigational matters relating to the application, including any conditions the Minister considers appropriate.

Navigational aids, however, by virtue of Section 203 of the Harbours Act 1950 require approval of the Maritime Transport Division of the Ministry of Transport, Wellington before they can be erected and are required to meet international standards in respect of colour, shape and coding. Navigational aids are site specific and are designed to provide for the safety of shipping and vessels in general. In light of the foregoing, Council considers that navigational aids should be provided for as permitted activities.

Council also considers that signs which address safety issues should be provided for as permitted activities. These include the marking of particular areas (for example, water ski lanes); warning notices (cable or powerline crossings), information relating to use of facilities; display of safety information.

Consents may also need to be obtained from the Regional Council as they have control of structures erected on the bed of lakes and rivers.

(Refer Rule WAT.1 and Rule WAT.3)

POLICY WAT.2

To ensure that recreational activities are managed so that adverse effects on other recreational activities are avoided, remedied or mitigated.

Explanation

The District's waterways are used for a number of different recreational activities such as fishing, waterskiing, windsurfing, jet boating, yachting, canoeing and rafting. These sports all have potential to conflict with one another particularly where power boats are involved. To enable people to enjoy these sports without conflict, it may be appropriate to set aside particular areas for particular activities. The Water Recreation Regulations make provision for reserving areas of water surfaces for particular activities. Where monitoring shows a need to separate effects, Council may request the Minister of Transport to utilise these Regulations or may initiate a plan change. Table 15 indicates areas already set aside or reserved under the Regulations.

(Refer Method WAT.2 and 3 and Rule WAT.1 to 3)

POLICY WAT.3

To monitor the effects structures and activities on water surface have on fishers and passive recreationalists inshore.

Explanation

One of the greatest areas for potential conflict with water recreation is that between recreationalists utilising the banks of waterways and recreationalists using the water surface itself. Council considers it appropriate that fishers and passive recreationalists enjoyment of waterways should not be unduly restricted or disturbed by other waterway users, and consequently Council will monitor this situation.

(Refer Method WAT.2)

POLICY WAT.4

To ensure structures, land use, and water surface activities avoid, remedy, or mitigate any adverse effects that they may have on the aesthetic and ecological values (including indigenous vegetation and habitats of indigenous fauna) of the Districts waterbodies and their margins.

Explanation

Section 6 of the Act requires that the natural character of waterbody margins be preserved from inappropriate subdivision and development as a matter of national importance. Control over the appearance of structures on the water or at the waters edge is a crucial element in preserving the natural character.

(Refer Rule WAT.3)

POLICY WAT.5

To mitigate the adverse effects of noise emission from activities on the waters surface, through monitoring noise emissions and responding to complaints as appropriate.

Explanation

Noise emission from activities on the water surface will generally come from power boating activities. The Water Recreation Regulations 1979 control both excessive noise and boat speed and given that there is a common law right to navigate New Zealand waters, Council has not seen it appropriate to impose maximum noise standards for craft. Consequently Council proposes to

monitor noise emission from craft and where noise is considered to be excessive, the enforcement provisions of the Resource Management Act (enforcement orders, abatement notices, excessive noise directions) or the Water Recreation Regulations 1979 will be utilised.

Noise from permanent or fixed structures is more readily controlled and will be required to comply with levels for adjacent Resource Areas.

(Refer Method WAT.2 and Rule WAT.2)

POLICY WAT.5(A)

When considering resource consents for activities on the water's surface particular regard will be had to the adverse effects of noise and conditions may be imposed that require these effects to be avoided, remedied or mitigated

Explanation

Where resource consents are applied for (for example, where activities require the uplifting of speed limits or the reserving of areas) the adverse effects of noise will require particular consideration as they can significantly affect the health and enjoyment of others utilising other areas of water surfaces or adjoining land.

POLICY WAT.6

To assist the Otago Regional Council in identifying and controlling the adverse effects that discharges from structures and boats on the water surface, and from land use activities, can have on water quality.

Explanation

The control of discharges to water and land is a Regional Council function. Council, in its role of controlling the effects of land use, will assist the Regional Council where appropriate to ensure water quality is not adversely affected by activities on the water surface or by land use activities adjacent to water bodies.

(Refer Section 4.1 Rural Resource Area (See also 3.2.6 Wai (Water)).

POLICY WAT.7

To ensure that land use activities are managed so that adverse effects on the quality and quantity of water in the Districts Water Supply Catchments are avoided, remedied or mitigated.

Explanation

While Council utilises filters and treatment programmes to produce safe drinking water for the Districts people, any increase in sediment or pollutants significantly increases the cost of these treatment programmes and can undermine the future operation of such schemes. The effects of activities such as inappropriate wetland drainage and vegetation clearance and in some circumstances intensive grazing, can have effects such as increased sedimentation and increased runoff, with a resultant decrease in quality and quantity.

(Refer Rule WAT.4 and Section 4.1 Rural Resource Area, and Rule RRA.8)

POLICY WAT.8

To encourage the development of high-water demand land uses in areas with adequate water supply.

Explanation

Some land uses (such as dairy farms, rural industries) can have a high demand for water. While the Plan does not direct development to particular areas of the District, Council will encourage activities with high water demands to locate in areas with sufficient supply to ensure adverse effects on both the quality and quantity of the District's water resources are mitigated.

POLICY WAT.9

To continue to monitor the water quality and quantity in the Districts water supply catchments.

Explanation

Monitoring catchment water quality enables Council to establish whether its objectives, policies and methods are achieving their aim. It is also a good "state of the environment" indicator.

(Refer Section 1.3 Monitoring and Review of Plan and Method WAT.2)

POLICY WAT.10

To require that provision be made for independent water connections and storage facilities where land serviced by a rural water supply schemes is subdivided or transferred.

Explanation

This policy will allow Council to retain control over the distribution of water from rural water schemes and thereby ensuring the economic viability of the scheme.

(Refer Rule WAT.5)

POLICY WAT.11

To require the payment of capital contribution fees and connection fees to Rural Water Supply Schemes where appropriate.

Explanation

Those who benefit from the scheme should pay to use it. Capital contribution will be required when water is to be supplied to an area that has not previously paid such contribution, while connection fees will be required for newly created parcels being serviced.

(Refer Rule WAT.5)

POLICY WAT.12

To set a maximum and minimum Rural Water Supply Scheme unit allocation per allotment on the basis of the scheme's capacity.

Explanation

A metric unit comprises 1000 litres per day. A minimum economic unit allocation based on this measurement will be established to ensure the viability of the district's water schemes is protected. A maximum figure will also be established to ensure that the design capacity of the scheme is not overloaded.

Existing consumers are generally not permitted to reduce the numbers of units a property receives as it can greatly impact on the viability of the scheme. However, there are circumstances where a reduction can be granted. This will generally only be done where the balance property will retain the existing water units or the scheme is being developed beyond design capacity.

(Refer Rule WAT.5)

POLICY WAT.13

To ensure that the development and operation of land use and surface water activities maintain and, where practicable enhance public access to and along the Districts waterbodies.

Explanation

Maintenance and enhancement of public access to and along the margins of waterbodies is a matter of national importance by virtue of section 6 of the Act. The development of land and operation of activities has the potential to compromise public access. Consequently, Council will ensure existing access is protected, while further access opportunities are provided (where appropriate) by the use of esplanade reserves, esplanade strips, and access strips, as the circumstances warrant. Furthermore, development that may compromise future access options will generally not be permitted unless such access can be adequately provided.

(Refer Rule WAT.1-3 and Rule FIN.8)

3.6.4. RULES

RULE WAT.1 UPLIFTING SPEED LIMITS AND RESERVING AREAS OF WATER SURFACES

Any activity that seeks to uplift speed limits, reserve areas for specific uses or modify the Water Recreation Regulations 1979 in any way shall first require a resource consent as a restricted discretionary activity.

Council shall restrict the exercise of its discretion to the following matters:

- the effects of noise
- the effects on wildlife, including fish species
- the effects of wave generation
- the effects on safety and navigation,
- the effects on buildings or structures on the shore,
- impact on other users and adjoining land,
- conflicts of resource allocation.

Any application for resource consent under this rule shall generally be considered without notification or written consent of affected people, although where considered appropriate, Council shall refer any such applications to bodies such as the Otago Fish and Game Council, the Otago Regional Council, the Department of Conservation, and adjoining territorial authorities for comment.

Note: Council would also draw applicant's attention to the fact that Clutha District shares boundaries with Dunedin City, Central Otago, Gore and Southland Districts down the centreline of waterbodies. Consequently, any application under this rule may require consent from two territorial authorities, which may involve joint hearings.

Note: Applicants should be aware that where structures are to be attached to the bed of any waterbody, consent may also be required from the Otago Regional Council.

REASON

All activities (excluding the erection of structures) undertaken on the surface of any waterbody in the District (excluding Lake Waihola) are subject to the provisions of the Water Recreation Regulations 1979.

These regulations provide for the following matters:

- the control of excessive noise by small motorcraft
- age limits for operating small motorcraft
- speed restrictions on small craft (not to exceed 5 knots within 30 metres of any other craft or person in the water, or within 200 metres of the shore or any structure)
- imposes a general duty to mitigate the effects of waves breaking against the shore or any structure
- safety measures in respect of water skiing
- provides for reserving areas of water for surfboards, waterskiing and other activities

Because of these regulations, Council has not regulated activities further and therefore all activities (excluding structures) are permitted provided they comply with these regulations.

The reservation of areas, uplifting of speed limits, and other modifications of these regulations is the responsibility of the Minister of Transport. However, in assessing any application to modify the regulations, the Minister's concerns now lies in the area of navigational safety only. It is now Council's responsibility to address the other effects outlined above and consequently the most appropriate option was to treat any activity that requires the regulations to be modified as a restricted discretionary activity. This enables Council to refuse consent where it is considered necessary, while being a flexible enough approach to dispense with notification requirements where effects are minor.

Table 15 identifies those waterways that have had the speed restriction uplifted and areas specifically reserved pursuant to the provisions of the Water Recreation Regulations 1979 by notice in the gazette.

The waters of Lake Waihola are subject to the "Waihola Domain Board Lakeshore Controlled Waters and Protected Anchorages Bylaw No 1." This bylaw is administered by Council and regulates activities (excluding structures) in a similar manner to the Water Recreation Regulations.

RULE WAT.2 NOISE

The emission of noise from any permanent or fixed structure on the water's surface shall not exceed the noise levels specified for the adjacent Resource Area at the edge of the water body.

REASON

As structures on the water surface are generally located near reserves or other areas occupied by people, it was considered reasonable to control noise emission from them. This rule ensures that noise emission from structures conforms with rules for the adjoining resource area, thereby ensuring effects on adjoining occupiers is kept to a minimum.

Noise from craft, however, is not subject to this rule for the following reasons:

- i. There is a common law right to navigate New Zealand waters, and
- ii. The Water Recreation Regulations 1979 control excessive noise from craft and restrict speed limits, and
- iii. The Resource Management Act imposes a duty to avoid unreasonable noise when carrying out activities in or on the water surface, by adopting the best practicable option to ensure noise does not exceed a reasonable level (see Section 16 of the Act), and
- iv. Craft, in the main, generally operate away from reserves and other areas occupied by people.

Furthermore, the Resource Management Act contains a number of enforcement provisions that can be utilised to control objectionable or excessive noise such as enforcement orders (section 314); abatement notices (section 322) and excessive noise direction (section 327)

Noise from craft may, however, be controlled when applications under *Rule WAT.1* are considered.

RULE WAT.3 STRUCTURES AND BUILDINGS

(I) DISCRETIONARY ACTIVITIES

Except as provided for (ii) below, structures on any water surface of any water body, or within 20 metres of the shore or bank of

- any stream or river 3 metres in width or greater;
- any wetland or lake identified in Table 13.5;
- any other wetland lake 2 hectares or greater;
- any waterbody within those water supply catchments identified on the planning maps
- any waterbody identified in Schedule 6.6
- in any Urban, Transitional or Rural Settlement Area or within 50 metres of the bank of any such defined water body in any Rural or Coastal Resource Area, are discretionary activities.

ASSESSMENT CRITERIA - NOT PART OF THIS RULE

In deciding any application, Council shall consider, along with the matters set out in Section 104 of the Act, the following matters:

- Necessity of the structure or work.
- The structure or works impact on the safe and efficient passage of vessels (pursuant to section 395 of the Act, the Minister of Transport's recommendation will be considered on this issue).
- Safe entry and exit of vessels using the facility.

- Design and appearance in the context of the local environment.
- Alternative locations and designs.
- Impact on public access to the waterbody.
- Impact on recreational uses.
- Potential likelihood of flooding or erosion as a result of the activity.
- Impact on indigenous vegetation and wildlife.
- the impact on natural character of the margin of the waterbody.
- the impact on amenity values.
- the impact on intrinsic values of ecosystems, including aquatic ecosystems and the habitat of native fish, trout and salmon.
- the impact on the safe and efficient operation of the roading network.

(II) PERMITTED ACTIVITIES

Provided their placement does not adversely affect public access to or along the margin of the waterbody or navigation of craft on the surface and disturbance to the margins of the waterbody is minor, the following are permitted activities within those areas outlined in (i) above;

- Lighthouses, navigational aids, beacons and other structures whose sole or primary purpose is to provide for public safety
- Fences provided that where public access is permitted adequate provision is made for continuance of that access (e.g. the use of gates, styles, etc).
- River flow recording facilities no larger than 2.5m x 1.5m in area and 2 metres in height and their design and colour blends with the environment
- Warning and safety information signs not exceeding 3m²
- Moorings and anchors
- Bridges and culverts associated with internal access tracks provided fish passage is not restricted and scouring is prevented
- Structures necessary for the taking of water, including pumphouses and treatment plants no larger than 2.5m x 1.5m in area and 2 metres in height and provided their design and colour blends with the environment.

Note: Where any of these structures are to be attached to the bed of any waterbody consent may be required from the Regional Council.

MAIMAI

The erection or placement of a temporary maimai on the margin of any waterbody or on the water's surface is a permitted activity provided:

- i. Any disturbance to the margin of the waterbody is minor;
- ii. The structure is a maximum size of 4 m²;
- iii. The structure is open piled;
- iv. The placement of the structure complies with the regulations controlling maimai placement set out in the Wildlife Act 'Regulations and Hunting conditions.
- v. Written notice of the erection or placement and location is given to the Clutha District Council before it is used;
- vi. Safe and efficient navigation is not compromised;

vii. It does not contravene any other relevant rule in this Plan.

Note: Where any of these structures are to be attached to the bed of any waterbody consent may be required from the Regional Council.

WHITEBAIT STANDS

The erection or placement of a whitebait stand on the margin of any water body is a permitted activity provided:

- i. any disturbance to the margin of the water body is minor;
- ii. The structure is open piled;
- iii. The dimension of the structure perpendicular to the flow of water is either less than ten percent of the width of the waterbody or three metres, whichever is less;
- iv. The structure is at least 20 metres from any neighbouring structure, tide gate, flood gate, confluence or culvert.
- v. Written notice of the erection or placement and location is given to the Clutha District Council before it is used;
- vi. The structure is erected or placed and subsequently removed between 15 July and 30 December of any year;
- vii. Safe and efficient navigation is not compromised;
- viii. It does not contravene any other relevant rule in this Plan.

Note: Where any of these structures are to be attached to the bed of any waterbody consent may be required from the Regional Council.

REASON

Council is required to preserve the natural character of waterbody margins and consider the effects of activities in terms of the environment including the safety factors. Council considers the only way all the relevant factors can be assessed is to provide for permanent structures on or adjacent to the margins of waterbodies as discretionary activities. Temporary structures for recreational purposes are considered to have minimal impact provided adverse effects are mitigated. Section (ii) of the rule will be reviewed when the Otago Regional Plan: Water is developed.

RULE WAT.4 SPECIAL WATER SUPPLY CATCHMENTS

In addition to the rules and performance standards applying under Section 4.1 Rural Resource Area, the following special provisions shall apply to the following Rural Water Supply Catchment;

A. CLYDEVALE SCHEME CATCHMENT

The catchment area for the Clydevale Scheme is Back Stream shown on Planning Maps G44C, G44D, G45A and G45B.

Within the catchment the following rules apply:

1. INDIGENOUS VEGETATION

Removal of indigenous vegetation

- (a) within 20 metres of a permanently wet or continually flowing waterbody, or
- (b) exceeding 10m² in any other part of the catchment in any 6 month period

is a discretionary activity

2. EXOTIC TREE HARVEST

The removal of exotic trees planted for harvesting purposes is a permitted activity (except as provided for by Rule RRA.8) provided any disturbance to land does not have a significant adverse effect on water quality or indigenous riparian vegetation.

3. ANY ACTIVITY THAT HAS A SIGNIFICANT ADVERSE EFFECT ON THE QUALITY AND QUANTITY OF WATER, HABITAT OR VEGETATION OF ANY WETLAND LOCATED WITHIN THE CATCHMENT IS A NON-COMPLYING ACTIVITY.

For the purpose of this rule, wetland does not include land that has been developed and is currently used for production purposes.

B. LAWRENCE, NORTH BRUCE AND TUAPEKA WEST SCHEME CATCHMENTS.

The catchment area for the Lawrence Scheme comprises those streams supplying Phoenix Dam shown on Planning Map H44C.

The catchment area for the North Bruce Scheme comprises the Meggat Burn shown on Planning Maps H45B and H44D.

The catchment area for the Tuapeka West Scheme comprises that part of the Tuapeka River shown on Planning Maps G44D and H44C.

Within these catchments the following rules apply;

1. SOIL DISTURBANCE ACTIVITIES

The disturbance of soil (including the removal of vegetation, and the planting and harvesting of trees for commercial purposes) is a permitted activity provided that where such activities occur within 20 metres of a permanently wet or continually flowing waterbody within these supply catchments they shall be considered as a restricted discretionary activity. Council shall restrict the exercise of its discretion to the activities impact on the waterbody. Any application for resource consent under this rule shall generally be considered without notification or written consent of affected people.

2. WETLANDS

Any activity that has a significant adverse effect on the quality and quantity of water, habitat or vegetation of any wetland located within these catchments is a non-complying activity.

For the purposes of this rule wetland does not include land that has been developed and is currently used for production purposes.

C. TAPANUI SCHEME CATCHMENT

The catchment area for the Tapanui Scheme comprises Whisky Creek as shown on Planning Map G45A.

Within this catchment the following rules apply;

1. INDIGENOUS VEGETATION

Removal of indigenous vegetation

- (a) within 20 metres of a permanently wet or continually flowing waterbody, or
- (b) exceeding 10m² in any other part of the catchment in any 6 month period

is a discretionary activity.

2. SOIL DISTURBANCE ACTIVITIES

The disturbance of soil (excluding minor disturbance involved in removal of undesirable weeds or plants) within 20 metres of a permanently wet or continually flowing waterbody within the catchment is a discretionary activity.

3. WETLANDS

Any activity that has a significant adverse effect upon the quality and quantity of water habitat and vegetation of any wetland located within this catchment is a non-complying activity.

For the purposes of this rule, wetland does not include land that has been developed and is currently used for production purposes.

D. GLENKENICH SCHEME ALTERNATE SUPPLY CATCHMENT

The alternative supply catchment for the Glenkenich Scheme is Greens Creek shown on Planning Map F44D and G44C.

Within this catchment the following rules apply;

1. SOIL DISTURBANCE ACTIVITIES

The disturbance of soil (excluding minor disturbance involved in removal of undesirable weeds or plants, and the planting of vegetation but not including its harvest) within 20 metres of a permanently wet or continually flowing waterbody within this catchment is a restricted discretionary activity. Council shall restrict the exercise of its discretion to the activities impact on the waterbody. Any application for resource consent under this rule shall generally be considered without notification or written consent of affected people.

2. WETLANDS

Any activity that has a significant adverse effect upon the quality and quantity of water, habitat, and vegetation of any wetland located within this catchment is a non-complying activity. For the purpose of this rule, wetland does not include land that has been developed and is currently used for production purposes.

REASON

Of the 21 water schemes servicing the District, seven of the catchments have been identified as being at risk from the adverse effects that land use activities can have on water quality. Poor water quality has a significant effect on the viability of the water schemes serviced by these

catchments. Controlling adverse effects will promote the sustainable management of these resources, enabling people to provide for the health and wellbeing, while sustaining the resource for future generations, safe-guarding the life-supporting capacity of the water, and mitigating significant adverse effects on the environment.

One of these catchment areas, Timber Creek which supplies the Moa Flat Scheme, is located in the Central Otago District and consequently is not subject to this plan. Specific rules have been developed for the six remaining catchments identified above.

The schemes not subject to specific rules, draw water from large catchments such as the Clutha, Pomahaka, Tokomairiro or Waitahuna Rivers, which makes it difficult to apply rules for such large areas. Council considers that the general performance standards for the Rural Resource Area are adequate for the protection of those particular catchments. Furthermore, the volume of water in these water bodies keeps water quality at a level at which it can be treated on a sustainable basis.

RULE WAT.5 RURAL WATER SUPPLY SCHEMES

(I) INDEPENDENT STORAGE

Where any land is serviced by any rural water supply scheme and the supply to that land is to be affected by an activity (in particular subdivision or sale of part or all of the land) the owner shall consult with Council in order to determine the necessary reallocation of the water units servicing that land. Furthermore, the landowner shall establish independent storage facilities and water connections for each parcel of land being created or each parcel of land or title being disposed of. Such work is to be completed to a standard satisfactory to Council and shall also comply with such other rules of this Plan as appropriate.

REASON

This rule will overcome the effects development and disposal of land has on the efficiency and sustainable management of the Districts rural environment, in this case the rural water supply scheme resource.

(II) TERMS AND CONDITIONS OF SUPPLY

All connections to rural water supply schemes shall be in accordance with the terms and conditions set out in the Clutha District Council's General Bylaw, Part 7 Water.

REASON

Part 7 (water) of the Clutha District Council's General Bylaw applies to all water supplies under the care, control and management of the Clutha District Council. The purpose of the bylaw is to control the use of the water scheme and protect Council's ability to supply water safely and efficiently. It is not considered appropriate to repeat the contents of the Bylaw in the District plan. This provision merely highlights the need to comply with Council's bylaw on this issue.

3.6.5. OTHER METHODS

METHOD WAT.1 LAKE TUAKITOTO MANAGEMENT STRATEGY

The Lake Tuakitoto catchment area (shown on Planning Maps H45C, H45D, H46A and H46B) is subject to a Local Water Conservation Notice and the Lake Tuakitoto Management Strategy. All activities located or operating within this catchment area are subject to the provisions of these documents.

REASON

This method merely highlights the existence of a Regional Plan and Management Strategy developed to mitigate the effects that activities undertaken in the catchment area of Lake Tuakitoto have on the values of that Lake. The rules of the Local Water Conservation Notice within the Regional Plan take precedence over the provisions of the District Plan in so far as they relate to water quality and water quantity of the lake and wetland complex.

METHOD WAT.2 MONITORING

Council shall assess the effectiveness of these policies and rules by

- analysis of complaints received from resource users (including recreationalists) particularly in respect of noise created by craft using the water's surface
- liaising with the Department of Health in respect of their water quality surveys in the Districts Water Supply Catchment areas.
- monitor the effect of subdivision on Rural Water Supply Schemes.

METHOD WAT.3 RESOURCE USE CONFLICT RESOLUTION

In the event that Council's monitoring programme identifies conflicts of recreational resource use, Council, where it is considered appropriate, shall in consultation with affected parties, pursue either of the following courses of action,

- i. request the Minister of Transport to utilise the Water Recreation Regulations 1979 to reserve areas of water surface for particular activities (within the power of those Regulations), or
- ii. where the matters of conflict cannot be resolved by regulation under the Water Recreation Regulations 1979, initiate a plan change.

REASON

As pointed out in the issues and *Policy WAT.2*, there is always potential for conflict in the use of the districts areas of water surface. Where the standards of this Plan and the Water Recreation Regulations 1979 are not adequately addressing any areas of resource use conflict, the above methods are seen as the best approach by Council to resolve such conflict.

3.6.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Safety and efficiency of navigation to be maintained.
2. Fishing and passive recreationalist interests protected.
3. Recreation opportunities to be maintained and enhanced.
4. Water quality and habitat to be maintained and enhanced.
5. Incompatible uses to be separated.
6. Noise to be kept to acceptable levels.
7. Aesthetic qualities not to be undermined.
8. Viability of Rural Water Supply Scheme protected.

Table 15: Waterbodies of the Clutha District Where Speed Limits Have Been Uplifted or Areas Reserved Pursuant to the Water Recreation Regulations 1979

WATERWAY	REGULATION AFFECTED	N.Z. GAZETTE REFERENCE	DESCRIPTION/ COMMENT
Lake Mahinerangi	7(1)a and b, 7(2) 8(1)a and b, 8(2)	22.3.73 p.525	Near Waipori Power Station No.1 except Loch Loudon Arm, marked with marker posts.
Clutha River	7(1)a and b, 7(2) 8(1)a and b, 8(2)	17.12.92 p.4524	Upriver from Railbridge at Balclutha
Taieri River	7(1)a and b, 7(2) 8(1)a and b, 8(2)	14.9.78 p.2532	From 200m upstream of Taieri Mouth Bridge to Waipori River Bridge *
Waipori River	7(1)a and b, 7(2) 8(1)a and b, 8(2)	14.9.78 p.2532	From 200m upstream of Taieri Mouth Bridge to Waipori River Bridge *

* *Note: The Clutha District shares a boundary with Dunedin City down the centre of part of these rivers. Please check planning maps to establish precise location of common boundaries.*

3.7. SUBDIVISION

3.7.1. OVERVIEW

Subdivision requires specific consent under section 87(b) of the Act.

Management of the physical act of subdivision, either of land or buildings, has historically been a planning technique used to regulate land use. The Resource Management Act now requires consideration of the effects of subdivision.

In much the same way as subdivision was not considered to be a land use under the Town and Country Planning Act, subdivision while it is an activity controlled under the Resource Management Act, is not a land use activity as such as the creation of a new allotment on a plan has, in itself, no direct effects upon the environment.

However, while subdivision is a legal mechanism for changing the boundaries, sizes, and ownership of parcels of land, it is also a physical process that, in most cases, can have very direct effects upon the environment. The removal of vegetation and earthworks, associated road construction, physical access to public roads, and the provision of reticulated services that prepare the land for a change in ownership and possibly a change in land use, represent very real examples of changes which have an effect upon the natural and physical resources of the District.

Furthermore, the design of the subdivision itself can have a significant effect on future development options, particularly in terms of service infrastructure within the urban environment and can also affect public access to natural resources.

Consequently, Council considers it better to identify and deal with these effects at the earliest possible stage so as to avoid problems at a later stage.

Subdivision also gives rise to expectations of future development and occupation by new owners, for example, new or additional houses or an intensification of activities.

In these circumstances, the real issue that arises from subdivision is not actually the subdivision itself, but the use or activity that is ultimately permitted on that parcel of land and the effects that arise from that use.

The activity or use that is to establish on the site after it is subdivided will be subject to the rules and performance standards of other sections of the Plan, and may require additional resource consents. The onus is therefore on the developer to be conscious of what activity is to follow the subdivision to ensure that its design and services are appropriate to its intended use.

THE PRESUMPTION MADE IN THE PAST, THAT ONCE LAND HAS BEEN SUBDIVIDED A LAND USE CONSENT (PARTICULARLY FOR A DWELLING HOUSE) WILL AUTOMATICALLY BE GRANTED, SHOULD NOT BE MADE IN THIS DISTRICT PLAN.

Council's previous powers of control over subdivision were derived mainly from the provisions of the Local Government Act 1974. The Resource Management Act 1991 now deals with both subdivision and land use. The same section of the Act applies when Council is making a decision in respect of subdivision and land use consents.

The Act also clarifies the relationship between freehold, cross lease and unit title subdivisions in the District Plan. Crosslease and unit title development are now considered subdivisions and are subject to the control of the Plan.

The issues affecting both the legal mechanism and physical process of subdivision are now addressed in four ways.

1. The District Plan will address the circumstances, by way of objectives, policies and rules, in which subdivision can occur throughout the District.
2. The provision of services and all financial matters relating to their provision, and contributions either in land or money for reserves, will be specified in the District Plan.
3. The construction standards required in the physical development and servicing of a subdivision will be those specified under NZS 4404, which may be modified to suit Council's specific requirements.
4. Subsequent land use on the site is subject to separate objectives, policies and rules of the Plan, and if not permitted will require a separate resource consent.

The Otago Regional Council may also have a role to play in respect of the physical aspect of the subdivision process where discharges to land or water are involved.

No person may discharge any:

- (a) Contaminant or water into water; or
- (b) Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
- (c) Contaminant into or onto land from any place or any other source

unless it is provided for by the regional plan, proposed regional plan, a resource consent or regulations.

3.7.2. THE ISSUES

- **Inappropriate subdivision can create a demand for the unsustainable development of public network resources.**

Explanation

Subdivision, particularly in urban or on the fringe of urban areas, can have a significant effect on public services such as water, stormwater and sewerage reticulation, and the roading resource. Inappropriate subdivision can create pressure to extend services to a level where the general public cannot sustain them.

- **Subdivision controls under previous legislation often set arbitrary minimum area requirements or 'economic unit' controls which had little or no relationship to the ultimate use of that land.**

Explanation

Previous controls were often arbitrary and inflexible, and did not readily adjust to changes in the economy, technology or the market.

- **Consent to subdivision in the past, often lead to the presumption that consent to the subsequent land use would automatically follow.**

Explanation

Subdivision has often been used as the 'control' mechanism for subsequent land use. This approach is no longer applicable under the "effects based" approach.

- **The design and servicing of a subdivision can have a significant influence on the sustainable management of the districts natural and physical resources**

Explanation

Design of any subdivision must ensure that the resource is capable of being used efficiently. Consequently, developers will need to be conscious of the ultimate use of the resource before a subdivision is designed.

The servicing of a subdivision may also involve discharges to land or water which can significantly affect the sustainable management of the Districts natural and physical resources. Consent in these circumstances may be required from the Otago Regional Council.

- **Subdivision can lead to closer settlement of land which can have an adverse effect on public access to the Districts reserves, waterbodies and other public lands.**

Explanation

Maintaining and enhancing public access to the recreational resources of the District can be made more difficult when land use intensifies. This is because people accessing these resources generally have less effect in terms of impacting on property management practices and privacy of occupants of large properties, than on more intensively used properties. Furthermore, negotiating public access rights is an easier task when dealing with a small number of landowners

3.7.3. OBJECTIVES AND POLICIES

OBJECTIVE SUB.1

To provide a flexible approach to both urban and rural subdivision that allows, in the majority of circumstances, the market to dictate allotment size, while ensuring adverse effects are avoided, remedied or mitigated.

Explanation

In adopting this approach to subdivision, Council is conscious of the potential problems that may arise through this change in philosophy.

While it is accepted that many other Councils may stay with the historical approach, Council believes the Resource Management Act offers the opportunity to overcome the problems that were inherent in the "economic unit" type controls and the anomalies that they created in Rural Subdivision.

The preference therefore, is towards a system whereby each case is treated on its merits rather than pre-determining a minimum area which, in many cases, has little or no relationship to the ultimate use of the land or the effect of that use on adjoining properties or the environment.

(Refer Policy SUB 1, 2, 3 and 5).

OBJECTIVE SUB.2

To ensure that subdivision and development promotes sustainable management of the districts natural and physical resources.

Explanation

As discussed in 3.7.1 Overview, merely creating a new title should have little physical effect on the environment, however it has a significant influence on the efficient use and development of the District's resources. Subdivision must not compromise the achievement of sustainable development.

(Refer Policy SUB.1 to 11)

OBJECTIVE SUB.3

To maintain and enhance public access to the natural and physical resources of the District, in particular the District waterbodies, coastline and recreational resources by ensuring subdivision makes appropriate provision for such access.

Explanation

This objective will ensure that subdivision and any resultant closer settlement maintains and, where appropriate, provides for public access to the Districts recreational resources.

(Refer Policy SUB.11 and Policy FIN.9 to 11)

OBJECTIVE SUB.4 NATURAL HAZARDS

Subdivisions take into account the physical limitations of the land and are designed to ensure risk from any such limitations is appropriately avoided or mitigated.

POLICY SUB.1

To establish subdivisional consent procedures which are simple and easily understood.

Explanation

Council wishes to simplify and streamline the consent process wherever possible. There are many situations where delegated authority can be used to process applications. For example, simple boundary adjustments and amendments to flat plans which comply with the building requirements can be processed as an administrative function. While technically boundary adjustments are a form of subdivision, Council believes there is no valid reason why they should not be processed in this fashion.

Furthermore, some parts of the previous procedure (under the Local Government Act) were an essential part of the process and Council considers they should be continued. A good example of this is the scheme plan which clearly illustrated, in diagrammatic form, the intention of the proposal.

(Refer Rule SUB.5).

POLICY SUB.2

To avoid, remedy or mitigate the adverse effects on the District's natural and physical resources that subdivision may have, including public access to these resources.

Explanation

As explained in *Objective SUB.2*, subdivision can have a significant effect on the sustainability of the District's resources. Controlling certain aspects of the development process, which often begins with subdivision, will ensure development is sustainable. As noted in the issues, subdivision can adversely impact on public access to the Districts recreational resources. Where this is a possibility, subdivision will need to maintain or enhance access opportunities.

(Refer Rule SUB.1 to 4 and Rule FIN.8)

POLICY SUB.3

To provide for the majority of subdivisions as restricted discretionary activities.

Explanation

It is Council's view that the issues that have to be addressed at the time of subdivision are primarily the confirmation of the physical suitability of the land in anticipation of a change in land use, and the effect subdivision may have on public services.

The issues that arise at this stage are largely matters which affect the Council on behalf of the community and the owner of the land at that time and can generally be dealt with by way of conditions of consent. Very rarely does it affect other parties. Consequently, the majority of these subdivisions will not require the consent of adjoining owners or public notification.

The exception to this situation is where a subdivision may front a State highway. In situations where there is a change of use or the State highway is a limited access road, the question of access is referred to the NZ Transport Agency for comment.

(Refer Rule SUB.1)

POLICY SUB.4

To facilitate innovative design for subdivision.

Explanation

To promote the efficient use of resources and to facilitate innovative design, the District Plan prescribes minimum site areas for subdivision in the Rural Settlement and Transitional Resource Area only. However, it therefore becomes necessary to set out the assessment criteria upon which Council will judge each subdivisional application.

(Refer Rule SUB.1)

POLICY SUB.5

To ensure the adverse effects of servicing both existing and proposed subdivisions of land and buildings are avoided, remedied or mitigated by providing engineering, design and other site performance standards.

Explanation

In order to establish the basis of design criteria and to minimise the likelihood of dispute during the subdivisional process, Council has adopted NZS 4404 as the basis of engineering design within the District. Council believes that it is highly desirable that clear standards and requirements for engineering subdivisional design be established.

It is important to recognise that NZS4404 must be read as part of the subdivisional requirements for this District Plan.

Other performance standards relating to natural hazards, access, waste disposal etc must also be met. Discharges to land or water may require consent from the Otago Regional Council. The Plan also contains performance standards in relation to the consequent land use activity.

(Refer Rule SUB.4)

POLICY SUB.6

To ensure the adverse effects of providing roading and physical access to both existing and proposed subdivisions of land and buildings are avoided, remedied or mitigated.

Explanation

Creating separate ownership often results in a need for new entrances onto the existing roading system. If the new properties cannot access existing roads at a point with adequate visibility, the potential for accidents increases. Furthermore, frequent access points can impact adversely on the free flow of traffic, reducing efficiency.

Council has an interest in this issue to ensure that the roads that it administers operate safely and efficiently. There is also an additional responsibility placed upon Council in taking over new roads once subdivision or development is complete.

Where individual properties are utilising a common entrance point, the parameters upon which physical access can be shared are established.

These parameters have been in place for some years throughout the District and have proved to be an appropriate performance standard.

(Refer Rule SUB.1(d)D and Rule SUB.4(B)

POLICY SUB.7

To avoid the adverse effects that subdivision can have on public utility services.

Explanation

Within the District Plan there are a number of areas which have been identified for use for urban purposes.

Within these urban areas, there are two distinct categories.

- 1) Those areas for which Council has provided a reticulated system for water and sewerage disposal.
- 2) Those areas for which provision has been made for urban settlement but no provision has been made for a reticulated system of network utility services in the form of water and sewerage disposal.

(See Policy SUB.8)

Where the services are available, Council has generally defined the Urban Resource Areas in this District Plan as being determined by the area which is capable of accommodating the urban development within the design parameter of the existing systems.

Subdivisions will be assessed to determine what impact they have on reticulation systems. Adverse effects on these systems must be fully compensated for.

(Refer Rule SUB.1(d).D)

POLICY SUB.8

To ensure that allotments created for residential purpose can safely and adequately dispose of domestic effluent without contaminating any waterbodies.

Explanation

In those urban areas where no public network utility services of water and sewerage disposal have been provided, the minimum site area shall be determined following appropriate sub soil testing. Sites to be used for residential purposes will need to be capable of adequately disposing of domestic waste. The cumulative effects of this type of disposal will also be a factor taken into consideration. Consent may be required from the Regional Council for discharge of effluent to water or discharges to land, in circumstances where contaminants may enter water.

(Refer Rule SUB.4.C(4))

POLICY SUB.9

To ensure that allotments for residential purposes contain a hazard free building site.

Explanation

Council has a duty under both the Resource Management Act and the Building Act to avoid or mitigate the adverse effects of natural hazards. Natural hazards are a constraint which should be identified and considered at the subdivision stage rather than at the building stage. They arise because of the particular circumstances of a site, and it is considered more appropriate to forewarn prospective purchasers through caveats on the title at the subdivision stage, rather than being left to the point in time when buildings are proposed to be erected on a site.

Where possible known natural hazards will be identified as hazard sites on the District Plan Maps. In some instances, the existence of some hazards (such as instability and subsidence) may not be known and therefore the Planning Maps cannot be taken as absolute proof that hazards do not exist at a site. The Planning Maps will be updated as more information on hazards becomes available.

(Refer Rule SUB.1B and 4.A(1) and Section 3.9 Natural Hazards).

POLICY SUB.10

To ensure that subdivision does not facilitate development that may adversely affect:

- the natural character of the coastal environment (including the coastal marine area), wetlands, lakes and rivers, and their margins
- outstanding natural features and landscapes
- areas of significant indigenous vegetation and significant habitats of indigenous fauna

Explanation

Throughout the District there are areas that are significant because their natural qualities, including the visual diversity of their scenic attractions. Areas in this category, amongst others, include the Catlins locality and the Coastal Resource Area. Subdivision in these areas will be subject to a more rigorous test in respect of the effect on natural values.

(see Rule SUB.1(d)A(2) and C)

POLICY SUB.11

To refuse to grant a subdivision consent in circumstances where the proposed subdivision would not be in the public interest, including the following circumstances;

- (a) the subdivision would result in the expenditure of ratepayer's money, either as part of supplying services to the subdivision or as on-going maintenance of services supplied to the subdivision that has no benefit to the general ratepayers of the District
- (b) the subdivision would result in the restriction of public access rights to and/or along the coast, lakes and rivers, and other recreational, historical or culturally important sites or resources.

Explanation

Notwithstanding the fact that a proposed subdivision may have met all the requirements of the Plan, there are circumstances where it is not in the interest of the public at large to grant consent to a subdivision. Unless matters of public interest are addressed in the first instance by subdividing owners, subdivision consents will not be granted.

(Refer Rule SUB.1(d)F)

POLICY SUB.12 SITES SUBJECT TO NATURAL HAZARDS

With respect to land that is, or is likely to be, subject to the effects of natural hazards or contains significant drainage systems, Council shall only grant a subdivision consent where either:

- (a) The area of the subdivision to be used for building or other development purposes is unlikely to be subject to material damage from natural hazards; or
- (b) The subdivision an intended land use will not impede or alter the flow and efficiency of the drainage system; or
- (c) The subdivision is a boundary adjustment and/or is not materially changing the land use status quo; or

- (d) The purpose of the subdivision is to facilitate land stabilisation, erosion protection, flood protection or some other method of avoiding, remedying or mitigating the effects of the natural hazard; or
- (e) The effects of the natural hazard can be avoided or mitigated by conditions attached to the consent including the provision of appropriate works, the adoption of minimum floor levels and controls on earthworks; or
- (f) Other exceptional circumstances exist; or
- (g) If there are no effects beyond the area of the subdivision, (including on the flow and efficiency of any significant drainage system) the subdivider is willing to accept any potential risk and is prepared to have the resultant certificates of title registered accordingly.

3.7.4. RULES

RULE SUB.1. CONTROLLED AND RESTRICTED DISCRETIONARY ACTIVITIES

- (a) All subdivision of land within the Industrial Resource Area (Toko Plains) shall be a controlled activity.

Council's control shall be restricted to the matters of control set out in Rule SUB.1 and subdivision performance standards under Rule SUB.4.

- (b) Minor boundary adjustments and amendments to flat plans where building works comply with the provisions of the District Plan will be considered as a restricted discretionary activity, and Council shall restrict the exercise of its discretion to the creation of appropriate easements.
- (c) For the purposes of this section, boundary adjustment means a minor adjustment of boundaries between adjoining properties (being either one land holding or one certificate of title) for the purpose of,
 - (i) recognising and providing for the logical physical boundary as the actual legal boundary of a property, including minor adjustments due to road severance, movement in waterbodies, and the lands contour in respect of fence lines, or
 - (ii) facilitating the reduction or increase in residential yard space to provide for increased family outdoor leisure areas, the erection of accessory buildings, reduction in an elderly persons open space, or
 - (iii) for other similar purposes.

REASON

Council considers that these activities can be dealt with by way of delegated authority. Consideration was given to classifying these subdivision types as "permitted activities" however there is often the need to create easements by way of condition. Furthermore, what constitutes a boundary adjustment is often debatable.

- (d) Subdivision in the Rural Settlement Resource Area (other than in those settlements listed in Rule SUB.3 or affected by Rule SUB.2(b) below) that complies with the following standards:

- (i) the site has a minimum area of not less than 1600m² PROVIDED that this does not apply to network and public utilities and
- (ii) the site is capable of the adequate and safe disposal of effluent in terms of Rule RST.8.
- (iii) the standards set out in Rule SUB.4 are met.

is a restricted discretionary activity. Council shall restrict the exercise of its discretion to those matters set out in subsection (f) below.

- (e) Subdivision in the Urban, Transitional, Industrial and Rural Resource Areas (other than those subdivisions provided for in Rule SUB.2(b) below) that complies with the standards set out in Rule SUB.4 are restricted discretionary activities. Council shall restrict the exercise of its discretion to those matters set out in subsection (f) below.

PROVIDED THAT

Subdivision to below a site area of 4000m² in the Transitional Resource Area (other than for network and public utilities) is a prohibited activity until such time as the site is fully reticulated.

REASON

Restricted Discretionary activity status enables Council to refuse subdivision where it is considered that there will be a significant adverse effect on public services in the locality. Notification or adjoining owners' consent will generally not be needed as the majority of effects will be on Council owned services.

Matters to Which Council has Restricted the Exercise of its Discretion. Council, in considering subdivisions under this rule, has restricted the exercise of its discretion to the following matters.

A. THE EFFECTS OF SUBDIVISION DESIGN

1. THE ABILITY OF THE SUBDIVISIONS DESIGN TO:

- facilitate convenient, safe and easy access by both people and vehicles, to a public road.
- facilitate and provide for convenient and easy public access to the coast, any river, stream or lake, or any public reserve
- facilitate the provision and operation of essential services
- facilitate access to passive solar energy sources.
- relate to adjoining development.
- connect to appropriate network utility services particularly sewerage, water, stormwater, electricity and telephone reticulation.
- to facilitate any foreseeable subsequent resubdivision or redevelopment having regard to:
 - (i) the provision of road access
 - (ii) the economic provision of network utility services securing an appropriate and coordinated ultimate pattern of development.

Conditions may be imposed that require the design of the subdivision to address these issues.

2. THE SUBDIVISIONS EFFECT ON NATURAL AND SIGNIFICANT FEATURES INCLUDING:

- registered historic places

- archaeological sites and waahi tapu
- significant trees and significant stands of indigenous vegetation
- the habitats of indigenous fauna and valued non-indigenous fauna
- waterways, lakes, wetlands and their margins
- ridgelines and hills contributing to the character of the rural and urban areas.
- areas of outstanding landscape character.
- outstanding natural features
- The efficient functioning of natural drainage systems

Conditions may be imposed that require the design of the subdivision to protect these features.

B. THE EFFECTS OF NATURAL HAZARDS

1. The effects of natural hazard on the site, and the subdivisions potential in causing natural hazard events to adjoining land.
2. The extent of earthworks necessary.
3. In exercising its discretion in relation to this issue Council may,
 - (i) Require the submission of a report from a person experienced in soils engineering (and more particularly land slope and foundation stability) as to the suitability of the land for its intended purpose, in particular, where it is intended to accommodate buildings which are to be occupied by people.
 - (ii) Impose conditions that require the provision of remedial or protective measures (including essential services, works and reserves) or that avoids or restricts development on those areas of land subject to constraints.

C. NATURAL VALUES

The effects the subdivision may have on the following areas;

- (i) the margins of wetlands, lakes and rivers or any area that may impact on wetlands, lakes and rivers,
- (ii) areas considered to be outstanding natural features and/or landscapes (see Table 13.3A and B)
- (iii) areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- (iv) areas of high visual amenity,

In exercising its discretion in relation to this issue Council may impose conditions that;

- preserves the visual amenity created by the backdrop of indigenous vegetation
- recognise the visual significance of any protected land in the locality
- protects the open character of the rural environment
- protects the natural character of the margins of rivers, lakes and wetlands
- recognises the intrusion that structures can create in the landscape.
- protects the intrinsic values of these areas

D. PROVISION OF NETWORK UTILITY SERVICES

1. GENERAL

Council shall exercise its discretion in respect of the provision and construction standards of network utility services, including roads to and within any subdivision.

The subdivider or developer shall be responsible for meeting the full costs of making such provisions (including where the work is carried out by Council) unless otherwise provided by section 3.8 Financial and Reserve Requirements or any assessment carried out under SUB.1(d)D.4(ii)-(v).

Any road shall vest in Council or the NZ Transport Agency, as appropriate, on deposit of the survey plan.

Any other works, services or facilities, except works of network utility operators other than the Council which are located within a street or reserve, or the circumstances are such that public control is warranted, shall vest in Council on deposit of the survey plan.

2. STORMWATER AND SEWERAGE DISPOSAL

- (a) For any subdivision which results in additional allotments to be used for urban or industrial purposes, or for any development for two or more household units provision shall be made for a sewerage and stormwater system as follows:
- the installation or upgrading of a public sewer or stormwater system extending from the main sewerage or stormwater system to an appropriate boundary of each proposed allotment or to each household unit
 - a connection from the common public sewer to an appropriate boundary of each proposed allotment or to each household unit
 - a connection from each allotment or household unit to an acceptable point of discharge for stormwater
- (b) Any sewerage or stormwater drainage system required under subclause (a) above, including the upgrading of existing facilities to accommodate increased flows attributable to the subdivision or shall be constructed to the standard specified in NZS 4404 1981 Urban Land Subdivision unless Council determines otherwise in any particular case.

Note: For subdivision in unreticulated areas, see Rule SUB.4.C(4).

- (c) Assessment Criteria - (*Note: The assessment criteria do not form part of the rule*)

In determining the appropriate systems and standards of construction under this section, Council will have regard to the following:

- (i) Any actual or potential adverse environmental effects including any contaminants of ground water, surface water, wetlands, watercourses, rivers or lakes which could adversely affect the environment or create a risk to health.
- (ii) The integrity of the sewerage or stormwater system, its economic provision and the equitable distribution of its cost including:
- the need for any sewerage or stormwater system to be carried out in an integrated manner for an overall catchment
 - ensuring financial equity between the various subdividers and developers contributing to the overall system

- ensuring the efficient and economic use of existing sewerage or stormwater systems, by making the costs of providing such works a charge on development of new urban areas thereby avoiding uneconomic public investment in new sewers.

- (iii) The nature of the development and proposed use of the site with respect to the potential for an increased volume of sewage and stormwater relative to the existing and planned capacity of the sewer system having particular regard to high density developments and to activities generating significant trade wastes.

(Note: The provisions of subclause (iii) do not require the Council to accept trade wastes into any sewerage system.)

- (iv) Any proposed alternative sewerage or stormwater disposal system and its feasibility taking into account other resource consents which may be necessary to give effect to any such proposal.

Note: Consents may be required from the Otago Regional Council in respect of discharges to watercourses or to land in circumstances where contaminants may enter water.

3. WATER SUPPLY

- (a) For any subdivision which results in additional allotments to be used for urban or industrial purposes or for subdivision of two or more household units provision shall be made as part of that subdivision for a water reticulation connection to an appropriate boundary of each proposed allotment or to each household unit.
- (b) Any water supply system required under subclause (a) above, including the upgrading of existing facilities to accommodate increased water demand arising from the subdivision or development of land, shall be constructed to the standard specified in the NZS 4404 1981 Urban Land Subdivision unless Council determines otherwise in any particular case.
- (c) Assessment Criteria - (Note: The assessment criteria do not form part of the rule)

In determining the appropriate systems and standards of construction Council will have regard to the following:

- (i) Any actual or potential adverse environmental effects including:
- the risk to health through a lack of adequate potable water
 - the possibility of damage to the environment or property or of danger to people arising from inadequate fire fighting capability
- (ii) The integrity of the water supply system, its economic provision and the equitable distribution of its cost including:
- the need for any water supply system to be carried out in an integrated manner for particular areas of the District;
 - ensuring financial equity between the various subdividers and developers contributing to any particular system;
 - securing the efficient and economic use of the existing water supply systems;
 - avoiding uneconomic investment in new water supply facilities by making the costs of such works a charge on development of new urban areas;
- (iii) The nature of the site and of the proposed development with respect to the potential demand for water likely to be generated relative to the existing and planned capacity of the

water supply system having particular regard to activities involving high water usage or high fire risk.

- (iv) Any proposed alternative water supply system and its feasibility, taking into account other resource consents which may be necessary to give effect to any such proposal.

4. ROADING

- (a) Where any subdivision results in additional allotments and provision for new roads and/or accessways, or the upgrading of existing roads, is required, then except as provided in the following subclauses, all such roads and facilities shall be constructed by the subdivider and vested in Council or the NZ Transport Agency as appropriate.
- (b) Where a subdivision of land within any part of the District results in additional allotments and the subdivision fronts an existing road then
- where the road is unformed or is only a road reserve, or is existing but is not of adequate standard then the road shall be constructed as part of the subdivision by the subdivider;
 - where road widening or a segregation strip is required as a consequence of the subdivision then such land shall vest as part of the subdivision.

Note: Also refer to Rule TRAN.1.

- (c) Assessment Criteria - (Note: The assessment criteria do not form part of the rule).

In determining the appropriateness of the roading serving the subdivision and its construction standards Council will have regard to the following:

- (i) Any actual or potential adverse environmental effects including:
- air pollution, noise, and the inefficient use of fuel arising from restrictions on the free flow of traffic
 - impacts on neighbourhood amenities and on safety arising from excessive traffic flows on local streets
 - impacts on the physical environment as a result of inappropriate road construction and location.
- (ii) The integrity of the roading network, its economic provision and the equitable distribution of its cost including:
- the provision of an integrated and effective roading hierarchy giving convenient access throughout the locality and to the rest of the District
 - the extent to which a road meets local, district or regional traffic needs and the impact of the development on roads in neighbouring areas
 - ensuring financial equity between the various subdividers and developers contributing to the overall roading network and the availability of public funds
 - securing the efficient and economic use of existing roading facilities
 - avoiding uneconomic public investment in new roading facilities by making a reasonable proportion of the costs of such works a charge on development of new urban areas
 - the standard of existing road formation.

- (iii) The nature and location of the site and its proposed development and use with respect to the potential traffic generation relative to the existing and planned capacity of the roading network, with particular regard to the establishment or expansion of:
 - suburban shopping centres and major shopping facilities on the fringe of the central area
 - major community facilities such as hospitals and tertiary educational institutions
 - major recreation facilities and large residential institutions or developments.
- (iv) The need to provide for the movement of pedestrians and cyclists and for the accommodation of essential services.
- (v) With respect to forming roads and upgrading existing roads, Council shall consider the following matters when determining a reasonable and equitable contribution:
 - the standard and specification of the road required, given its intended use;
 - the expenditure required to meet these standards;
 - the use or likely future use of the road by all parties including the general public, and the contributions, if any, made or to be made by such parties;
 - the contribution made by Government or outside organisations towards the roads development;
 - the effect on the general public (see Rule SUB.1(d)F).

5. TELECOMMUNICATIONS AND ELECTRICITY

Telecommunications, electricity reticulation and street lighting shall be provided at the time of land subdivision and shall be in accordance with the requirements of the relevant supply authority and with the NZS 4404 1981 Urban Land Subdivision unless Council determines otherwise in any particular case. Electricity and Telecommunication reticulation shall generally be installed in a manner which minimises potential hazards, and shall be provided underground and within road berms.

6. ENGINEERING ASPECTS

Where any subdivision or development involves any engineering aspect, certified design plans from a suitably qualified person shall be submitted with any application.

E. FINANCIAL AND RESERVE REQUIREMENTS

Council shall, where considered appropriate, impose conditions requiring financial and reserve contributions in accordance with the provisions of Section 3.8 Financial and Reserve Requirements.

F. PUBLIC INTEREST

The effect the subdivision has on the general public particularly in respect of:

- expenditure of ratepayers money, either as part of supplying services to the subdivision or as on-going maintenance of services supplied to the subdivision that has no benefit to the general ratepayer of the District
- any restriction of public access rights to and/or along the coast, lakes and rivers, and other recreational, historical, or culturally important sites or resources.

G. ELECTRICITY TRANSMISSION LINE CORRIDOR

- (i) The extent to which the design and construction of any subdivision allows for earthworks, buildings and structures to comply with the safe separation distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 34 2001).
- (ii) The extent to which the subdivision or subsequent building design mitigates the effects of the lines and the risk of potential injury and/or damage to property e.g. through the location of roads and reserves under the route of the line.
- (iii) The ability for continued access to existing National Grid lines for maintenance, inspections and upgrading.
- (iv) The extent to which potential adverse effects (including visual) are mitigated through the location of building platforms.
- (v) The extent to which the design and construction of the subdivision allows for activities to be set back from National Gridlines to ensure adverse effects on and from the National Grid and on public safety are appropriately avoided, remedied, or mitigated.
- (vi) The nature and location of any proposed vegetation to be planted in the vicinity of National Grid lines
- (vii) The provision for the on-going operation, maintenance and planned upgrade of National Grid lines:
- (viii) The risk to the structural integrity of the National Grid transmission network; and
- (ix) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the National Grid.
- (x) The effect the subdivision and any resultant use may have on the integrity of the transmission network (including the operational efficiency of the network) and on the health and safety of people and property.

RULE SUB.2 DISCRETIONARY ACTIVITIES
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- (a) Subdivision in the Coastal Resource Area is a discretionary activity. Council shall consider the standards and criteria contained in Rule SUB.1(d) and SUB.4, the Objectives and Policies of the Coastal Resource Area, the Regional Policy Statement, Regional Coast Plan, and the New Zealand Coastal Policy Statement.

REASON

The Act stipulates that the preservation of the natural character of the Coast is a matter of national importance. Intensive development, of which subdivision is generally the forerunner, has the ability to compromise this character.

- (b) Subdivision of land subject to, or which is in Council's opinion potentially subject to, the effects of any natural hazard, is a discretionary activity.

REASON

Discretionary activity status in this instance enables Council to consider the full ramifications of allowing the subdivision.

- (c) Any subdivision of land contained within Stage 2 and 3 identified within the Industrial Resource Area (Toko Plains) Staging Plan that is not supported with an Integrated Transport Assessment is a discretionary activity.

RULE SUB.3 NON-COMPLYING ACTIVITIES

Subdivision in the following Rural Settlements is a non-complying activity

- Bull Creek
- Toko Mouth
- Willsher Bay
- Newhaven

RULE SUB.4 SUBDIVISION PERFORMANCE STANDARDS

All subdivisions, excluding minor boundary adjustments and amendments to flats plans, shall be designed to comply with the following standards.

A. LAND SUITABILITY STANDARD

1. Unless not relevant to its likely development or use, the land to be subdivided must provide a sufficient area of land capable of accommodating any foreseeable building and associated development which
 - is above the 50 year flood level (2% probability flood level) or any flood level identified on the District Planning Maps.
 - Complies with Rule NHZ.3
 - does not contain uncontrolled fill, peat soils or other unconsolidated material
 - is not closer than 20m to
 - any stream or river of 3 metres in width or greater
 - any wetland or lake identified in Table 13.5,
 - any other wetland or lake 2 hectares or greater in area,
 - any waterbody within those water supply catchments identified on the Planning Maps.
 - any waterbody identified in Schedule 6.6
 - in any Urban, Transitional or Rural Settlement Resource Area or within 50 metres of the bank of any such defined water body in any Rural or Coastal Resource Area.
 - does not involve significant earthworks or where earthworks cannot be avoided, the characteristics of the site allows for the mitigation of any effects associated with those earthworks.
2. Where the subdivision involves the creation of allotments for separate parts of a building, or involves a building adjoining an allotment boundary, the structural integrity and fire safety of that building shall comply with the Building Act 1991.
3. Drainage Systems

Where significant drainage systems are located within the land to be subdivided, or the site is located within the area provided for by the “Milton 2060 strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain”), a structure plan shall be prepared that sets out

the measures to be put in place that ensure the efficiency of the drainage system and its associated overland flow paths are not compromised by the subdivision design and any subsequent development.

Such structure plans shall provide for the following:

- A subdivision design that recognises and protects the integrity of the drainage system.
- Measures that ensure any subsequent development does not accelerate worsen or significantly change the pattern of the existing overland flows. Such measures may include the control of earthworks within the subdivision; the design and orientation of fences, retaining walls; the location and orientation of dwellings and ancillary buildings; the location and orientation of infrastructure, including roading and reserves.
- On-site stormwater management systems (retention/detention and secondary flow paths) that are designed for a 1 in 100 years average recurrence interval event. Stormwater retention/detention measures shall be provided on-site as part of the overall development.
- A rate of stormwater discharge that remains equal to or less than that of the pre-development up to the 1 in 100 years average recurrence interval event.
- The integration of infrastructure, including roading and reserves, with the stormwater management systems.
- Any subdivision within the Industrial Resource Area (Toko Plains) shall be supported by a Stormwater Management Structure Plan relevant to the area being subdivided and relevant areas identified in the Industrial Resource Area (Toko Plains) annotated structure plan and shall provide for those matters set out above.

B. MINIMUM FRONTAGE AND PROVISION OF VEHICULAR ACCESS

1. The minimum frontage for any allotment of any subdivision shall be 3.5 metres (except as provided by Section 321 of the Local Government Act 1974). This dimension may be encumbered or subject to right of way or registrable interest

PROVIDED THAT

for multiple access, physical access shall be provided for as shown in (5) below.

2. Where any subdivision involves the division of any land and buildings into separate allotments for the individual occupancies to be held under freehold title, cross lease, company lease or unit titles then the size, shape and arrangement of such allotments shall make provision for access thereto in a manner that;
 - ensures the convenience of the occupants
 - facilitates service deliveries
 - avoids nuisances to neighbours
 - maintains public amenities
 - protects the environment
 - ensures suitable access by the public in respect of any commercial premises
 - avoids traffic conflict on roads and railways
 - avoids hazards to neighbours and the surrounding area.
 - facilitates disabled access.
 - facilitates on-site manoeuvring

3. All weather vehicular access shall be provided to any subdivision of land or to each allotment of any subdivision either directly from a street or over an individual or shared access to a standard adequate to:
 - accommodate a 90 percentile car in the case of land intended to be used for residential purposes
 - accommodate a 90 percentile truck where the land is likely to be used for industrial or commercial purposes.

The requirements for these vehicles is set out in Figure 6.

4. The location and design of all points of access from a legal road within the District shall comply with the requirements set out under Section 3.3.5 Rule TRAN. 4.
5. The width of such access shall be as follows;

No. of Parcels or Units	Access Width
1-3	3.5 m
4-6	6.0m - a 5m wide carriageway and 0.9m footpath
7or more	A public or private road which complies with Council’s minimum engineering standards as set out in NZS 4404 1981 Urban Land Subdivision or the “Guide to Geometric Standards for Rural Roads”, New Zealand Counties Assoc, National Roads Board New Zealand, 1985).

PROVIDED THAT:

- the width of a vehicular access serving a single household unit may be reduced to 3m if the driveway has unrestricted visibility and the length does not exceed 30m;
- where an access lot of less than 6.0m in width and serving more than one allotment has a length greater than 100m or unrestricted visibility is not available over its full length then an appropriately located passing bay shall be provided
- a legal roadline shall have a width of no less than 12 metres.

C. DESIGN FACTORS

1. The subdivision shall be planned, designed, constructed and maintained so as to:
 - protect and preserve the coast, or any river, stream, lake, wetland and their margins, or public drain
 - provide a system by which water within the subdivision will be removed without causing damage or harm to the natural environment, or to property or persons within the development or subdivision or in other areas.
 - ensure that waters drained from the subdivision is substantially free of adverse contaminants including sedimentary materials, of any greater quantity than would occur in the absence of subdivision and improvement

- ensure that waters are drained from the subdivision in such a manner that they will not cause erosion or flooding outside the subdivision to any greater extent than would occur in the absence of the subdivision and improvements
- avoid flooding of land in the subdivision or in other areas by keeping impervious surfaces to a minimum and by limiting discharge from the land
- ensure that there is no significant adverse effect on natural river or stream beds or aquatic ecosystems by the construction of bridges or culverts
- ensure that it is possible to dispose of sewage and wastewater effluent from any site in the subdivision, in a manner which does not decrease existing water quality of any receiving water.

Note: Consents may be required from the Otago Regional Council in respect of discharges.

2. Where a site is intended to accommodate a building the site shall contain an adequate buildable area free of impediments such as drainage lines and the yard and open space requirements of the relevant Resource Area (see Section 4). If the allotment is located within the “National Grid Subdivision Corridor”, all allotments shall identify an indicative building platform outside of the National Grid Yard for all buildings (including dwellings) that may be facilitated by the subdivision.
3. Where a site is intended to be used for multi-unit residential development then the minimum site area shall be determined by:
 - the adequacy of residential amenities provided on site. See Rule URB.4.
 - the provision made for access, manoeuvring and parking required on site. See Rule TRAN.5 and TRAN.6.
 - the amount of landscaping provided
 - any foreseeable extension of the principal building and accessory buildings
 - the provision and allocation of the land not built upon.
4. Where the allotment is in a non-serviced area the minimum area shall be determined in each case by the method adopted to:
 - dispose of stormwater and sewage effluent in a manner that avoids contamination of water resources including any cumulative adverse effects on ground water.

PROVIDED THAT with respect to the disposal of sewage effluent,

- any site created less than 4000m² or

where the activity on the site will generate quantities of effluent in excess of three household units or the equivalent thereof regardless of area it shall be certified by Council’s Environmental Health Officer or by a person suitably qualified in effluent disposal that the site meets this criteria.

- avoid, remedy or mitigate any disturbance to any river, lake and wetland ecosystems.
- avoid, remedy or mitigate any disturbance to any area of indigenous vegetation.

D. MATTERS SPECIFIC TO THE INDUSTRIAL RESOURCE AREA (TOKO PLAINS)

1. Any subdivision of land contained within the Industrial Resource Area (Toko Plains) shall be supported with a comprehensive landscape plan that seeks to mitigate any adverse visual

effects of industrial development over the proposed lots being created and provides for a high quality industrial landscape. Council's control shall be limited to the following considerations:

- Landscaping shall seek to mitigate the visual dominance of future industrial development on site when viewed from public places and the wider receiving environment;
 - Where adjacent to rural zoned land, the degree to which landscaping will integrate the industrial zone with the surrounding rural character;
 - Enhance the internal visual amenity of the Industrial Resource Area (Toko Plains) in order to complement future industrial activities.
 - Landscaping of a scale and impact to effectively mitigate the built elements and outdoor storage areas shall be provided for;
 - The green spaces identified within the Structure Plan are provided for. These shall be substantially unencumbered by services or other constraints that conflict with achieving the landscape mitigation objectives;
 - The degree to which landscaping will enhance the indigenous biodiversity and natural character of the area, particularly within the riparian and stormwater management areas (where appropriate);
 - Planting shall be informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines. attached at Schedule 6.14.
 - All development stages shall be underpinned with a landscape plan that is informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guideline and identifies any proposed mounding areas, planted areas detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting;
 - A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme) and must provide for replacement and successful establishment of plants that die or fail to thrive.
 - All landscaping shall be implemented prior to certification under section 224(c) of the Resource Management Act, where planting occurs within a planting season or alternatively within the first planting season following section 224(c) approval where this extends outside of a planting season.
2. Any subdivision of land contained within Stage 2 and 3 identified within the Industrial Resource Area (Toko Plains) Staging Plan shall be supported with an Integrated Transport Assessment, which considers the effects of further industrial development undertaken in accordance with the Industrial Resource Area (Toko Plains) Structure Plan, with Council's control limited to the following considerations:
- i. The level and type of roading intervention required on the adjoining roading network;
 - ii. Evidence of consultation undertaken with the NZ Transport Agency with respect to any proposed intervention identified in (i) above; and
 - iii. Timing of proposed intervention identified in (i) and the need for these measures to be implemented before the issue of titles within Stage 2 and 3 and before development occurs on site.

RULE SUB.5 PROCEDURES

A. SUBDIVISIONS TO COMPLY

No subdivision of land or buildings into allotments may be carried out except in accordance with the requirements of the Act and with the provisions of this District Plan and shall comply with any conditions imposed in any resource consent.

B. PRELIMINARY CONSULTATION

Prior to formal application for a subdivision consent which will have an effect on a public service (for example, urban and rural water schemes, sewerage system, roading etc), the applicant shall submit a concept proposal which enables the servicing issues to be addressed with Council before the final design is drawn.

C. APPLICATIONS FOR SUBDIVISIONAL CONSENT

Any person wishing to subdivide land shall make application for a subdivision consent in accordance with the provisions of Section 3.1.

D. SUBMISSION OF SCHEME PLAN

Any application made in accordance with (c) above shall be accompanied by a Scheme Plan which clearly illustrates, in visual form, the subdivision which is intended.

3.7.5. NOTIFICATION REQUIREMENTS

1. A subdivision which is a controlled activity shall not be notified in accordance with Section 93 of the Act unless Council considers special circumstances exist.
2. A resource consent application for subdivision which is a discretionary activity or a restricted discretionary activity may be considered by the Council without the need to obtain written approval of affected persons and shall not be notified in accordance with Section 93 unless Council considers special circumstances exist.
3. A resource consent application for a subdivision which is a non-complying activity need not be notified if it complies with the requirements of Section 94(2) of the Act.
4. Notwithstanding any of the above, resource consent applications for subdivision which will potentially intensify or change the use of land that has access to a State highway, or access is to a Limited Access Road, Council will refer the application to the NZ Transport Agency for comment.

3.7.6. OTHER METHODS

METHOD SUB.1 MONITORING

To assess the effectiveness of these policies and rules Council shall:

- consult with practitioners on the operation of the consent process
- analyse the number and type of subdivision consent applications
- monitor the relationship between subdivision and land use activities.

3.7.7. ANTICIPATED ENVIRONMENTAL RESULTS

1. The sustainable management of the District's towns.
2. Avoidance of significant effects on water quality from development.
3. The sustainable management of public resources.
4. Avoidance of natural hazards.
5. Preservation of the natural character of the coast, wetlands, lakes, rivers and their margins.
6. Public access to and along the coast, lakes, and rivers will be maintained and enhanced.
7. Subdivision to have little effect on the outstanding landscapes, natural features, and areas of significant indigenous vegetation and habitats of indigenous species of the District.

3.8. FINANCIAL AND RESERVE REQUIREMENTS

3.8.1. OVERVIEW

In addressing the issue of whether Council should obtain financial contributions from subdivision and development within the District, Council was mindful of the anomalies that had occurred in the past, and proposes that these should be avoided in the future.

It is clear that development can have adverse effects, and places additional requirements on the infrastructure, services, and reserves. Wherever possible these activities should contribute a proportionate share towards the provision, upgrading and maintenance of these facilities.

Council takes the view that the rate payer alone, through the rating system, should not be expected to provide, upgrade and maintain these facilities from the traditional rating base and where there is an additional funding option, that option should be exercised in conjunction with the rating system.

Council must not include a condition in a resource consent requiring a financial contribution unless:

- a. the condition is imposed in accordance with the purposes specified in the plan, and
- b. the level of contribution is determined in the manner described in the plan.

A financial contribution must be *directly related to avoiding, remedying, or mitigating adverse effects on the environment and/or contribute to a positive effect which provides some compensation for an adverse effect on the environment caused or likely to be caused by the activity.*

The question that could be asked is how then does the Council predetermine a formula for financial contributions based on effects which are not known at the time of District Plan preparation, nor will they be known until such time as the nature of the activity is promoted.

Council prefers to take a more positive and general interpretation to this issue and considers that the maximum amount set (which does not need to be identified in monetary terms) would generally be based, at the highest envisaged level, with a discretion available to Council to reduce the amount payable when the effect is known and can be assessed against a particular set of criteria.

When the effect is clearly known (for example a main transport route is lost to inundation) there is no reason why Council cannot set the maximum amount as being the full cost of replacement. In such circumstances, Council would not exercise its discretion to make a contribution lower than the maximum amount.

With respect to the recreational resources, Council has studied the existing reserves of the District, and considers, on the whole, that the District is well served with reserves.

This point is best illustrated by Table 16 as follows:

Table 16: Reserve Assessment

Community	Population	Area of Reserve in/ha	Req at 4 ha/1000
Balclutha	4059	33.5833	16.2360
Tapanui	789	6.5383	3.1560

Owaka	405	7.5351	1.6200
Kaitangata	858	39.6676	3.4320
Milton	2019	22.6376	8.0760
Lawrence	507	32.8453	2.0280
Clinton	387	7.8357	1.5480
Waihola	-	11.3146	-
Stirling	306	2.7209	1.2240
Kaka Point	207	0.4728	0.8280

In addition to those reserves located in specific communities the Council administers reserves land throughout the District which total 2404 ha. That figure does not include any lands held or managed by the Department of Conservation or having other reserve status which is not administered by Council. Given the disproportionate amount of reserve land relative to population which Council currently administers, and the amount of capital required to develop existing reserves, Council policy in the first instance is directed towards a cash calculation. Land will only be taken where there is an identifiable need or shortage such as in Stirling.

There are situations where a particular neighbourhood may be short of recreation and playground areas and land may also be required to protect some important natural features.

Council however, proposes to monitor this situation to ensure that the provisions of the District Plan continue to be relevant. Where it is found that this approach is out of date, a plan change would be initiated.

Council may also use financial contributions to protect significant wetlands, areas of significant indigenous vegetation, significant habitats of indigenous fauna and valued non-indigenous fauna and areas of cultural or historic value from the adverse effects of development.

This could take the form of scenic, scientific or historic reserves or may merely involve the use of covenants noted on the relevant certificate of title.

This section also establishes the basis for the contribution towards capital works and services (where these are appropriate) and sets out the circumstances where esplanade reserves or strips may be required.

3.8.2. THE ISSUES

Council considers the following issues give rise to the need to make provision for financial contributions within the District Plan

- **Subdivision and development can increase the use and pressure upon,**
 - (i) the roading network**
 - (ii) network utilities, and**

(iii) the District's recreation and community resources

(iv) Public access to natural and physical resources

which can give rise to the inefficient use and development of these resources and subsequent unsustainable development.

Explanation

Greater use of these resources increases the pressure to upgrade, and extend, and also results in greater maintenance costs. It can also lead to a decline in the quality of the service provided (for example, the deterioration of road conditions).

- **Large scale development can have significant adverse effects on the ecosystems, landscapes, landforms, and communities of the District.**

Explanation

Large scale development can have numerous effects on the community and environment of the District. For example, large scale clearance or disturbance of native vegetation, inundation of land and communities through hydro-development, or large-scale removal of top and sub soil (e.g. open cast mining).

3.8.3. OBJECTIVES AND POLICIES

OBJECTIVE FIN.1

To maintain an efficient and sustainable system of public service resources.

(Refer Policy FIN.3)

OBJECTIVE FIN.2

To maintain an efficient and sustainable roading network.

(Refer Policy FIN. 4 and 5)

OBJECTIVE FIN.3 EFFECTS NOT ABLE TO BE ADEQUATELY AVOIDED OR REMEDIED

To require financial contributions on development which generates adverse environmental effects that cannot be adequately avoided or remedied in physical terms to mitigate those adverse effects through the funding of compensation measures which off-set any adverse effects.

OBJECTIVE FIN.4

To maintain and enhance public access to and along the Coast, and the margins of the lakes and rivers of the District.

(Refer Policy FIN. 9 to 11)

OBJECTIVE FIN.5 JUSTIFIABLE PROPORTION OF PUBLIC COST

To secure financial contributions on land use activities and subdivision activities which represent the cost imposed on the wider community as a consequence of the land use activity or subdivision activity.

OBJECTIVE FIN.6 ESPLANADE RESERVES AND ESPLANADE STRIPS

To take an esplanade reserve or an esplanade strip upon subdivision where it is necessary to achieve either one or more of the following purposes:

- (a) To contribute to the protection of conservation values by, in particular, -**
 - (i) maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or**
 - (ii) maintain or enhancing water quality; or**
 - (iii) maintain or enhancing aquatic habitats; or**
 - (iv) protecting the natural values associated with the esplanade reserve or esplanade strip;**
or
- (b) To avoid or mitigate natural hazards including the protection of significant drainage systems;**
or
- (c) To enable public access to or along any sea, river, or lake; or**
- (d) To enable public recreational use of the esplanade reserve or esplanade strip adjacent sea, river, or lake, where the use is compatible with conservation values**

POLICY FIN.1

To avoid, remedy or mitigate the adverse effects that subdivision and development can have on the District's recreational resources and community facilities through the use of financial contributions.

Explanation

Subdivision and development can have adverse effects on the recreational resources of the District, which could result in the unsustainability of such resources. Council considers the use of financial contributions as a necessary complement to the use of the general rate to mitigate these effects.

(Refer Rule FIN. 1, 2, 7 to 10, and 12).

POLICY FIN.2

To apply monetary contributions received in respect of reserves and community facilities to the acquisition, improvement and development of reserves and community facilities throughout the District.

Explanation

Applying contributions on a District wide basis is considered appropriate as in today's social environment people have greater mobility and utilise all parts of the District for their recreational and cultural needs. Reserves in different parts of the District provide different experiences. For example, the people in Pounawea may wish to experience the inland climate and historic nature of

Lawrence, while the people of Lawrence may wish to experience the seaside environment of Pounaweia.

Furthermore, development such as a new factory or increased production capacity in an existing factory, may occur in a particular location but may draw produce from outlying areas and therefore increases demands on reserves and facilities in those areas. For example, the extension of a Cheese Factory which leads to more products being required, may result in farms 50 kilometres away taking on extra staff to increase production.

(Refer Rule FIN. 2 and 7)

POLICY FIN.3

To avoid, remedy or mitigate the adverse effects that subdivision and development can have on network utility services through the use of financial contributions.

Explanation.

Subdivision and development places cumulative pressure on network utility services. In most cases Council has constructed sewer, stormwater and water systems including headwork facilities, for a finite design population or capacity.

Where the effects of any subdivision or development is shown to adversely affect those systems, then a financial contribution will be required to mitigate these effects.

(Refer Rule FIN. 9 and 10)

POLICY FIN.4

To avoid, remedy or mitigate the adverse effect that subdivision and development can have on public roads and carparking facilities through the use of financial contribution.

Explanation

Subdivision and development can adversely impact on roading and carparking in numerous ways. Roads may need to be widened or upgraded to cope with the increased traffic. That increase in traffic, or the location of a private access road also raises the question of the effect on safety and efficiency of the existing roading network. In a like manner carparking facilities can also come under increased pressure.

(Refer Rule FIN. 10 and Rule TRAN 6 page 78)

POLICY FIN.5

To ensure that subdivision and development contribute to the costs of upgrading or forming legal roads, accessways and off-street parking, to the extent that these facilities service the subdivision or development.

Explanation

Council has within the District a large number of legal roads which are either unformed or formed to a relatively low construction standard.

Under Council's Roading Programme, specified roads are identified for upgrading within a strict budget priority. Council accordingly does not have the resources to upgrade roads on a random basis as a result of sporadic subdivision or development occurring in parts of the District. Where Council believes a road needs upgrading to mitigate the adverse effects of a subdivision or development then the provision of Rule FIN.10 will apply.

Provision may also be required for pedestrian accessways, cycleways, and off-street parking facilities.

(Refer Rule FIN. 10 and Rule TRAM 6)

POLICY FIN.6

To ensure that subdivision and development adequately compensates for any significant adverse effects on the environment.

Explanation

As discussed in 3.8.2. *The Issues*, large scale development can have major consequences for both ecosystems and communities.

Where it can be shown that a significant effect will occur Council looks to financial contribution to compensate affected communities.

(Refer Rule FIN. 12)

POLICY FIN.7

To require that financial contributions be made at the earliest possible stage of the subdivision and/or development process except in circumstances where the adverse effect created by the subdivision and/or development will not be immediate but at some determinable point in the future, in which case financial contributions may only be required to be made at that time.

Explanation

Early payment of financial contributions enables necessary new facilities to be provided in advance of the customers creating a demand for these services. There are circumstances, however, when it is unreasonable to require financial contributions to be made at the time of granting consent (for example, where the adverse effect on a road may not occur until a later date due to the nature of the development). In these circumstances Council may utilise covenants, consent notices, and where possible the review of condition procedures, to ensure adverse effects generated at that later date are avoided, remedied or mitigated.

(Refer Rule FIN. 3)

POLICY FIN.8

To require financial contributions in those circumstances where additional Council costs may arise as a result of subdivision and development.

Explanation

Where Council is faced with additional administrative functions in creating for example easements, or is required to liaise with other local authorities or network operators, or is faced with survey cost arising from an application, then it intends to recover those extra costs.

(Refer Rules FIN 1 and 11)

POLICY FIN.9

To ensure that the development and subdivision of land maintains, and where practicable, enhances public access to and along the coast and the margins of the District's waterbodies by requiring provision for an appropriate level of public access, to be determined by the value of the resource (in terms of s229 of the Act); public safety; security needs; and other relevant matters, as a condition of resource consent.

Explanation

Maintenance and enhancement of public access to and along the margins of waterbodies and the coast is a matter of national importance by virtue of section 6 of the Act. Development and subdivision has the potential to compromise public access. Where this is a possibility resource consents will only be granted subject to appropriate provisions being made for access.

There may, however, be circumstances where access is not appropriate or necessary because the waterbody may have little ecological or recreational value, or for public safety or security reasons that override public access issues.

(Refer Rule FIN. 8)

POLICY FIN.10

To establish and maintain a list of those rivers, lakes and streams upon which esplanade mechanism may be required.

Explanation

The legislation sets out quite demanding requirements on a local authority for the creation of esplanade reserves, strips and access strips. After consultation with the Otago Fish and Game Council, DOC and ORC, Council has identified those localities where esplanade mechanisms may apply. The need for any such mechanisms will be determined in accordance with Policy FIN. 9.

In most cases where they are thought necessary, Council will require an esplanade strip, but this policy can vary according to circumstances.

(Refer Rule FIN. 8)

POLICY FIN.11

Where an esplanade mechanism is deemed necessary, Council will require an esplanade strip except in the following circumstances where an esplanade reserve may be required:

- **where an area of significant indigenous vegetation or habitat for indigenous fauna exists along the margin of the waterbody**
- **the waterbody is adversely affected by pollution or runoff from the adjoining land use**

- where a site of archaeological or historical importance or of value to tangata whenua exists
- where the waterbody comprises an integral part of an outstanding natural feature or landscape
- where the waterbody forms part of those water catchments identified on the District Planning Maps
- where there is a threat or potential threat from a natural hazard
- Where a significant drainage system is affected

Explanation

The need for an esplanade mechanism will be assessed in accordance with Policy FIN. 9. Where it is considered necessary, esplanade strips are considered to be the most appropriate mechanism (particularly in the rural environment) for a number of reasons. The land is not lost to the owner and no survey costs are involved (these can be quite substantial on large rural subdivisions). Conditions of public access can be regulated by the owner and Council, and the public can be excluded at particular times of the year (e.g. lambing). Strips, as opposed to reserves, move with any movement of the waterbody. As ownership does not change, compensation payable would be minimal.

(Refer Rule FIN. 8)

POLICY FIN.12 - FINANCIAL CONTRIBUTIONS MUST BE FAIR AND REASONABLE

Financial contributions shall be:

- Justifiable in that they shall directly relate to avoiding, remedying or mitigating adverse effects on the environment and/or contribute to a positive effect which provides some compensation/relief for an adverse effect on the environment caused or likely to be caused by the activity.**
- Of a proportion that is fair and reasonable and that takes into account –**
 - the significance of the adverse effect to be generated
 - the duration of any adverse effect
 - the extent to which the design of the development or subdivision avoids, remedies, mitigates or offsets/compensates for the adverse effect any negotiated private agreements between the developer and affected parties
 - the extent to which another activity or developer contributes to the adverse effect
 - the positive effects of the activity on the environment, including the social and economic benefits to the community
 - the adverse effect on the public interest

Explanation

Financial contributions charged on any resource consent must be fair and reasonable and they must not be used as a device to generate extra revenue for the Council. This is fundamental to any charge levied under this Plan. This policy sets out the matters that must be taken into account when assessing what a fair and reasonable contribution may be.

POLICY FIN. 13 - EFFECTS NOT READILY QUANTIFIABLE

To encourage developers to first deal with effects not readily quantifiable through:

- Negotiation and private agreement with affected parties and/or**

(b) Through project design

before utilising financial contributions to offset/compensate for such effects.

Explanation

The effects of some large-scale developments are often not easily quantifiable in dollar terms. Council would prefer that such effects are dealt with through the consultation phase of any development resulting in improved project design or other measures taken to off-set/compensate for significant adverse effects. If this cannot be achieved but consent is granted, then a financial contribution may be levied as a condition of consent.

POLICY FIN.14 - FINANCIAL CONTRIBUTIONS FOR ROADING

The financial contribution required for upgrading roads that serve subdivision and developments shall be reasonable and equitable charge having regard to Policy FIN.12 and the following matters:

- (a) the current status and standard of the road both leading to and fronting the site, and the adequacy of that road for its current use**
- (b) the standard and classification of the road required as a result of the subdivision/development the expenditure required to meet this standard**
- (c) the use or likely future use of the road by other parties and the contributions (if any) to be made or already made by such parties**
- (d) the contributions made by Government or outside organisations towards the development of the road, and any contributions (if any) already made by the subdivider or developer provided that after having considered these factors the maximum contribution required may be determined at 100% of the actual cost.**

Provided that after having considered these factors, the maximum contribution required may be determined at 100% of the actual cost.

Explanation

Subdivision and development can have significant implications for the Districts roading infrastructure. To ensure the public's interest is protected, the maximum contribution payable when roads need to be upgraded has been identified as the full actual cost. However, the actual amount charged must be determined on a case by case basis given the particular circumstances affecting each development. This policy sets out the matters that will be relevant when determining an appropriate charge.

POLICY FIN.15 - REFUND OF ROADING CONTRIBUTIONS

In circumstances where a roading contribution has been taken under Policy FIN.14 and an adjoining or nearby property owner/developer later benefits from the work carried out, Council may require that owner to make an equitable contribution to the previous upgrading work on any subsequent subdivision or development and in that event shall refund the owner/developer and/or Council, as the case may be, who paid the original cost of upgrading the road on a pro rata basis.

Explanation

Council seeks to avoid a situation where the first subdivision or development on a road pays the full cost of upgrading that road, with later developments benefiting but not contributing to at cost Council believes this is an inequitable situation that must be remedied. Under this policy, subsequent developments benefiting from the original upgrading work shall be required to make an equitable contribution to that work, which will be refunded to the original contractor or Council, as the case may be.

3.8.4. RULES

RULE FIN.1 CIRCUMSTANCES WHEN A FINANCIAL CONTRIBUTION MAY BE IMPOSED

Council may require that a financial contribution be made to Council as a condition of resource consent where that activity or development may have an adverse effect on –

- the recreational resources and facilities of the District, or
- public network utilities, including sewerage, stormwater, water and roading systems, or
- ecosystems, habitats, landscapes, landforms, or significant natural features including the natural character of rivers, lakes, the coast, and their margins, or
- amenity values, including visual amenity, or
- any other public services or facilities, including parking facilities, community centres, libraries etc., or
- where the adverse effects of the activity impose on Council or the community costs which are not covered by the points above,

and where any adverse effects described above have not been adequately avoided, remedied, mitigated or compensated by way of other means.

REASON

The Act allows Council to charge a financial contribution on any resource consent and as a condition of any activity permitted by the Plan. Council considers the circumstances listed above, as possible situations where a financial contribution may be charged.

The rule also recognises that a financial contribution may not be necessary in those circumstances where the adverse effects described above have been adequately avoided, remedied or mitigated as part of the development.

With respect to any financial contribution imposed on a permitted activity, the extent and nature of the contribution must not be subject to any discretion on Councils part.

RULE FIN.2 GENERAL PURPOSES FOR WHICH SUCH CONTRIBUTIONS MAY BE USED

Council may use financial contributions received for the following purposes;

- (a) the acquisition, improvement and development of public reserves and facilities in the District.
- (b) the protection, restoration or enhancement of any heritage item or site.

- (c) the protection, planting or replanting of any tree or other vegetation,
- (d) the protection, restoration or enhancement of any natural or physical resource including the margins of lakes, wetlands, rivers and the coast.
- (e) the protection, restoration or enhancement of any indigenous habitat
- (f) the provision or improvement of sewage and disposal systems and connections thereto
- (g) the provision and upgrading of public water and rural water supply systems and connections thereto
- (h) paying a proportional share of the capital cost, or debt owing on any public network utility affected by the activity.
- (i) the provision and improvement of roading, parking facilities, cycle and pedestrian access.
- (j) the reimbursement of legal costs incurred by Council in providing easements, encumbrances, covenants etc.
- (k) the reimbursement of fees charged to Council by Government Departments, local authorities and the suppliers of public utilities
- (l) survey work incurred by Council
- (m) the provision of any other public utility or service
- (n) the replacement, or compensation for, any feature, facility, or other resource lost because of development.

REASON

Utilising financial contributions for these purposes will enable Council to mitigate the adverse effects of development.

RULE FIN.3 WHEN PAYABLE

- (a) Financial contributions of money shall be paid as follows:
 - (i) In the case of a resource consent for land use, prior to the commencement of the use;
 - (ii) In the case of a resource consent for a subdivision, prior to the issue by Council of the certificate under Section 224 of the Act;

provided that in circumstances where the adverse effect created by the development and/or subdivision will not occur until sometime in the future, the Council may defer payment of the financial contribution through the use of covenants, bonds, consent notices, and where possible the review of conditions procedure.
- (b) Financial contributions of land shall vest in the Council immediately upon the land being able to legally vest.
- (c) Except as provided for in clause (a) above, financial contributions of money for services shall be paid at the time specified by Council in the resource consent, or prior to the issue of any building consent, whichever is the earlier.
- (d) In any case where the work in respect of which financial contribution is required will not take place for a significant period of time following the issue of the consent, the financial contribution will not be made payable until a reasonable period before the work is to proceed. In cases where this provision applies fixing of the amount of the financial contribution required

may be delayed (where possible) pending a review of the conditions of consent at a time specified for that purpose in the consent.

REASON

The implementation of a "user pays fair share" approach to facilities funding can be achieved either at the time development occurs, through contributions required at the subdivision or land use stage, or after development through various rating or user charge systems. If the costs of servicing growth are to influence the distribution and form of new development, then contributions are best required at the earliest stage possible in the development process. In this way more efficient provision and utilisation of facilities will be achieved and in the urban context consolidation of development encouraged. The earlier contribution conditions are imposed the greater likelihood there will be that the costs of meeting such contributions are spread equitably amongst all participants in the development process from the original seller of raw land to the final home buyer or end consumer. Early application also assists in enabling necessary new facilities to be provided in advance of the customers creating a demand for them.

There are circumstances, however, where it is not fair and reasonable to require works to be carried out following the issue of the resource consent (for example, where the nature of the development is such that the adverse effect on the road servicing the site will not occur until a significant period of time has elapsed). In these circumstances payment of the financial contribution may be deferred, and where possible and desirable the fixing of the charge will be deferred to enable a fair assessment of cost at the time the adverse-effect is created. A review of conditions will also enable the developer to have the opportunity to make submissions on the level of the charge imposed at that time to ensure it is fair and reasonable.

RULE FIN.4 CREDITS AND REFUNDS

- (a) Where:
- (i) a resource consent which includes a condition requiring a financial contribution lapses or is cancelled or surrendered in accordance with the provisions of the Act; or
 - (ii) the activity in respect of which the resource consent was granted does not proceed
- Council shall, on notice, pay or return to the person entitled in accordance with Rule FIN.6 (d) the financial contribution less a value equivalent to the costs incurred by Council in relation to the activity and its discontinuance **PROVIDED THAT** Council shall not repay or credit the value of any work or services provided as a financial contribution before the Resource Consent lapses or is cancelled or surrendered or does not proceed.
- (b) When as a condition of a resource consent a financial contribution was made under Rule FIN.1 with respect to the provision of two or more household units on one allotment without subdivision and the allotment is subsequently subdivided to create separate allotments for those household units no further financial contribution shall be required.
- (c) Where a financial contribution is made for the provision of a particular work or service and Council subsequently resolves not to proceed with that work or to provide that service the financial contribution shall be refunded to that person entitled in accordance with Rule FIN.6(d) **PROVIDED THAT** in the case of a financial contribution of money no interest whether accrued or not shall be paid.
- (d) Council may from time to time in its discretion allow the development of reserves or works and the provision of landscaping or development of other recreational or community facility within

a subdivision or development, as a credit towards any financial contribution payable in respect of the resource consent for that subdivision or development.

REASON

Council considers it only fair that credits and refunds are given where appropriate. It is hoped that this will encourage development that recognises and provides the benefits of recreation and open space.

RULE FIN.5 AMOUNT PAYABLE

The maximum value of the financial contribution to be provided shall

- (a) be calculated in accordance with Rule FIN.7 to 12.
- (b) be determined at the time the resource consent is granted.
- (c) include the amount payable in respect of Goods and Services Tax.
- (d) nothing in Rule FIN.7 to 12 shall require Council to impose a condition for a financial contribution of the amounts specified in those Rules.

REASON

These rules do not require Council to charge a financial contribution but gives Council a discretion where there will be an adverse effect, in which case Council will then impose the appropriate contribution.

RULE FIN.6 ADMINISTRATION

Council shall keep a register of all financial contributions made which shall contain the following information.

- (a) The amount of the financial contribution;
- (b) The name of the person making the contribution and the date on which the financial contribution was made;
- (c) The purpose for which the financial contribution was imposed and made;
- (d) The name of the person entitled to any refund or credit.

RULE FIN.7 FINANCIAL CONTRIBUTIONS FOR THE ACQUISITION, IMPROVEMENT, AND DEVELOPMENT OF RESERVES

A financial contribution for the propose of acquiring, improving and/or developing reserves and recreational facilities throughout the district, may be imposed in the following circumstances:

- (a) As a condition of a permitted activity in the form of money where:
 - (i) a multi-unit development occurs on a site that has either not previously paid a reserves contribution or has only paid one previous charge. Any charge made under this rule would be payable on each additional unit over and above the original charge (if any):
 - (ii) a new dwelling is erected in a site that has not previously paid a reserves contribution.

A financial contribution of this nature will be required at the building consent stage of the development.

- (b) as a condition of a resource consent for any subdivision or development for residential, commercial or industrial purposes in the form of money except where the circumstances set out in (d) below apply, in which case land may be required.

Such a charge shall be payable on –

- Each allotment being created in the case of subdivision;
- Each additional dwelling unit in the case of multi-unit development or for a cross lease or unit entitlement;
- Each pan unit identified under Rule FIN.9(3) which is not covered by any of the circumstances above.

- (c) The level of a monetary contribution charged under (a) and (b) shall be determined in accordance with the following:

- (i) The maximum charge is to be calculated from the following formula -

Strategic Planning Budget

Max Charge = for Reserve Development (divided by)

6490 + Each Additional Dwelling and Dwelling Units per year

- (ii) The maximum charge may be reviewed where the land value can be shown to be less than \$5,000. In those cases, the contribution shall be assessed at 10% of the land value (GST inclusive).
- (iii) Only one charge shall be payable for each dwelling house.
- (iv) Credit will be given for any financial contributions paid at the time of subdivision and/or a land use consent.
- (v) Credit will be given for the number of allotments capable of accommodating a dwelling that existed prior to the subdivision.
- (vi) The provision is not to apply to subdivision for the disposal of surplus dwellings or subdivision for network utility activities.
- (d) Land Contribution

The circumstances where land may be taken instead of money are as follows:

- Where it can be shown that there is a need for reserves in the locality and the land to be acquired is suitable for the reserve required in respect to size, location and topography.
- Where the acquisition of the land, or the use of a covenant attached to the land, would have the effect of protecting outstanding natural features and landscapes and/or significant indigenous vegetation and significant habitats of indigenous fauna.,
- Where the acquisition of the land, or the use of a covenant attached to the land, would have the effect of protecting sites of historical or cultural significance.
- Where the acquisition of land will maintain and enhance public access to and along the coast and rivers, streams, lakes and other areas of public land.

Where the subdivision is for residential, commercial or industrial purposes and land is to vest as reserve, the calculation shall be assessed at 10% of the land area of each allotment but in no case shall be greater than 65 m² per allotment.

In no case where land is to vest for recreation purposes shall the area be less than 1,000 m² in a single parcel and the land shall be acceptable to Council for vesting for reserve purposes.

Where a reserve is required for other purposes (e.g. landscape protection, heritage site etc), the area of the land shall be no more than that which contains the site of importance to be conserved and a buffer zone to protect its values where this is necessary.

REASON

As identified in 3.8.1. *Overview* Council's investigation into the recreational resources of the District revealed that, on the whole, the District is well served with Reserves. However, much of that reserve land is undeveloped, consisting of farmland or vacant residential sections. Consequently, money is required to upgrade and develop the, facilities to meet the recreational needs of the community:

Council, as part of its Strategic Planning, has determined that a sum of \$2.75 million in 1994 dollar terms is required over the next 10 years for Forward Planning for Reserve Development.

This has then been translated into a cost for dwelling house/unit based on the 1991 Census adjusted by the building permits subsequently issued.

The 1994 charge is accordingly fixed at a maximum of \$475.00 (GST inclusive). Any changes made to this charge will be done through the stated formula during the Annual Plan Process.

As stated in *Policy FIN. 2*, reserve contributions will be used throughout the District and this fact, together with the approach of generally taking money as opposed to land, has dictated that a set charge, based on Council's reserve expenditure programme, be imposed rather than a percentage of land value.

Council believes that there is little relationship between the value of land and the demand that a proposal places on reserves. Consequently, Council wishes to introduce a consistent charge which more adequately reflects the effects of a proposal on reserve requirements.

This rule also addresses a previous difficulty where multi-unit development via the cross-lease or unit titles legislation could not be charged reserve contribution. This was considered unfair as such development often created greater pressure on facilities because of the intensity of development. This matter has been rectified in those multi-unit developments where there is subdivision.

Where subdivision does not take place, it is considered fair and reasonable that multi-unit developments on a single title contribute the same as if the site was subdivided.

Where land is to be taken, Council has reduced the 120m² per allotment that was established by the Local Government Act, to 65 m² per allotment. The reason for this reduction is because more recent development has seen a decrease in the average sized residential section which has justified a reduction in charges. Reserves for heritage conservation purposes and the like would by necessity need to be of a size adequate to provide the appropriate protection.

(e) Rural Resource Area

For the purpose of determining whether a reserves contribution is payable upon subdivision in the Rural Resource Area, an allotment whose size, shape, topography, soil quality or other characteristics, generally precludes it from productive uses, will be considered an allotment for residential, commercial or industrial purposes unless the subdivider can prove otherwise.

(f) Assessment Criteria - Waiver of Requirement

Where Council is satisfied that the adverse effects of the subdivision or development have been adequately mitigated the maximum figure specified may be reduced having regard to the following criteria:

- the provision shall not apply to an adjustment of boundaries where the land ownership does not alter;
- the land value of the new allotment is less than \$5,000.
- the nature of any previous reserve contributions made in land which at the time of subdivision were in excess of the maximum amounts specified in the District Plan.
- the nature and use of existing buildings on the site and the extent to which the effects of the subdivision have been mitigated;
- the extent to which any historic sites, wetlands and other natural features are to be protected by covenants or other similar means;
- the extent to which any esplanade reserves or esplanade strips which are to be created in excess of the 10 metre standard width;
- any access strips, service lanes or other forms of public access which are required to be created by the Council as part of the subdivision;
- the nature of any fencing, planting programmes, or other works proposed as part of the subdivision which will enhance any important historic sites, scenic features or wildlife habitats.

RULE FIN.8 ESPLANADE RESERVES, ESPLANADE STRIPS AND ACCESS STRIPS

1. SUBDIVISION CONSENTS

Where any land adjoins the coast, any river or lake as defined in Section 230(4) of the Act the following shall apply:

- (i) Where any allotment of less than 4 hectares is created when land is subdivided, an esplanade strip 10 metres in width shall be created within that allotment along the coast, the bank of the river or along the margin of the lake, as the case may be.
- (ii) Where a reserve or road of less than 10 metres width already exists along the coast, the bank of a lake, river or along the margin of a lake or river or a reserve or road of 10 metres, width previously existed but the position of the river or lake has changed then additional land shall vest to increase the width to a minimum of 10 metres.
- (iii) Where an allotment greater than 4 hectares is created, Council may require an esplanade reserve or strip in those circumstances where reserves already exist adjacent to or in the general vicinity of the subdivision and the acquisition of an esplanade reserve or strip would complement or increase the width of that land already in public ownership; or where such a reserve or strip may be necessary to provide for the purpose of Section 229 of the Act.
- (iv) Where an allotment greater than 4 hectares is created, Council may require an esplanade strip 10 metres in width on the coast and on those rivers, streams and lakes identified on the Planning Maps and Schedule 6.6 of this District Plan as being rivers, streams and lakes to which esplanade mechanisms may be required, and in those water catchment areas identified on the Planning Maps.
- (v) An esplanade reserve in substitution for an esplanade strip required under (i) to (iv) above and/or an increase in the width of any reserve or strip may be required in the following circumstances:
 - where an area of significant indigenous vegetation or habitat for indigenous fauna exists along the margin of the waterbody

- the waterbody is or may be adversely affected by pollution or runoff from the adjoining land use
- where a site of archaeological or historical importance or of value to tangata whenua exists.
- to protect water quality in sensitive catchments.
- where a valued sports fishery exists.
- where valued public recreational hunting occurs.
- where adjoining topography is such that 10 metres is not sufficient to facilitate adequate physical access along the waterbody.
- Where there is a threat or potential threat from a natural hazard.
- Where a significant drainage system is affected.

(vi) Council may

- reduce the width of this reserve or strip, or
- totally waive the requirements of (i) to (iv) above,

if it is satisfied those standards and matters set out in 3. Assessment Criteria below are met.

(vii) With respect to any matter under (v) or (vi), Council if it considers necessary, will request comments from the Department of Conservation, Otago Regional Council and the Otago Fish and Game Council on the importance of the water body.

2. RESOURCE CONSENTS

Council may, in respect of any resource consent received, require the creation of an esplanade reserve or strip adjacent to any waterbody (artificial or natural) or wetland, as a condition of any resource consent in order to provide for those matters set out in Section 229 of the Act. The width of such strips shall be determined on a case by case basis.

3. ASSESSMENT CRITERIA

(a) Waiver of Requirement

In considering whether to waive to these requirements Council must be satisfied that:

- Notwithstanding Section 229 of the Act, it would not be appropriate in the circumstances including (but not limited to) reasons of security, public safety, or minor boundary adjustments, for an esplanade reserve or esplanade strip to be required; or
- The land has little or no value in terms of the purposes specified in Section 229; or
- The purposes specified in Section 229 can be adequately provided by other means

(b) Variation in Width

- In determining whether or not to permit a variation in width of the reserve or strip, Council will consider the purpose of esplanade reserves and esplanade strips as set out in Section 229 of the Act and will also consider the following matters:
 - whether there will be adequate public access to enable the public to meet any social, recreational or cultural needs.
 - the effect on indigenous flora and fauna and valued non-indigenous wildlife habitats, in, on or

- surrounding the coast river, lake or stream.
 - the existence of any significant archaeological/historical sites, as well as those sites of significant value to the tangata whenua.
 - any adverse impacts on water quality.
 - any effect on the stability of the banks of the river, lake or stream.
 - the threat of natural hazard to adjoining properties.
 - the effect on the natural functioning of the adjacent sea, river or lake.
- (ii) Having regard to (i) above, any reduction in the required width of esplanade reserves or strips may be permitted where:
- Topography or the location of an existing building dictates a practical boundary less than 10m.
 - Reduction of part with a compensatory increased width elsewhere.
 - The purpose of the reserve or strip can be met by a lesser width but shall be not less than 5m.

4. CLOSED ROADS

Where any road that is to be stopped, adjoins the mark of mean high water springs of the sea, the bank of any river, or the margin of any lake then Section 345(3) of the Local Government Act shall apply.

Note: See Method TRAN.1(i)(h) for the procedure to close roads.

5. VESTING OF LAKE AND RIVERBEDS

Section 237A of the Act shall only apply when it is considered to be in the public's interest to do so.

- Matters of public interest may include, but are not limited to, the following:
 - where there is a need, or a potential need, to dredge the bed of the sea, lake or river for some public purpose
 - where there is the possibility of mineral and/or gravel extraction from the bed that may adversely affect the ecology of the river
 - where there is the potential need for public structures to be attached to the bed at some time in the future.

6. ACCESS STRIPS AND ESPLANADE STRIPS

Council may, from time to time, negotiate the creation of esplanade strips by agreement pursuant to Section 235 of the Act, and access strip easements pursuant to Section 237B of the Act.

Priority for any such negotiation undertaken in respect of esplanade strips will be given to those rivers shown on the Planning Maps as requiring esplanade mechanisms.

Any such negotiation undertaken in respect of access strips will only occur in circumstances where there is no existing or practical physical public access to any public reserve or esplanade strip.

7. COMPENSATION

Where the issue of compensation arises under 1 and 4 to 6 above, Council will consider the closing and transferring any unformed legal road traversing the subject property in lieu of compensation **provided that** any such road does not provide the only legal frontage; provide access to any area of public interest, or is likely to be formed in the foreseeable future.

REASON

The purpose of esplanade reserves and esplanade strips is set out in section 229 of the Act as follows:

- (i) To contribute to the protection of conservation values by in particular
 - maintaining or enhancing the natural functioning of the adjacent sea, river or lake, or
 - maintaining or enhancing water quality, or
 - maintaining or enhancing aquatic habitats, or
 - protecting the natural values associated with the esplanade reserve or esplanade strip, or
 - mitigating natural hazards, or
- (ii) To enable public access to or along any sea, river or lake or
- (iii) To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake where that use is compatible with conservation values.

The utilisation of esplanade strips and reserves are considered by Council as an essential aspect of fulfilling its duties under sections 6 and 7 of the Act.

Ten metres has been adopted as the width for esplanade strips on the basis that such a width will provide adequate physical access in the best-case scenario i.e.. where topography adjoining the stream facilitates easy physical access to and along that stream. Where this is not the case, Council has the ability to increase that width to ensure practical physical access is achieved.

RULE FIN.9 FINANCIAL CONTRIBUTIONS FOR SERVICES

Financial contributions may be required where an activity, whether or not it requires a resource consent, is to be connected to an existing sewerage or public water system. Any such financial contribution shall be of money and shall apply where any subdivision or development occurs outside of the boundary of the areas defined in the District Plan as an Urban Resource Area and that subdivision wishes to connect to the existing systems of urban water and sewerage provided by the Council, then the cost of connecting to and extending these services shall be borne by the developer, determined on the following basis;

(1) SEWAGE SYSTEM FOR RESIDENTIAL PURPOSES

Council may impose a maximum charge per additional connection calculated from the following formulation:

$$\begin{aligned} \text{Maximum} & \quad \underline{BV \times 6 \times 2} \\ \text{Contribution} & \quad = \quad (X \times 2) + y \\ & \quad + \text{ connection costs} \end{aligned}$$

where:

BV = Book Value of Scheme in Annual Accounts;

0.6 = factor for 40% Government subsidy paid in original Scheme

X = connected consumers in area

y = non-connected consumers in original area for whom service is available.

The multiplier of 2 recognises that connected consumers hold 2 shares to pay for on-going maintenance.

(2) SEWAGE SYSTEMS FOR INDUSTRIAL PURPOSES

The calculation shall be based on (1) above with the volume of trade waste being discharged into the system being converted to a household unit equivalent.

REASON

In looking at the capital contribution towards a sewage scheme Council has been conscious of the fact a number were constructed by way of lump sum payment by some property owners with the balance being by way of loan finance.

The scheme upgrade in Balclutha is a good illustration of this type of funding.

Council believes it is desirable and equitable for persons not forming part of the Scheme to contribute on a similar basis.

(3) PUBLIC WATER SYSTEMS

All connections to a public water supply shall be in accordance with the Clutha District Council's General Bylaw, Part 7 Water

REASON

Part 7 (water) of the Clutha District Council's General Bylaw applies to all water supplies under the care, control and management of the Clutha District Council. The purpose of the bylaw is to control the use of the water scheme and protect Council's ability to supply water safely and efficiently. It is not considered appropriate to repeat the contents of the Bylaw in the District plan. This provision merely highlights the need to comply with Council's bylaw on this issue.

(4) MULTI UNIT DEVELOPMENT

When any development occurs within the Urban Resource Area which increases the intensity of development on the site, that existed prior to the development, greater than 2 pan units, then the following shall apply:

- (i) The owner shall pay the contribution per pan unit for sewerage based on the formula provided under FIN. 9(1)
- (ii) The owner shall pay the contribution per unit for urban water based on the formula provided under FIN. 9(3)(a).

(5) ASSESSMENT CRITERIA

WAIVER OF REQUIREMENTS

When Council is satisfied that the mitigation of adverse effects on the systems justifies a reduction in the maximum figure calculated in accordance with the formula specified in Rule FIN.9(1)(2) and (3) then the extent of reduction shall be considered against the following criteria:

- the effect that greater utilisation will have on the economics of the existing system
- the priority given by Council to upgrading the system.
- the effect of other alternative systems
- the socio-economic effect that the imposition of full charge has on the community.

REASON

The legislation requires that Council specifies the maximum charge for financial contribution and identifies the formula used in assessing of the charge.

Council recognises that having fixed a maximum charge a determination must then be made on the effects of the subdivision or activity in the relevant systems.

Schedule 6.5 sets out the depreciated book value that existed at the time of Plan preparation for the types of services identified, in order that the maximum charge may be calculated.

RULE FIN.10 FINANCIAL CONTRIBUTIONS FOR ROADING

1. Where any subdivision or development has an adverse effect on any existing road or requires the provision of new roading the provisions of Rule SUB 1(d).D.4 shall apply.
2. Where any subdivision/development occurs on a road that has been upgraded as a result of an earlier subdivision or development, a financial contribution may be levied.

The maximum contributions shall be an equitable proportion of the original costs of all works plus indexation based on the Works Construction Cost Index to meet inflationary costs over the intervening period.

This rule shall not have effect on subdivisions/developments that occur ten years after the original upgrading work took place.

Any contribution made under this rule shall be refunded to the original subdivider/developer or Council pro rata to their relative contributions.

RULE FIN.11 EXTRAORDINARY COSTS

Where a subdivision, land use or development gives rise to costs in excess of the normal processing requirements specified by Council's standard charges such as,

- legal expenses incurred by Council to create easements, encumbrances, covenants, resource consents etc.
- fees incurred by some adjoining local authority or network operator in processing the application.
- Council survey costs as a direct result of the application.

then the actual full costs incurred may be recovered as a condition of approval.

3.8.5. ANTICIPATED ENVIRONMENTAL RESULTS

1. Mitigation, or compensation for, environmental damage.
2. Provision of adequate recreational resources.
3. Sustainable development of public resources.
4. Public access to and along the coast, lakes, rivers, wetlands and their margins, will be maintained and enhanced.

3.9. NATURAL HAZARDS

3.9.1. INTRODUCTION

Section 31 of the Act establishes the following function for every territorial authority,

"(b) 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 duty is reinforced by Clause 1(a)(i) of Part II of the Second Schedule.

Section 2 of the Act defines natural hazards 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."

There are a number of areas within the District that are susceptible to the effects of natural hazards. The land below Balclutha, namely Inch Clutha and the Paretai Flats, forms the flood plain of the Clutha River and has been subject to severe flooding in the past. Structural works are now in place to protect much of this area. Flooding has also caused disruption to other parts of the District in recent years, particularly in Milton and the Tokomairiro Plain area, the Pomahaka, Waitahuna, Waiholā and the Catlins areas. The town of Kelso has in fact been dismantled due to the continuous threat of flood.

The coastal environment is also susceptible to the effects of coastal processes such as sea level rise, storm surges, tsunamis, river mouth migration and movement of the boundary of estuaries, dunes and wetlands. Settlements such as Taieri Mouth, Toko Mouth, Jacks Bay and Pounaweia may be adversely affected by sea level rise in the future. Newhaven is currently affected by erosion and this is likely to be accelerated by sea level rise. However, the community of Newhaven has established protection work which is currently having a positive effect on mitigating erosion problems.

The historic underground coal mines within the District are also considered natural hazard sites due to their potential for subsidence.

Some human activities can result in an increased intensity and frequency of natural hazards. In terms of flood hazard potential, examples of this include land use activities that modify the water retention characteristics of land or the existing overland flow paths of the land which may worsen the downstream situation.

Natural hazard management generally falls into three forms as follows:

- (i) Structural - undertaking physical works to reduce the impact of natural hazards, for example, the constructing of flood banks.
- (ii) Non-Structural - reducing the effects or impact of natural hazards by:
 - (a) Prevention - attempting to ensure that the natural hazard itself does not arise. The unpredictable nature of natural hazards makes this a rather difficult task although some flooding and landslip hazards can be avoided by appropriate land management practices that reduce the occurrence of the natural hazard.
 - (b) Prohibiting certain types of development or imposing controls on development in areas subject to or likely to be affected by natural hazards.

(iii) Loss Modification - taking action to reduce social and economic costs of natural hazards when they occur. For example, flood warnings, civil defence, and the taking out of insurance cover.

Doing nothing or paying inadequate attention to the impacts of natural hazards could have the following effects:

- Loss of or damage to property, livestock and human life.
- Interference with the ability of people to undertake economic and social activities.
- Altering the manner in which resources can be sustainably used, either in the short or long term.

Section 30(1) of the Act establishes the following functions for the Otago Regional Council;

“(c) The control of the use of land for the purpose of

.....

(iv) The avoidance or mitigation of natural hazards”

Section 62(1) of the Act requires the Regional Policy Statement to state which local authority shall have responsibility within its own area for developing objectives, policies and rules relating to the control of the use of land for the avoidance or mitigation of natural hazards.

The Regional Policy Statement for Otago states Council’s responsibilities to be as follows:

- prepare information on site specific and localised natural hazards that may affect any component of the Districts built environment under the Building Act; (*Note: the Regional Council will investigate and provide information to all agencies on regionally significant natural hazards*).
- develop objectives, policies and rules for the control of the use of land that is affected by a natural hazard in the District or where that use may exacerbate a natural hazard situation (*Note: the Regional Council will also develop objectives, policies and rules relating to the control of the use of land for the avoidance or mitigation of natural hazards*).
- Prepare and update the Clutha District Civil Defence Plan and take full first-line responsibility for dealing with the impact of a disaster in the District. (*Note: the Regional Council will prepare and update a Regional Civil Defence Plan*).

This section of the District Plan gives effect to the second bullet point above.

The Otago Regional Council will also enable community responses to flood hazard where necessary, which may involve carrying out works or services.

3.9.2. OBJECTIVES AND POLICIES

OBJECTIVE NHZ.1 AVOIDANCE OR MITIGATION OF HAZARDS

That the risks to people and their property, communities and infrastructure from the effects of natural hazards are understood as far as is practical, and are avoided or reduced to enable resilient communities.

OBJECTIVE NHZ.2 ADVERSE EFFECTS OF STRUCTURAL HAZARD MITIGATION

That structural hazard mitigation works minimise adverse effects on other natural and physical resources.

OBJECTIVE NHZ.3 PROTECTION OF DRAINAGE SYSTEMS

To ensure that all earthworks, building development, and associated works are located, designed and constructed to ensure that the efficiency of the District's drainage systems and overland flow paths are not compromised during heavy rainfall events.

POLICY NHZ.1 INFORMATION ON HAZARDS

To gather and maintain information on natural hazards including:

- (a) The location or potential location of natural hazard events,**
- (b) The causes of natural hazard events, and**
- (c) The risks associated with natural hazard events,**

in conjunction with the Otago Regional Council.

POLICY NHZ.2 CONTROL OF LAND USE IN HAZARD AREAS

To take into account the vulnerability of land and activities to natural hazard events when managing land uses in a particular area.

POLICY NHZ.3 SUBDIVISION AND THE ERECTION OF BUILDINGS

To control subdivision and erection of buildings in areas where there is a reasonable probability that a natural hazard may cause material damage.

POLICY NHZ.4 INTENSIFICATION OF HAZARD EFFECTS

To ensure that the location, design and/or operation of subdivision and land use activities, including earthworks and infrastructure, does not:

- Increase the intensity and frequency of existing natural hazards;**
- Create new natural hazards;**
- Compromise the efficiency of significant drainage systems**

POLICY NHZ.5 PROTECTION OF DRAINAGE SYSTEMS

All earthworks and land disturbance activities to be undertaken within existing drainage systems, including overland flow paths, shall be designed, located and/or controlled to ensure that such systems are kept free of any significant obstruction, impediment or alteration that hinders or alters overland flow, to ensure the efficiency of the drainage system during heavy rainfall events is protected so that any existing flood hazard is not exacerbated and no new flood hazard is created by such works.

POLICY NHZ.6 ACCEPTANCE OF EXISTING RISKS

To recognise that some areas that are already developed or contain infrastructure are at risk from natural hazards and to minimise such risk as far as possible while acknowledging that landowners and/or operators are prepared to accept a level of risk from natural hazards because of the benefits of remaining in a hazard prone area.

POLICY NHZ.7 HAZARDOUS SUBSTANCES AND PROCESSES

To ensure that activities which involve the use or production of hazardous substances, and/or hazardous processes are not located within hazard prone areas.

POLICY NHZ.8 LAND MANAGEMENT PRACTICES

To encourage appropriate land management practices in catchment areas to assist in reducing and/or mitigating the effects of erosion and the effects of flooding.

3.9.3. REASONS AND EXPLANATIONS FOR OBJECTIVES AND POLICIES

The Council has an obligation under the Act to control the effects of the use, development or protection of land including avoiding or mitigating the effects of natural hazards. Buildings, structures, infrastructure and people need to be protected from natural hazards.

The Council must ensure it is able to respond adequately to the threat and effects of natural hazards in the District. This includes responding to an event when it occurs as well as ensuring any proposed subdivision, land use activities or development will not cause, increase the risk of, or be adversely affected by natural hazards. In assessing the effects of natural hazards, attention will be given to the acceptable level of risk and any potential adverse effects.

There is a need to plan for known potential natural hazards and for anticipated natural hazards. This requires an understanding of natural hazards as well as up to date information on those hazards which may affect the District. Effective planning is needed to reduce risks to people and resources. The responses will vary according to the characteristics of the natural hazard and the affected areas.

The Council is also aware that some development and infrastructure is located in areas subject to natural hazards but that landowners and those residing on, operating businesses from or infrastructure on such land are accepting that risk. However, the Council intends to manage that risk to ensure that any natural hazard is not exacerbated by future development.

3.9.4. RULES

RULE NHZ.1 GENERAL

1. CONSULTATION

In any application for a resource consent which involves a site or activity that is at risk, or in Council's opinion is potentially at risk from natural hazards, the applicant shall, in addition to the information required by Section 3.1.3 provide the relevant hazard information and recommendation from the Otago Regional Council and/or other relevant expertise.

2. APPROVED PROTECTED SITES

Rules NHZ.2 and NHZ.3 below do not apply to any 'approved protected site' as defined below.

'Approved Protected Site; means a site that is:

Identified as being affected by a natural hazard, and

1. Is adequately protected from the effects of that natural hazard by works designed by an appropriately qualified natural hazards engineer, where
2. Those works do not increase the intensity and frequency of the existing natural hazard or create a new natural hazard, and
3. Is certified as an 'Approved Protected Site' by the Chief Executive Officer of the Otago Regional Council.
4. A copy of the certification is provided to the Chief Executive Officer of the Clutha District Council prior to any work commencing at the site.

REASON

The Regional Council also has a significant role to play in the mitigation of natural hazards. It is essential that both Councils have a consistent approach on this issue.

Where a site has been protected from the adverse effects of natural hazard through works or other mitigation measures, then the normal rules relating to natural hazards will not apply. However, the protection works must be approved by the Otago Regional Council to ensure they are appropriately designed to achieve the desired outcome.

RULE NHZ.2 ACTIVITIES LOCATED WITHIN AREA IDENTIFIED AS HAZARD PRONE

1. LANDFILLS, WASTE DISPOSAL, OR THE STORAGE OR USE OF COMMERCIAL QUANTITIES OF HAZARDOUS GOODS OR SUBSTANCES

Landfills, waste disposal, or the storage or use of commercial quantities of hazardous goods or substances are non-complying activities in any area identified as being a natural hazard site where the site is not protected from the natural hazard by floodbanks or erosion protection. For the purposes of this rule, where hazard mitigation responses have been implemented on sites located within the Industrial Resource Area (Toko Plains) and implemented in accordance with an approved Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3 and where

stored in accordance with Hazardous Substances and New Organisms (HSNO) Act, the storage of commercial quantities of hazardous substances is a permitted activity.

Provided that for the purposes of this rule, farm tips and offal pits permitted by the Regional Waste Plan are excluded from the definition of landfills or waste disposal.

“Commercial quantities” means quantities used or stored for the purpose of supplying or offering a service to the general public and does not include substances or goods to be used solely on the property upon which it is kept, for the purpose of maintaining or improving the health of stock, crops, land quality or for eradicating pests and/or undesirable weeds or plants from that property.

2. DWELLINGS AND BUILDINGS THAT ACCOMMODATE PEOPLE

All dwellings and other buildings that accommodate people locate within any area identified as being a natural hazard site, where the building is not protected from the hazard by flood banks or erosion protection, shall be a discretionary activity.

Provided that this rule does not apply to any activities dealt with under Rule 3.1 below (located within land covered by the “Milton 2060 Strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain”).

3. OTHER BUILDINGS

All other buildings not provided for by Rule 2.2 above located within any area identified as being a natural hazard site shall be permitted activities provided that the siting and design of the building ensure that the existing overland passage of stormwater flows is not significantly obstructed, impeded or redirected.

Provided that this rule does not apply to any activities dealt with under Rule 3.1 below (located within land covered by the “Milton 2060 Strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain”).

RULE NHZ.3 ACTIVITIES WITHIN AREAS IDENTIFIED AS FLOOD PRONE

3.1. LAND LOCATED WITHIN THE AREA PROVIDED FOR BY THE “MILTON 2060 STRATEGY 2012”

The following rules apply to the land located within the area covered by the “Milton 2060 Strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain”. Land within the strategy study area which is known to be susceptible to flooding has been identified. Areas which have similar flood hazard characteristics have been defined and identified on the planning maps as follows:

AREA 1: THE TOKOMAIRO RIVER FLOODPLAIN

Area 1A is the floodplain area which can be flooded by the north and west branches of the Tokomairiro River.

Area 1B is the part of the floodplain area where flood flows are sufficiently fast and/or deep to cause significant safety risk (“floodway corridors”).

AREA 2: LOW-LYING PONDING AREAS

These are urban areas where water ponds during prolonged heavy rainfall events.

Area 2A is to the north and west of SH1.

Area 2B is to the south and east of SH1.

AREA 3: MILTON URBAN AREA

Area 3A is the Milton urban area, excluding the areas which act as floodway corridors (Area 3B), and low-lying ponding areas (Areas 2A and 2B).

Area 3B includes the floodway corridors which drain internal runoff and water from the floodplain and eastern hill catchments through the Milton urban area.

AREA 4: RURAL AND SEMI-RURAL AREAS OF THE TOKOMAIRO PLAIN

Area 4A refers to the rural/semi-rural floodplain area to the north and east of Milton (excluding the floodway corridors identified as Area 4B). Area 4A is not shown on the planning maps as no regulatory controls apply in these areas.

Area 4B includes the floodway corridors which drain the water from the floodplain and eastern hill catchment.

Area 4C includes parts of Area 4B that are deeper and/or critical for the conveyance of water from the floodplain and eastern hill catchments

3.1.1. AREA 1A: TOKOMAIRO RIVER FLOODPLAIN

(a) Dwellings and Other Buildings that Accommodate People

All dwellings and other buildings that accommodate people located within Area 1A shall be discretionary activities.

This rule does not apply to other buildings that accommodate people located within Area 1A identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan and where appropriate hazard mitigation responses have been implemented on site in accordance with an approved Stormwater Management Structure Plan in accordance with Rule SUB.4.A.3.

(b) Other Buildings

All other buildings not provided for by Rule NHZ.3.1.1(a) above located within Area 1A shall be restricted discretionary activities.

Council's discretion shall be restricted to the siting and design of the building to ensure that the existing overland passage of stormwater flows is not significantly obstructed, impeded or redirected.

This rule does not apply to other buildings that are located within Area 1A identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan and where appropriate hazard mitigation responses have been implemented on site in accordance with an approved Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3

(c) Standards for Other Activities

- i. Any fence, shelterbelt, plantings or storage areas established within Area 1A shall be located and designed to ensure that the existing overland passage of floodwaters or stormwater flows is not obstructed, impeded or redirected.
- ii. No earthworks located within Area 1A shall modify the contour/gradient to a degree that would obstruct, impede, or redirect overland passage of floodwater or stormwater flows unless the earthworks are part of any public flood protection work designed to mitigate or reduce the effects of flowing on the Milton Township.

This rule does not apply to activities listed in (i) and (ii) located within Area 1A identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

3.1.2. AREA 1B: TOKOMAIRO RIVER FLOODPLAIN

(a) Dwellings and other Buildings that Accommodate People

All dwellings and other buildings that accommodate people located within Area 1B shall be non-complying activities.

(b) Other Buildings and Storage of Materials

All other buildings not provided for by Rule NHZ.3.1.2(a) above, and the storage of more than 20m² of materials outside of a building or structure, that are located within Area 1B shall be a discretionary activity.

(c) Standards for Other Activities

- i. Any fence, shelterbelt, plantings or storage areas up to 20m², established within Area 1B shall be located and designed to ensure that the existing overland passage of floodwaters or stormwater flows is not obstructed, impeded or redirected.
- ii. No earthworks located within Area 1B shall modify the contour/gradient to a degree that would obstruct, impede, or redirect overland passage of floodwater or stormwater flows unless the earthworks are part of any public flood protection work designed to mitigate or reduce the effects of flowing on the Milton Township.

3.1.3. AREA 2A: URBAN PONDING AREA

(a) Building Alterations (including footprint extensions) and Ancillary Buildings

All building alterations (including footprint extensions) and new ancillary buildings located within Area 2A shall be controlled activities provided they have a minimum floor level of 13 metres above mean sea level.

Council's control shall be restricted to the following matters:

- Location to avoid areas of excessive depth or velocity or significant re-direction of flows.
- Suitable floor height to avoid inundation.
- Suitable construction methods to withstand inundation to a defined depth and velocity.
- Earthworks to minimise construction, impediment or redirection of the existing overland passage of stormwater flows.
- Suitable construction methods to ensure utility connections are flood proof.
- The provision of safe egress during flood events.

(b) New Dwellings, Commercial Residential and Other Buildings that Accommodate People

All dwellings, commercial residential and other buildings that accommodate people located within Area 2A shall be discretionary activities.

3.1.4. AREA 2B: URBAN PONDING AREA

(a) Building Alterations (including footprint extensions) and Ancillary Buildings

All building alterations (including footprint extensions) and new ancillary buildings located within Area 2B shall be controlled activities provided they have a minimum floor level of 12m above mean sea level.

Council's control shall be restricted to the following matters:

- Location to avoid areas of excessive depth or velocity or significant redirection of flows.
- Suitable floor height to avoid inundation.
- Suitable construction methods to withstand inundation to a defined depth and velocity.
- Earthworks to minimise obstruction, impediment or redirection of the existing overland passage of stormwater flows.
- Suitable construction methods to ensure utility connections are flood proof.
- The provision for safe egress during flood events.

(b) New Dwellings, Commercial Residential and Other Buildings that Accommodate People

All dwellings and other buildings that accommodate people located within Area 2B shall be discretionary activities.

3.1.5. AREA 3B: URBAN FLOODWAY CORRIDOR

(a) Minor Building Alterations (including footprint extensions) and Ancillary Buildings

All building alterations that do not involve more than 10% of the building or footprint extensions that do not exceed 10% of the existing floor area and new ancillary buildings that do not exceed 10m² located within Area 3B shall be permitted activities provided that:

- Floor height is sufficiently elevated to avoid inundation
- Suitable construction methods are used to minimise the redirection of the existing overland passage of stormwater flows.
- Suitable construction methods are used to ensure utility connections are flood proof.
- There is provision for safe egress during flood events.

(b) New Dwellings and Other Building Work not provided for by Rule NHZ3.1.5(a)

All new dwelling and other building work not provided for by Rule NHZ3.1.5(a) that are located within Area 3B shall be controlled activities.

Council's control shall be restricted to the following matters:

- Location to avoid areas of excessive depth or velocity or significant redirection of flows.
- Suitable floor height to avoid inundation.
- Suitable construction methods to withstand inundation to a defined depth and velocity.
- Earthworks to minimise obstruction, impediment or redirection of the existing overland passage of stormwater flows.
- Suitable construction methods to ensure utility connections are flood proof.
- The provision for safe egress during flood events.

3.1.6. AREA 4B AND 4C: TOKOMAIRO PLAIN: FLOODWAY CORRIDORS

(a) Dwellings and Other Buildings that Accommodate People

All dwellings and other buildings that accommodate people located within Area 4B shall be discretionary activities.

This rule does not apply to other buildings located within Area 4B and 4C identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3

(b) Dwellings and Buildings that Accommodate People

All dwellings and other buildings that accommodate people located within Area 4C shall be non-complying activities.

This rule does not apply to other buildings located within Area 4C identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance Rule SUB.4.A.3.

(c) Other Buildings

All other buildings not provided bit by Rule NHZ.3.1.6(a) and (b) above, located within Area 4B and 4C shall be restricted discretionary activities.

Council's discretion shall be restricted to the siting and design of the building to ensure that:

- Areas of excessive depth or velocity of flood water are avoided
- The existing overland passage of stormwater flows is not significantly obstructed, impeded or redirected.

This rule does not apply to other buildings located within Area 4B identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

(d) Earthworks

All earthworks located within Area 4B and 4C shall be restricted discretionary activities.

Council's discretion shall be restricted to matters that ensure the overland passage of floodwaters or stormwater flows are not obstructed, impeded, or redirected. This measure may include measures that mitigate such effects.

Provided that this rule does not apply to earthworks that are part of any public flood protection work designed to mitigate or reduce the effects of flooding on the Milton Township or where the earthworks form part of a hazard mitigation response implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

(e) Standards for Other Activities

Any fence, shelterbelt, plantings or storage areas established within Area 4B and 4C shall be located and designed to ensure that the existing overland passage of floodwaters or stormwater flows is not obstructed, impeded or redirected.

This rule does not apply to any fence, shelterbelt, plantings or storage areas established within Area 4B and 4C identified within the Industrial Resource Area (Toko Plains) Annotated Structure Plan where appropriate hazard mitigation responses have been implemented on site in accordance with a Stormwater Management Structure Plan approved in accordance with Rule SUB.4.A.3.

REASON

The effects of landfills, waste disposal, or the storage or use of commercial quantities of hazardous goods or substances have great potential to cause significant environmental damage if associated with a natural hazard. Council considers the best means to avoid such effects is not to permit activities of this nature in actual or potential natural hazard sites. Small scale farm landfills and offal pits have been excluded on the basis that they would have minimal effect as opposed to large public waste disposal areas.

Development in flood prone areas needs to be controlled. If consented the ground level and/or floor levels of new buildings will be defined by conditions of consent to ensure that the effects of flooding on new developments are avoided or mitigated and that the intensity and frequency of flooding is not increased or exacerbated off-site. Consideration will also need to be given to the location of associated infrastructure such as access, effluent disposal fields, essential service and fencing.

3.9.5. OTHER METHODS

METHOD NHZ.1 HAZARD IDENTIFICATION

The District planning maps identify some areas of the District that are known to be at risk from actual or potential natural hazard occurrences.

These maps identify the following actual or potential natural hazard sites where Council knows of their existence in the District.

- Flood prone areas (Source: Report on Flood Plains within Clutha District, Otago Regional Council, October 1991 and the "Milton 2060 Strategy: A Flood Risk Management Strategy for Milton and the Tokomairiro Plain").
- Areas of land instability (Source: Council files)
- Coastal sites susceptible to erosion and the effects of sea level rise (Source: Proposed Regional Plan: Coast, July 1994)
- Former mining sites that could give rise to subsidence (Source: Compiled from Mining Survey Plans, held by Ministry of Internal Affairs, Mines Section, Greymouth)
- Fault lines (Source: New Zealand Geological Survey Maps, Department of Scientific and Industrial Research and Otago Regional Council report "Earthquake Hazards in the Otago Region" September 1995.)

These maps will be used to assist Council in determining resource consents, building consents and the appropriateness of activities in any particular area. Other natural hazards may be added to this list as they are identified.

REASON

Mapping actual and potential natural hazard sites and incorporating them into the District Plan is seen as the best available method to advise the public of areas with known risk. The availability of such user friendly information will enable Council to make more informed judgements when considering the appropriateness of activities in a particular area, particularly when considering resource and building consents, and also allow the public to make a judgement themselves as to appropriate activities on these sites.

(Refer also Section 3.7 Subdivision)

METHOD NHZ.2 CONSULTATION

Council shall, where appropriate, consult with the following bodies on matters that involve natural hazard issues:

- The Otago Regional Council, to ensure that both Councils have a consistent approach.
- The Institute of Geological and Nuclear Sciences
- The New Zealand Fire Service
- Adjacent local authorities
- Local communities and affected landowners
- Landcare groups
- Other bodies with relevant interests

REASON

The community and all other interested bodies must work together to ensure the development of an effective natural hazard management system.

METHOD NHZ.3

Council shall continue to prepare and update the following in accordance with the relevant legislation and in consultation with affected and interested parties;

- Civil Defence Plan for the Clutha District
- Disaster Damage Contingency Funds
- Rural Fire Plan for the Otago Region

REASON

Council is required by other legislation to prepare contingency plans in case of natural hazard events. The development of these plans is an important part of ensuring that effects of natural hazard events are kept to a minimum.

METHOD NHZ.4 MONITORING

To assess the effectiveness of these policies and rules Council shall

- analyse the cause of natural hazard events
- analyse the effects of natural hazard events

METHOD NHZ.5

With respect to the use, development or protection of land within Catchment areas of the District, Council shall,

- (a) assist the Otago Regional Council in establishing monitoring programmes to assess the degree to which long term trends in land use practices and patterns may increase the vulnerability to natural hazards such as flooding.
- (b) Promote and encourage the revegetation and retention and enhancement of vegetative cover and the retention and enhancement of wetland areas as natural methods of managing natural hazards.

REASON

Some land use activities can have an adverse effect on water retention characteristics of land which may worsen the downstream situation. More work needs to be carried out to determine the extent land use patterns increase the intensity and frequency of natural hazards. However, it is known that maintenance of vegetation cover and wetlands mitigate such effects.

3.10. WASTE

Both the Otago Regional Council and the Clutha District Council have waste management responsibilities under the Resource Management Act. The Regional Council has assumed primary responsibility for waste management and its co-ordination within Otago as a consequence of the matters contained in the Regional Policy Statement.

The Regional Council is responsible for the control and management of the effects of discharge or disposal of waste, as they are classed as a contaminant. In fulfilling that responsibility, the Regional Council considers applications for discharges of contaminants into water and air, and onto land. The Regional Council also provides advice and education on waste management issues and monitors the effects of waste treatment and disposal throughout Otago. As a consequence, it is able to provide an integrated regional overview of the management of the waste stream.

To achieve its aims, the Regional Council has produced a proposed Regional Policy Statement for Otago (notified in October 1993) and a "Proposed Regional Plan: Waste for Otago" publicly notified May 1994. The proposed Regional Policy Statement set out the Regional Council's objectives in relation to waste management as follows;

13.4.1. To protect Otago's communities and resources from the adverse effects of the waste stream including hazardous substances and wastes.

13.4.2. To encourage a relative reduction in the amount, range and type of waste generated in Otago.

13.4.3. To encourage an increase in re-use, recycling, and recovery of wastes.

These objectives are to be achieved by the policies outlined in the Regional Policy Statement and by the provisions contained in the Regional Waste Plan. The purpose of that plan is stated as follows:

- Reduce the quantity of waste that is produced in Otago.
- Adopt a regionally co-ordinated approach to waste management and outline responsibilities for Otago's waste management.
- Encourage waste minimisation as a key strategy in the management of Otago's wastes.
- Ensure that waste which cannot be reused or recycled is disposed of in such a way that adverse environmental and health impacts are minimised.
- Recognise cultural values in the management of wastes.
- Increase public awareness of Otago's waste issues, and
- Encourage on-going monitoring of Otago's waste issues and their management.

The primary role of the Clutha District Council in relation to waste management is the provision of facilities and services for the collection, recycling and disposal of wastes. In order to meet those responsibilities in terms of the Resource Management Act, the Clutha District Council has initiated the development of a Solid Waste Management Strategy. The aim of this strategy is to have a Waste Management Plan implemented by the start of 1995 which will comply with the requirements of the Resource Management Act. In working towards this aim, the waste management working group formed to achieve this goal, adopted the objectives of the former Clutha-Central Otago United Council's 1989 Regional Solid Waste Management Plan which were to provide for:

- cost effective services on a user-pays principle.
- integrated disposal for the full spectrum of waste.

- public involvement in planning and decision making
- recognition of the cultural values particularly those of the Treaty of Waitangi.
- public and environmental health protection and uses prevention.
- environmental protection
- natural water protection
- waste management and disposal in District and Regional Plans
- solid waste minimisation
- resource conservation and recovery
- the management of hazardous wastes

In light of the development of this Plan, and the Regional Council's Regional Waste Plan, it is considered unnecessary to repeat the objectives, policies and methods for waste management within the Clutha District in this District Plan.

3.11. OTHER ENVIRONMENTAL ISSUES

3.11.1. OVERVIEW

All activities and land uses will, to some degree, have an effect on the environment or a neighbouring property. The aim of this section is to mitigate or avoid those effects of activities that have the potential to create a nuisance. It is not intended to cover the broad range of issues (such as landscape values etc) encompassed in the Act's definition of "amenity values". Issues such as landscape, indigenous flora and fauna are dealt with elsewhere in the Plan.

These provisions apply to the entire district, however specific Resource Areas may have a more stringent control in respect of some issues and these would override the provision of this section.

The effects of noise are dealt with in Section 3.13 and in the specific Resource Areas.

3.11.2. THE ISSUES

- **A number of activities undertaken throughout the District create effects such as glare, electrical interference, and emit dust (including road dust), odour, and smoke. These effects can adversely impact on amenity values of neighbouring properties and the District as a whole.**

Explanation

These effects often create a significant nuisance problem (particularly on adjoining properties) and can generally be avoided by appropriate management practices.

- **Buildings and structures, and other works, particularly when left in an unfinished condition or left to deteriorate, can have a significant effect on visual amenity values of the District.**

Explanation

Large purpose built industrial and commercial buildings, large areas of carparking and buildings and/or works left incomplete or whose condition is left to deteriorate, can detract from the amenity values of the neighbourhood within which they are located. Council has to date received numerous complaints on this issue and believes it is appropriate to address them in the District Plan.

- **New activities often locate in the vicinity of existing activities that create adverse effects thereby increasing the potential for conflict between existing activities and newly located activities.**

Explanation

One of the most significant issues Council has faced in managing the District's resources over the past years has been the situation where a new activity locates adjacent to an existing industry, and the person associated with the newly located activity brings action against that existing activity for generating adverse effects. Under the effects-based regime of the Resource Management Act, that

situation has the potential to occur more often because the standards establish an “environmental bottom line” and do not restrict activities that generally require a higher amenity standard.

An example of such a situation is where a new dwelling locates adjacent to an existing factory which is operating within the required standards for that location at that particular time. The arrival of the dwelling changes the nature of the receiving environment and, in some circumstances, the factory may no longer comply with the required standards. Furthermore, the occupier of the dwelling could possibly bring action against the factory in common law on the basis of it creating a nuisance, even though it may be complying with the appropriate standards of the District Plan.

3.11.3. OBJECTIVES AND POLICIES

OBJECTIVE AME.1

To maintain and enhance the amenity values of the District.

POLICY AME.1

To ensure that the adverse effects of odour, glare, electrical interference, smoke, fumes and dust that some activities can have on neighbouring properties are avoided, remedied or mitigated.

Explanation

These effects have the potential to create a nuisance problem for adjoining properties and greatly affect the amenity values of the District. Generally, there is no reason why these effects cannot be confined to the property on which they are produced.

(Refer Rule AME.1 to 3, Rule AME.7 and Method AME.1)

POLICY AME.2

To ensure that the adverse visual effects that industrial, commercial and other development can have is avoided, remedied or mitigated.

Explanation

Large industrial or commercial buildings and large areas of carparking can have significant adverse visual impacts. Developers will be required to landscape the frontages of such properties to soften the visual impact and protect amenity values in those areas identified as having a high visual amenity value.

(Refer Rules AME 4, 5 and 6, and 4.5.5 Industrial Resource Areas)

POLICY AME.3

To control the use and storage of commercial quantities of potentially hazardous substances.

Explanation

The storage and use of potentially hazardous substances is not necessarily dangerous but the obligation to obtain consent for the storage and use of such substances provides a mechanism for occupiers of neighbouring properties and for fire and civil defence services to be informed of sites where potentially hazardous substances are used or stored. Controls on these effects are found throughout the various Resource Areas of the Plan.

(Refer Section 4 Resource Areas and Rule NHZ.2)

3.11.4. RULES

RULE AME.1 ELECTRICAL INTERFERENCE

All activities shall be managed and controlled so that there is negligible electrical interference with radio, TV, telecommunication signals, or any other electronic equipment.

Activities that do not comply with this rule shall be a non-complying activity in relation to this matter.

REASON

Electrical interference with electronic equipment is a nuisance that can be avoided by the use of proper equipment and appropriate maintenance.

Electrical interference is covered by the Radio Communications Act 1989, the Radio Communications (Radio) Regulations 1993 and the Radio Communications Interference Notice 1993. These Acts are administered by the Communications Division of the Ministry of Commerce and the appropriate approvals from this body will be required by Council in relation to any activity generating the above effects.

RULE AME.2 GLARE

- (i) No activities shall result in greater than 10 lux spill (horizontal and vertical) of light onto any adjoining property, measured at the boundary of the neighbouring property, provided that this rule shall not apply to headlights of moving vehicles or vehicles that are stationary for less than 5 minutes.

Provided that the provisions of (ii) below are not contravened, the amount of light that may be spilled onto a neighbouring property may be increased by not more than 100%, in cases where the neighbouring activity is not residential or people orientated in nature.

In the case of glare and illumination controls within the Industrial Resource Area (Toko Plains), the controls under Rule IND.4 (8) Design Control prevail for all development within the Industrial Resource Area (Toko Plains).

- (ii) No activity, or use of land or buildings, shall be conducted so that direct or indirect illumination creates a nuisance to traffic or occupants of adjoining or nearby sites.

Council's Enforcement Officers shall decide whether or not there are reasonable grounds for believing that a nuisance has been created.

- (iii) No building shall be constructed, and/or left unfinished, and/or clad in any protective material or cover which could reflect sufficient light to detract from the amenities of the neighbourhood or cause discomfort to any person resident in the locality. Material used in construction, cladding, or protection of a building where discomfort is likely to occur should have a reflective value not greater than 20%.
- (iv) Activities which do not comply with this rule shall be non-complying activities in relation to these matters.

REASON

Glare from external lighting and reflected light can be a nuisance and can be avoided by careful siting and design of lighting fixtures, and by the design of buildings, their position and the material used which may reflect artificial or natural light.

RULE AME.3 ODOUR

No use of land or buildings or any activity shall produce any noxious, offensive and/or objectionable odour discernible beyond the boundaries of the site from which the odour emanates provide that this rule does not apply to normal farming activities (excluding intensive farming activity) in the Rural Resource Area.

REASON

Odour can greatly affect the use and enjoyment of neighbouring properties. Those who create an odour nuisance should be responsible for the control of its effect.

It should be noted that activities that emit odour may require resource consent from the Otago Regional Council. However, for an activity to be a permitted land use in the District, no objectionable odour shall be discernible beyond the site. If an activity does not comply with this rule (regardless of conditions imposed by the Regional Council) it will require a land use consent. Council also has the ability to utilise the provisions of the Health Act where odour is or becomes a nuisance.

RULE AME.4 LANDSCAPING

Where any new industrial site, commercial building in excess of 750m² in gross floor area, or parking area in excess of 500m² is developed which adjoins or faces any residential, health, educational, recreational or retail area, waterbody, or public road, a strip of the relevant frontage of any such property shall be landscaped to provide adequate screening of the site.

Such strips are to be planted in appropriate trees or shrubs by not later than the first planting season after the building or development is completed or the operation or process commences. Such plantings shall be maintained in a healthy condition at all times and shall be so designed as to avoid significant shading of any road carriageway.

A landscape plan outlining the proposed landscaping shall be approved by Council.

REASON

Large industrial and commercial type buildings, and large areas of gravel, sealed or paved carparking can have an adverse effect on the visual amenity of the District. The provision of a landscape screen can soften such visual impact and can also be used to off-set reserve or development contributions.

RULE AME.5 EXTERNAL APPEARANCE OF LAND AND BUILDINGS

In carrying out any activity permitted under this Plan, or by a resource consent granted under this Plan, all persons shall ensure that:

(i) No structure, sign, excavation, storage of materials, or other works

or

(ii) Land or activities ancillary to the use of the site

shall be left without significant physical progress towards completion of the work during the following 12 month period; or be allowed to deteriorate to or remain in such a condition that would detract from the amenities (as defined in the Act, and in particular, visual amenity) of the neighbourhood it is located in or to have an adverse effect on the environment.

The applicant, owner or occupier of the property claiming to be injuriously affected by any abatement notice imposed under the foregoing provisions of this rule may obtain a review of the decision by way of a non-notified application to Council. This does not restrict the rights of any such person under Section 325 of the Act (which provides for appeals to the Planning Tribunal).

REASON

Where any building, operation or storage of material is allowed to fall into disrepair or is adversely affecting the environment (which includes amenity values) Council has the power to issue an abatement notice pursuant to Section 322 of the Act which can, require a person to cease an activity or do something to remedy the situation. This rule clarifies situations which Council may consider such an abatement notice is required, although it is not intended to limit Council's powers under Section 322 of the Act. It should be noted that what is likely to be noxious etc to the extent that it has an adverse effect on the environment is a matter of opinion for the Enforcement Officer to determine. (See Section 322 of the Act)

RULE AME.6 RELOCATED DWELLINGS

(i) Permitted Activities

The relocation of a previously used building intended for use as a dwelling to a site in the Rural Resource Area that complies with the following standards is a permitted activity:

- (a) The site is not within 500 metres of an Urban, Transitional or Rural Settlement Resource Area.
- (b) The building must have previously been designed, built and used as a dwelling.
- (c) The building must be sited in accordance with the other relevant rules of the Rural Resource Area.
- (d) A building inspection report shall accompany the application for building consent. That report is to identify all reinstatement work to be completed to the exterior of the building.

- (e) All reinstatement work required by the building inspection report and the building consent to reinstate the exterior of the dwelling shall be completed within six months of the building being delivered to the site. Reinstatement work is to include connections to infrastructure services (including road access) and closing in of the foundations.
- (f) The proposed owner of the relocated building must certify that the reinstatement work will be completed within the six-month period.

REASON

Incompletely reinstated relocated buildings can have an adverse effect on the amenity values.

(ii) Controlled Activities

The relocation of a previously used building intended for use as a dwelling within the Urban, Transitional or Rural Settlement Resource Areas or within 500 metres of those zones OR the relocation of a previously used building intended for use as a dwelling to a site in the Rural Resource Area that does not comply with the standards set out in (i) above, is a controlled activity.

Council shall retain control over the following matters:

- (a) The proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.
- (b) The design and appearance of the building following reinstatement having regard to the amenity values of the neighbourhood within which it is to relocate.

Council may exercise the bond provisions of Section 108(1)(b) of the Act in respect of such activities.

Any application made under this rule will generally not be notified or served where the written approval of affected persons has been obtained.

REASON

Council has experienced difficulties with the completion of reinstatement works for such dwellings in the past. These buildings sometimes require exterior upgrading and repair and may be left on the site in an unfinished state. This can have an adverse effect on amenity values. Requiring consent will enable Council to consider the timeframe for completion of the work and enables conditions to be imposed that address amenity issues.

RULE AME.7 EXISTING EFFECTS

Where any activity is carried out pursuant to a resource consent or is otherwise lawfully established in time prior to the commencement of any new activity, the new activity shall ensure that any building or work is designed to mitigate any adverse effect of the original activity.

This rule shall not apply if the character, intensity and scale of the original activity changes.

REASON

One of the most significant issues Council has faced in managing the District's resources over the past years has been the situation where a new activity locates adjacent to an existing industry, and the person associated with the newly located activity brings action against that existing activity for generating adverse effects. Under the effects-based regime of the Resource Management Act, that

situation has the potential to occur more often because the standards establish an "environmental bottom line" and do not restrict activities that generally require a higher amenity standard.

An example of such a situation is where a new dwelling locates adjacent to an existing factory which is operating within the required standards for that location at that particular time. The arrival of the dwelling changes the nature of the, receiving environment and, in some circumstances, the factory may no longer comply with the required standards. Furthermore, the occupier of the dwelling could possibly bring action against the factory in common law on the basis of it creating a nuisance, even though it may be complying with the appropriate standards of the District Plan.

To avoid these scenarios, Council considers the most appropriate approach is to require the activity that "moves to the effect" to bear the cost of mitigating the effect where it conforms with the provisions of the Plan before the new activity located.

(Note: See Nuisance effect boundaries on planning maps and Rule RRA.3(iv)(b))

RULE AME.8 EXISTING COMMUNITY FACILITIES

All those facilities identified in Schedule 6.3 and all other like facilities lawfully established prior to notification of this Plan not identified on Schedule 6.3 are permitted activities on their current sites in all Resource Areas.

Any upgrade or extension of these facilities that increases the character, intensity or scale of effects associated with the facility is a permitted activity provided:

- (a) the written consent of adjoining owners and/or affected persons is received;
- (b) the written consent of the appropriate roading authority adjoining the facility is received;
- (c) all building work is carried out in accordance with the rules of this Plan, in particular rules governing bulk and location;
- (d) carparking is provided in accordance with Table 12 and Figure 5.

Where Condition (a) to (d) are not met, the activity shall be considered as a discretionary activity.

REASON

Council's experience has been that the redevelopment of these facilities generally creates minor adverse effects only. Provided affected persons concerns are met, Council does not consider it necessary to require resource consents for the extension of such facilities.

RULE AME.9 BUILDINGS AND STRUCTURES WITHIN A NATIONAL GRID YARD

- (a) On all sites within any part of the National Grid Yard the following buildings and structures are a permitted activity:
 - (i) If they are for an existing sensitive activity and do not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or
 - (ii) A fence; or
 - (iii) A network utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid; or
 - (iv) An uninhabitable farm building or structure for farming activities (but not a milking/dairy shed, or intensive farming buildings (excluding ancillary structures)); or
 - (v) An uninhabited horticultural building or structure; or

- (vi) Any public sign required by law or provided by any statutory body in accordance with its powers under any law.
- (b) All buildings or structures permitted by a) must comply with at least one of the following conditions:
 - (i) A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or
 - (ii) Demonstrate that safe electrical clearance distances are maintained under all National Grid line operating conditions.
- (c) All buildings or structures permitted by a) above shall be located at least 12m from a National Grid support structure unless it is a:
 - (i) Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid.
 - (ii) Fence less than 2.5m in height and more than 5m from the nearest support structure.
 - (iii) Horticultural structure between 8m and 12m from a pole support structure that:
 - a. Meets the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances for separation distances from the conductor (NZECP34:2001);
 - b. Is no more than 2.5m high;
 - c. Is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and
 - d. Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.
 - (iv) A horticultural structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to be located within 12m of a tower or 8m of a pole support structure.

RULE AME.10

The following buildings and structures are a non-complying activity within the National Grid Yard:

- (a) Any building or addition to a building for a sensitive activity.
- (b) Any change of use to a sensitive activity or the establishment of a new sensitive activity.
- (c) Intensive farm buildings and dairy/milking sheds or buildings excluding associated ancillary structures.
- (d) Any building or structure not permitted by Rule AME.9

RULE AME.11

Earthworks within the National Grid yard are a permitted activity provided that:

- (a) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm; and
- (b) any earthworks shall not create an unstable batter that will affect a National Grid support structure; and

(c) any earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34: 2001

The following activities are exempt from Rule AME.11 (a) above:

- A. Earthworks undertaken in the course of constructing or maintaining infrastructure
- B. Normal agricultural activities or domestic gardening.
- C. Repair, sealing resealing of an existing road, footpath, farm track or driveway.
- D. Earthworks undertaken in the course of constructing and maintaining lines and structures and equipment that is associated with facilities for the commercial scale generation of electricity.

RULE AME.12

Any earthworks that do not comply with Rule AME.11 a) shall be a restricted discretionary activity.

The matters over which the Council will exercise its discretion are:

- Any effects on the integrity of the transmission line;
- Volume, area and location of the works, including temporary activities such as stockpiles;
- Time of the works;
- Site remediation;
- The use of mobile machinery near transmission line which may put the line at risk;
- Compliance with NZECP 34:2001; and
- Technical or safety advice provided by any consultation with Transpower New Zealand Limited.

RULE AME.12A

Any earthworks that do not comply with Rule AME.11 b) or Rule AME.11 c) shall be a non-complying activity.

Note: Vegetation to be planted within the transmission corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.

3.11.5. OTHER METHODS

METHOD AME.1 SMOKE, FUMES AND DUST

Council recognises that a number of activities, including domestic activities such as open-fires and barbecues, emit smoke, fumes and dust. These effects will, in the main, be dealt with in the Otago Regional Council Air Plan.

Council encourages those people undertaking normal domestic or farming activities to adopt the most practicable method to avoid the adverse effects of smoke, fumes and dust on adjoining properties.

Being difficult to quantify or measure, no specific standards are set in relation to these effects. However, where any emission of this type under the jurisdiction of Council is deemed to be having a significant adverse effect, Council has the option of issuing an abatement notice to alleviate the problem.

REASON

Effects of this nature are generally controlled by other means (e.g. Regional Air Plan, Health Act etc) and consequently Council does not consider it necessary to intervene until such time as a significant nuisance is being created.

METHOD AME.2 MONITORING

To assess the effectiveness of these policies and rules Council shall

- analyse complaints received in respect of nuisance caused by dust, odour. etc.
- monitor the storage and use of hazardous substances.

3.11.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Neighbouring properties will be protected from the adverse effects of activities on adjoining properties.
2. The amenity values of the District will be protected.

3.12. SIGNS

3.12.1. OVERVIEW

Signs can have an adverse effect on the amenity values of the environment and can also compromise the safety and efficiency of the transportation network. Amenity values are defined by the Act as being:

"those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes."

The effects of signs caused by inappropriate design, dimension, and location can detract from these qualities while also causing distraction to drivers using adjoining roads.

These effects will differ according to the particular environment within which the sign is located in, and consequently, policy has been developed for each identified Resource Area.

In addition to the policies and rules specific to each Resource Area, general provisions have been developed to apply throughout the District in order to control signs that are provided for throughout the entire District.

It should also be noted that the erection of signs on legal State highway road reserves other than those relating to driving purposes is controlled by the Transit New Zealand Bylaw 1987/3. This stipulates that no person may erect any- sign on any part of a State highway unless the NZ Transport Agency consents in writing to the construction, maintenance and display of such a sign.

3.12.2. THE ISSUES

The following are considered to be significant resource management issues facing the District in terms of signage;

- **Signs provide an important information function throughout both the towns and rural areas of the District.**

Explanation

Signs generally have one or more of the following functions - identifying the location of an activity; promoting an activity; directing traffic or customers to an activity. These essential functions need to be recognised and provided for.

- **The location, design and size of signs can adversely affect the amenities of the District.**

Explanation

Inappropriate design, dimension and location can adversely affect the amenity values of the District. These issues need to be considered when developing signage policy. Particular areas of scenic or heritage value may need special consideration.

- **The location, design and size of signs can compromise the safety and efficiency of the roading network.**

Explanation

The aim of any sign is to either attract attention or direct attention. Badly designed or located signs can therefore create a significant traffic hazard by distracting drivers when full concentration is required. Road safety is therefore of paramount importance in determining sign policies.

3.12.3. OBJECTIVES AND POLICIES

The following provisions are to apply throughout the District and are intended to complement the specific provisions of particular areas.

OBJECTIVE SIGN.1

To reduce the adverse impacts of signs on traffic and the general amenity values of the District while recognising that signs can be a necessary and acceptable activity throughout the District.

(Refer Policy SIGN.1 to 6)

POLICY SIGN.1

To enable the use of temporary signs in association with temporary activities while ensuring the dimension, location and duration of such signs avoid, remedy or mitigate adverse effects on amenity values and the safe and efficient operation of the roading network.

Explanation

A number of activities rely heavily on the use of temporary advertising signs. For example, signs for advertising the disposal of property and construction sites, signs that advertise forthcoming events and elections. While these signs are an important element of these activities, they can have adverse effects in terms of their size, design and location.

(Refer Rules SIGN.1 to 3).

POLICY SIGN.2

To support the establishment of "Welcome To" signs at entrances to townships and tourist regions, and tourist information signs at appropriate locations throughout the District.

Explanation

"Welcome To" and tourist information signs are important network information signs throughout the District. Well designed "Welcome To" signs can greatly enhance local amenity, while tourist information signs are essential to the success of the growing tourism industry. Tourist information signs do not include signs advertising a commercial tourist facility.

(Refer Rule SIGN.3)

POLICY SIGN.3

To encourage and support the use of international symbols.

Explanation

With the increasing number of tourists visiting the District, Council considers it appropriate that international symbols are used wherever possible.

(Refer Method SIGN.1)

POLICY SIGN.4

To avoid the adverse effects of hoardings within the District.

Explanation

Hoardings are signs used to advertise and promote products not grown, produced or sold on the site upon which the hoarding is situated. While such types of advertising may be appropriate in large built up areas, they are not considered appropriate in the predominantly rural setting of the Clutha District.

(Refer Rule SIGN. 4)

POLICY SIGN.5

To ensure that the adverse effects signs can have on amenity values and the safety and convenience of the people of the District are avoided, remedied or mitigated.

Explanation

The provisions of the plan are designed to avoid signs that will detract from the amenities or compromise traffic safety. However, there will always be instances where signs compromising these values are erected. Where it comes to Councils attention that a sign is causing concern to the general public, Council may, where it considers appropriate, issue an abatement notice or require that a resource consent be applied for in respect of the sign.

(Refer Rules SIGN.7 and 8 and Rule AME.5).

POLICY SIGN.6

To provide for the placement of signs necessary for reasons of public safety and information within the District.

Explanation

There are numerous situations where it is necessary for the display of warning or safety information signs. These can include warning signs for overhead or underground wires, boating safety, safety information in wilderness areas and so forth.

POLICY SIGN.7

In circumstances where advance warning and/or directional signs are considered necessary, to promote and encourage the co-ordinated development of signs where more than one activity is involved.

Explanation

The development of one advance warning or directional sign that incorporates all service providers/activities will assist in reducing the effect of such signs on amenity values and the safe and efficient operation of the adjoining road.

POLICY SIGN.8

To determine the suitability of signs in any given location by having regard to the signs effect on the following matters;

- (a) the safe and efficient operation of the roading network**
- (b) the amenities of the locality**
- (c) the character of the landscape**
- (d) the character and scale of the building, site or area**
- (e) any heritage, historical or cultural values present**

while recognising the positive contribution signs make to the social economic and cultural wellbeing of the District's people and communities.

Explanation

Signs generally have one or more of the following functions:

- to advertise goods and services
- identify the location of an activity
- promoting an activity or event
- directing traffic or customers to an activity

These central functions need to be recognised and provided for. However, the erection of signs must be managed to ensure that amenity values and the safe and efficient operation of the roading network are not compromised.

3.12.4. RULES

These rules apply throughout the District. It should be noted that each Resource Area contains specific provisions in relation to signs.

RULE SIGN.1 MESSAGE CLARITY

The message on all signs must be clear, concise and of a clear lettering style. Clarity of the sign message is determined by the speed limit of the adjacent road. Table 12 comprises the NZ

Transport Agency guidelines to acceptable lettering sizes in relation to speed limits and can be used as a guideline.

Table 12: Minimum Lettering Sizes Lettering Height (mm)

Regulatory Speed Limit Km/h	Main Message	Property Name	Secondary Message
50	150	100	75
70	200	150	100
80	250	175	125
100	300	200	150

RULE SIGN.2 PERMITTED ACTIVITIES

The following signs are permitted activities throughout the District;

- (i) A sign not exceeding 1m² in area advertising the disposal of land or premises on which it is located.
- (ii) A sign not exceeding 3m² in area erected on a construction site for which a building permit has been issued or for a property development involving the sale of several allotments or premises. No such sign shall be displayed for a period exceeding the duration of the construction period and shall include only details of the project and the names of parties connected therewith.
- (iii) Any sign erected to direct, control or warn traffic with its dimensions fixed by Regulations, or any sign not exceeding 0.5m² in area serving to denote the name of the street, the number or name of the premises, or indicating the location or timetable or other details of any public utility or facility.
- (iv) Any sign erected to display public safety information or to warn the public of the existence of a hazard provided the sign is no larger than is necessary to adequately convey such information.
- (v) A sign not exceeding 2m² in area erected on land held or managed under the Conservation Act 1987 or any of the Acts referred in the First schedule of that Act which provides information about the land upon which it is erected.
- (vi) A sign displayed for electioneering purposes, or advising of forthcoming cultural, religious, educational, sporting events or other temporary activities provided such signs:
 - are not erected earlier than six months before the event
 - do not exceed 3m² in area or 2.5 metres in height
 - are removed within seven days of the event finishing
 - are not reflective, illuminated or flashing
 - are located so driver visibility is not obstructed at accesses or intersections.
- (vii) Signs located within Council owned land, local reserves or road reserves that comply with the NZ Transport Agency "Manual of Traffic Signs and Marking" in relation to motorist service and tourist signs. (*Note: no person may erect a sign on Council owned land without Councils consent or on a reserve or road reserve without the consent of the reserve administrator or road owner.*)

With respect to roads, the Owner will be either Council or the NZ Transport Agency. The reserve administrator/road owner may control the design and location of any sign to be erected in these circumstances).

All signs identified in (i) to (vi) above shall comply with Rule SIGN. 1, Rule SIGN.5 and Rule SIGN.7.

Note: No person may erect any sign on any part of a State highway unless the NZ Transport Agency has consented in writing to the construction, maintenance and display of such a sign.

The written consent of Council's Chief Executive Officer will be required if a sign is to be located on road reserve other than a State highway.

REASON

Temporary signs advertising the sale of property or a construction site can only serve their purpose if located on the property to which they relate. A restriction on the size of such signs will mitigate any adverse effects arising from their erection. Signs directing traffic and identifying public facilities are considered essential for information purposes.

With respect to Rule SIGN.2(vii) the NZ Transport Agency has developed standards for motorist service signs that are recommended for all local road controlling authorities through the country. Adoption of this standard will ensure a consistency in traffic signs throughout New Zealand. These signs are designed to ensure adverse effects on the safe and efficient operation of the road and amenity values are avoided or minimised. Control will be retained over the specific location of the sign by the road owner to ensure motorist safety is not compromised. However, because no resource consent is necessary, flexibility is maintained. For such signs that are located outside the identified areas, consent will be needed (see Rule SIGN. 3(i)).

For the sake of clarity, the following definitions are a useful guide to what falls within these categories:

"Motorist services" include rest areas; accommodation; camping grounds; caravan parks; vehicle refueling and service stations; refreshments and meals; information; medical services; public facilities (telephones, toilets, waste disposal points); parking areas; airfields; boat ramps.

"Tourist facilities" include the following:

- Tourist features, including scenic lookouts, historical markers and geographical features:
- Tourist establishments being commercially operated enterprises which cater primarily for tourists including museums, historic homes/buildings, parks, wineries, galleries, craft centres, potteries etc;
- Major tourist attractions such as national parks, coastal towns, resorts, historic towns, water storage areas, recreation areas;
- Tourist or scenic drives.

RULE SIGN.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following signs are restricted discretionary activities:

- (i) Signs that do not comply with *Rule SIGN.2*
- (ii) Signs placed on, or affixed to, vehicles and/or trailers which are parked on private or public property or streets, where the apparent purpose is to direct people to a business or activity

on a nearby property (*Note: this does not restrict signs placed on, or affixed to, vehicles, such as lettering, where the sign is incidental to the primary use of the vehicle*).

Council shall restrict the exercise of its discretion to the design, location and size of these signs, and their impact on amenity values and the safe and efficient operation of the roading network.

Written approval of affected parties and notification of the application will generally not be required except in circumstances where a rural State highway (defined as 70 km/h speed limit or greater) is affected, in which case the NZ Transport Agency approval will be required.

REASON

The above signs have been given "discretionary activity" status to enable Council to have control over the location, design and size of such signs. Notification will only be required where there may be an element of public interest, for example, the design may not be considered appropriate and accordingly it may be appropriate to have public input.

RULE SIGN.4 NON-COMPLYING ACTIVITIES

The following signs are non-complying activities throughout the District;

- (i) Hoardings (defined Section 5).

REASON

Such signs are erected for purely commercial reasons and do not relate to the site to which they are attached. These signs greatly detract from the amenities.

RULE SIGN.5 SIMILARITY TO TRAFFIC SIGNS

Signs shall not be designed so as to conflict with the colour and shape of recognised traffic signs.

REASON

Signs coloured and shaped similar to standard traffic control warning signs can create confusion and therefore danger on the road.

RULE SIGN.6 SIGNS NOT REFERRED TO

Signs or signage not referred to in the Plan or not meeting the criteria in the Plan shall be considered discretionary activities (unless otherwise stated in the Plan). Council may notify any proposal if, in Council's opinion, the amenities of the environment or safety of the roading network is adversely compromised.

REASON

Due to the significant effects that signs can have, Council considers it wise that signs not provided for be considered as discretionary activities. This enables Council to refuse a sign that will have a significant adverse effect. Where non-compliance is minor, Council will not note the proposal, but where there are potentially significant effects and matters of public concern, such applications will be notified.

RULE SIGN.7 SIGNS AFFECTING TRAFFIC SAFETY

Signs shall not be located where they would add to driver distraction in a situation where road conditions demand full and uninterrupted driver concentration.

If at any time Council is of the opinion that the erection, construction or display of any sign may have an adverse effect on traffic safety or on the requirements of traffic control, the Council may issue an abatement notice or require that a resource consent application for a discretionary activity be made for the sign.

REASON

Signs can have a significant impact on traffic safety and where this is apparent a resource consent will be necessary.

RULE SIGN.8 SIGNS AFFECTING AMENITIES

If at any time the Council is of the opinion that the erection, construction, or display of any sign will detrimentally affect the amenities of any land or will detrimentally affect fire egress from any building, or will be visually inappropriate to the locality or architecture of the locality, the Council may issue an abatement notice or require that an application for a discretionary activity be made for that sign.

REASON

How signs are designed and where they are placed affects the character of the environment. Consequently, to enhance and contribute to the area in which they are located signs should respect the scale and character of the environment. Where Council is of the opinion that a sign does not respect these issues, Council may require that a Resource Consent be received for that sign.

3.12.5. OTHER METHODS

METHOD SIGN.1 INTERNATIONAL SYMBOLS

Council shall, where it considers it appropriate, encourage the use of international signs and symbols.

REASON

With the increasing numbers of overseas tourists visiting the District, international symbols should be used where appropriate. This also helps create a uniformity in the Districts information and tourist signs.

METHOD SIGN.2 THE GRID ANALYSIS TECHNIQUE

This simple technique can be used to identify appropriate sign opportunities for developers and occupants. While the technique relates specifically to traditional building facades (such as those commonly found in strip-shopping centres), the principles apply to all building forms.

Signs do not have to be on a building's front facade. For example, they can be placed on side-walls provided they do not interfere with the adjoining development. In these circumstances the principles of the technique still apply.

THE TECHNIQUE

Step 1:

To identify sign opportunities the facade must be subdivided using the main design lines to form a series of panels. Many traditional building designs can be easily broken into a grid based on the alignments of the parapet (skyline), cornice, verandah, window and door. An example of this procedure is shown in Figure 14.

STEP 2:

To identify possible sign panels the rectangles of the grid may be used separately or be joined together to form horizontal or vertical panels. Figure 15 shows examples of such panels.

The scale of advertising signs should be compatible with the buildings they are on, as well as with nearby buildings, street widths and other existing signs. In most cases, appropriate dimensions are achieved by restricting signs to grid locations or panels. This ensures that the original architectural character (set by the lines of awnings, window and door openings, parapet lines and setbacks) remains dominant.

On buildings with decorative facades, signs should not be placed on the decorative forms or mouldings. Instead, they should appear on the undecorated wall surfaces, unless architecturally designed sign panels are provided.

Figure 15 also shows that a building may be given a horizontal or vertical appearance simply by the way in which the sign panels are arranged across or down a building.

STEP 3:

Applying the technique to a series of buildings shows the possible panels for the streetscape and provides the basis for developing patterns themes. Figure 16 shows how the technique produces a uniform and clean series of sign possibilities instead of a haphazard array.

Figure 16 also shows that sign panels do not have to be rectilinear in design or contained in a perimeter margin unless these impose an architectural formality or introduce a continuity with the surrounding area which is presently lacking in the building.

Figure 17 shows how a variation of the technique can be used to help correct any discontinuity in the streetscape. The lines of adjacent building may be projected across the facade of the building, thereby defining horizontal panels in which signs may be located. This will achieve visual continuity with neighbouring buildings.

STEP 4:

Not every panel identified using this technique should be used to display a sign. In designing signage, a theme can be developed by placing signs in location compatible with those on adjoining buildings.

In deciding which of the panels is the appropriate space for advertising, the following matters should be considered:

- existing signs;

- the quality of the streetscape;
- the suggestions contained in Method URB.1.

(Source: Department of Planning Sydney, Department of Planning and Housing, State Government of Victoria, Melbourne, Australia).

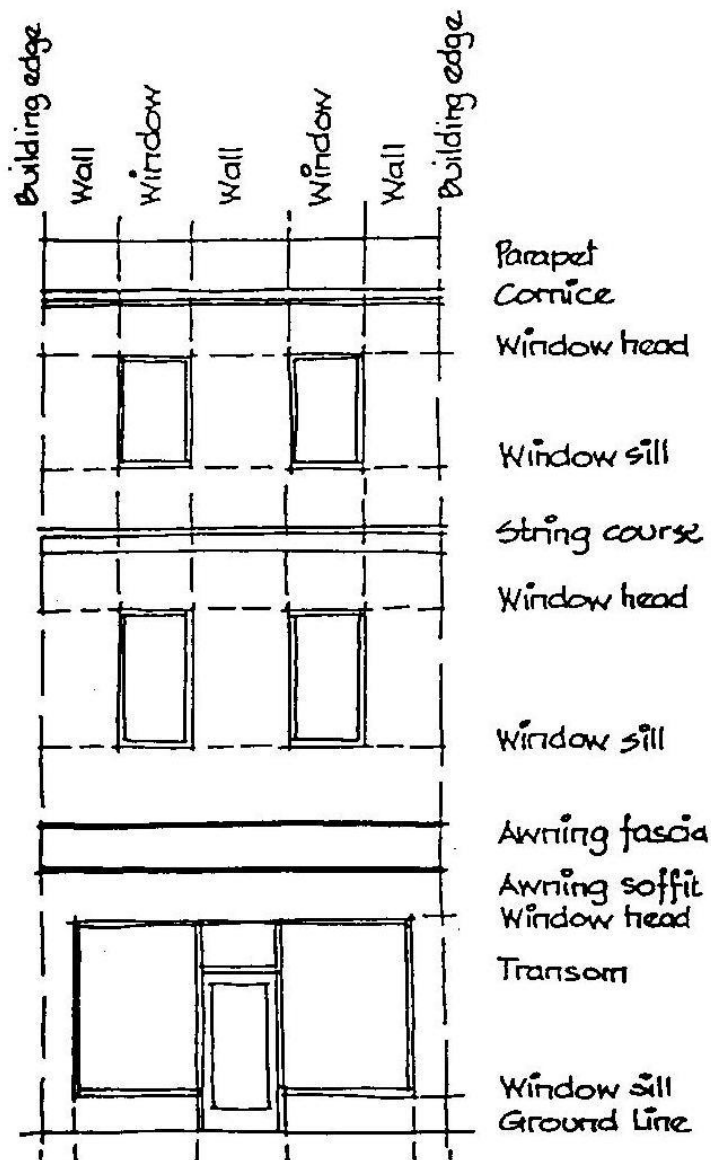


Figure 14 - Establishing the Facade-Grid



Figure 15 - Horizontal or Vertical Panels

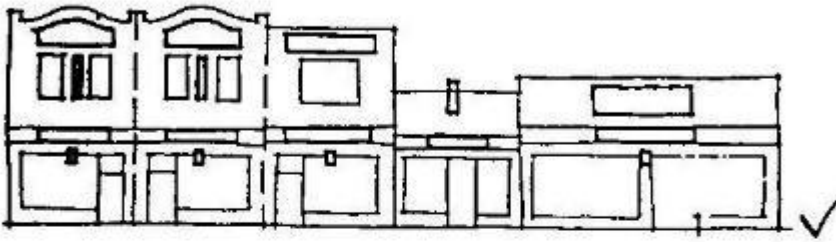
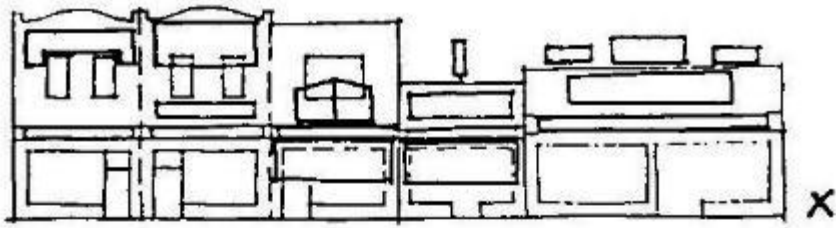


Figure 16 - Developing Patterns and Themes

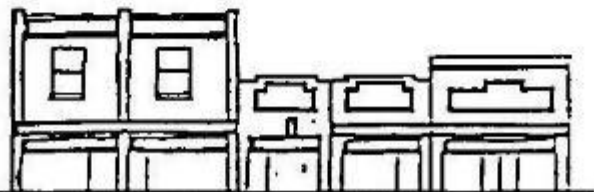
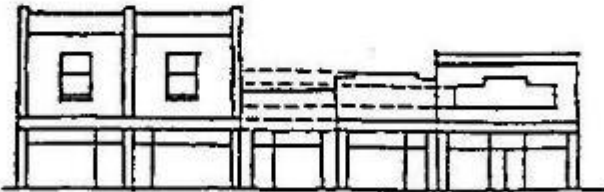
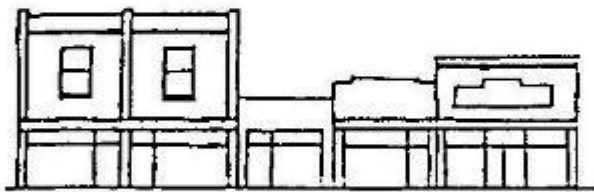


Figure 17 - Improving Discontinuities in Streetscape

METHOD SIGN.3 CRITERIA FOR ASSESSMENT

Signs requiring resource consent will be assessed against the following criteria, unless otherwise stated;

- (i) Does the sign:
 - Conform to the desired future of the area (as described by the desired environmental outcomes for the area)?
 - Complement the dominant character of the landscape?
 - Complement the character and scale of buildings, site or area?
 - Rationalise or reduce the number of existing signs?
 - Adversely affect traffic safety?
- (ii) In considering any application the following design factors are relevant and shall be supplied with any applications:
 - Number of existing signs on the building subject to application.
 - Placement (i.e. visibility)
 - Dimensions, scale, shape and colour.
 - Materials, construction details (e.g. means of attachment).
 - Purpose of sign (i.e. identification, directional, general advertising).
 - Reflectivity.
 - Means of illumination.
 - Provision of services, such as electricity, to the sign.
 - Durability.
 - Maintenance provisions.
- (iii) The guidelines shown in Method SIGN 2 and where appropriate Method URB.1 Sign Guidelines.
- (iv) The publication “Advertising Signs and Road Safety: Design and Location” Land Transport Safety Authority and Transit New Zealand, 1993.

METHOD SIGN.4 MONITORING

To assess the effectiveness of these policies and rules Council shall

- monitor the District for the erection of non-complying signs
- monitor the impact of the Plan’s sign provisions on town centres.

3.12.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Signs to have no adverse effect on traffic safety throughout the District.
2. Signs complement the amenity values of the district rather than detract from those values.

3.13. NOISE

3.13.1. OVERVIEW

The Resource Management Act requires Council to "control the emission of noise and the mitigation of the effects of noise". Noise pollution creates an all invading source of intrusion into an environment and can adversely affect people's well-being. These effects are often hard to define precisely but regard must be had to the incidence of noise from any activity.

Noise may occur from a wide variety of sources in both the rural and urban environment. Industry, transport, recreation, and households can all create noise that may influence a person's well-being by, for example, preventing sleep, inducing stress, disturbing concentration or interfering with communication.

There are situations where it may be impracticable to reduce noise levels, and where related to a domestic activity of relatively short duration, such as lawn mowing or seasonal rural activities, noise may be acceptable. These activities would generally exceed any otherwise reasonable noise standards. As they are generally of short duration, they are often best left to be resolved by those involved. However, inconsiderate actions may require intervention by Council to ensure that unreasonable or excessive noise is abated.

The controls imposed by this Plan do not remove the possible requirements of other noise control legislation such as the Health Act 1956 and the Building Act 1991.

3.13.2. THE ISSUES

The following are considered to be the significant noise issues facing the Clutha District.

- **The Clutha District has a relatively "quiet" amenity.**

Explanation

The Clutha District is relatively free from major industry, high traffic volumes, and large urban centres and is largely a rural environment. Consequently, the District is considered to have a quiet and peaceful amenity.

- **Noise generated by some industrial and agricultural type activities can adversely impact on residential activities.**

Explanation

Some industrial and agricultural activities can generate significant noise levels and are consequently incompatible with residential areas which have a quiet background noise level.

3.13.3. OBJECTIVES AND POLICIES

OBJECTIVE NSE.1

To protect the Districts amenity values and the wellbeing of the Districts people from the adverse effects of noise.

POLICY NSE.1

To mitigate the adverse effects of noise on

- (i) The well-being of the people of the District; and**
- (ii) The amenities of the District.**

Explanation

Noise can greatly impact on the amenities of the District and the general wellbeing of the District's people. Council's goal is to reduce this impact to an acceptable level.

(Refer Rules NSE.1 to Method NSE.2, and Resource Areas of Section 4,)

POLICY NSE.2

To establish permitted noise levels as a minimum standard for defined areas of the District.

Explanation

Noise levels permitted reflect the noise levels in specific areas as determined by noise surveys. Noise levels are generally specified at a receiver position in order to optimise the level of protection without unnecessarily impacting on the noise generator.

(Refer various Resource Areas of Section 4)

POLICY NSE.3

To mitigate the adverse effect that noise generated from airports can have, while ensuring that the viability of the Districts airports is not threatened.

Explanation

The continuing operation of the airfields can be severely affected if activities which are sensitive to noise (e.g. residential uses), establish adjacent to them. Council proposes to investigate the establishment of an airport noise boundary which should avoid potential problems. Noise within that boundary would be controlled by the New Zealand Standard 6805: 1992.

(Refer Method NSE.1)

POLICY NSE.4

To monitor noise trends throughout the District.

Explanation

Noise levels have been measured throughout the District to establish general background noise levels. This enables Council to measure the performances of activities against accepted amenity levels. Monitoring of noise will continue throughout the district to assess the effectiveness of this Plan.

3.13.4. RULES

The following rules apply throughout the District.

It should be noted that each Resource Area contains specific noise provisions.

RULE NSE.1 MEASUREMENT

- (i) Except where otherwise stated, all noise will be measured and assessed in accordance with the requirements of New Zealand Standards NZS 6801:2008 "Acoustics – Measurement of environmental sound" and assessed in accordance with NZS 6802:2008 "Acoustics – Environmental noise".
- (ii) The measurement period shall be not less than 15 minutes and the L10 level in dBA is defined as that level of sound equalled or exceeded for 10% of the measurement period.

REASON

Recognised noise assessment and measurement techniques are to be used to ensure consistency is achieved and doubt is removed from the process.

RULE NSE.2 CONSTRUCTION NOISE

Noise resulting from construction which is ancillary to the principal use of the site shall meet with the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803 1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. Any activity that does not comply with this rule shall be considered as a discretionary activity in accordance with the criteria set out in Method NSE.2.

REASON

Construction site noise is often thought of as only a temporary inconvenience although major developments may take several years. Noise from such projects can often be a serious problem, however Council considers that existing New Zealand Standards are adequate to control this activity. The abatement procedures for excessive noise is available where such noise is becoming a major problem.

RULE NSE.3 VIBRATION

Vibration emanating from a site shall meet the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 4403:1976 Code of Practice for Storage, Handling and Use of Explosives.

REASON

Vibration from the operation of machinery or the use of explosive devices can be a nuisance. Once again, the New Zealand Standards are seen as an adequate control with abatement notice procedures controlling excessive noise problems.

RULE NSE.4 TEMPORARY MILITARY TRAINING ACTIVITIES

Notwithstanding anything to the contrary elsewhere in this plan, the permitted noise levels for temporary military training activities shall not exceed the following limits:

For all resource areas (as measured from a line 20 metres from and parallel to the façade of any dwelling used for accommodation):

Any day 0630-0730	Any day 0730-1800	Any day 1800-2000	Any day 2000-0630
(i) Temporary Military Training Activities only up to:			
60 dBA L ₁₀	75 dBA L ₁₀	70 dBA L ₁₀	45 dBA L ₁₀
(ii) Temporary Military Training Activities – Use of explosives only up to:			
122 dBC	122 dBC	122 dBC	122 dBC

Any temporary military training activity that fails to comply with these standards shall be a discretionary activity.

REASON

Noise associated with temporary military training activities can sometimes be reasonably loud, but are generally infrequent and of short duration. Because of the short-term nature of temporary military training activities, Council considers it overly restrictive to require applications for resource consent where the noise standards of the Resource Areas are not met. Consequently, higher limits have been identified for this activity.

Council also notes section 16 of the Act which imposes a general duty on people to avoid creating unreasonable levels of noise.

3.13.5. OTHER METHODS

METHOD NSE.1 - AIRPORT NOISE BOUNDARIES

To investigate in conjunction with Airport operators, the development of an air noise boundary and outer control boundary, for the district's airfields.

REASON

While airfields and airports are considered essential resources of the District, noise emission from these facilities can be excessive relative to what is expected in the rural area and can be objectionable to people living and working in the vicinity of such facilities. In order to protect the viability and efficiency of existing or future airfields of the District, noise sensitive activities within the vicinity of these facilities may need to be controlled. Council proposes to investigate the creation of an air noise boundary that establishes performance standards for activities located within it.

METHOD NSE.2 - RESOURCE CONSENT CRITERIA

In considering any resource consent application for a dispensation from minimum noise level standards stipulated throughout the Plan, Council shall have regard to the following matters:

- The maximum noise levels of the proposed activity.
- The frequency the noise activity takes place.
- The length of time that the noise continues.
- The special characteristics of the noise.
- The likely adverse effects of noise on other activities and the natural and physical resources of the locality (including cumulative effects).
- Any possible means of mitigating the effects of the noise.
- The objectives for noise control.

In granting any consent, the Council may impose conditions including maximum noise levels and the days, and times during the day, in which noise may be created and the requirements for the mitigation of the effects of the noise.

REASON

There may be instances where dispensation can be given from the noise performance standards because of the special characteristics of the type of noise being emitted. This rule gives Council a flexibility in regard to such activities.

METHOD NSE.3 MONITORING

To assess the effectiveness of these policies and rules Council shall

- analyse complaints received
- measure noise levels at specified points annually to monitor background noise.

METHOD NSE.4 - GENERAL RESPONSIBILITIES

Every occupier of land or water and every person carrying out an activity on land or water shall adopt the best practicable option (as defined by the Act) to ensure emission of noise from that land or water activity does not exceed a reasonable level. Where Council considers there to be unreasonable noise emission in terms of Sections 326 and 327 of the Act, Council may exercise the powers available under those sections.

(See Section 16 of the Act)

REASON

Section 16 of the Act imposes a duty on people to avoid creating unreasonable noise. Council recognises that many noises generated by normal domestic activities (e.g. lawn mowing, people entertaining at their residence) may exceed normal background noise levels and in some instances will create excessive noise as defined by Section 326 of the Act. Where a complaint is received in terms of Section 327 of the Act, Council will carry out its duties in terms of that section. It is considered appropriate to note these provisions in the Plan to draw the public's attention to their responsibilities in terms of noise generation.

3.13.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Maintenance of the District's "quiet" amenity values.

3.14. INFRASTRUCTURE

3.14.1. INTRODUCTION

The public works and utilities that comprise the District's infrastructure network provide services that are essential to the functioning and wellbeing of the District's communities. These works provide such services as electricity, telecommunications, water and sewerage reticulation, along with the transportation network and public safety devices. While these works are a critical component in the sustainable management of the District, their ongoing development, operation and maintenance can have adverse effects on the environment, particularly in terms of visual impact. The purpose of this section is to enable the ongoing development, operation and maintenance of essential infrastructure while ensuring those effects are appropriately managed.

Conversely, the ongoing development, operation and maintenance of these works can be compromised by adjoining development. As a consequence, reverse sensitivity effects on the infrastructure must also be managed.

The definition of 'infrastructure' within the Resource Management Act 1991 includes facilities for the generation of electricity. These facilities are dealt with separately in this Plan.

3.14.2. OBJECTIVES AND POLICIES

OBJECTIVE INF.1 POSITIVE CONTRIBUTION OF INFRASTRUCTURE

To recognise the essential and positive contribution that infrastructure, including the transportation network, and its ongoing operation, maintenance, upgrading and development makes to the social, economic, and cultural wellbeing, and to the health and safety of the District's people and communities.

(Refer Policies INF.1, 2, 3 and 9)

OBJECTIVE INF.2 A SAFE, EFFICIENT AND INTEGRATED INFRASTRUCTURE FRAMEWORK

A safe and efficient infrastructure system that integrates with land use activities and minimises, as far as practicable, any adverse effects on the amenity values, ecological values, landscape values, cultural and historic heritage values of the District, and the health and safety of people and communities.

(Refer Policies INF.1, 4, 5 and 7)

OBJECTIVE INF.3 ACTIVITIES ADJOINING THE INFRASTRUCTURE NETWORK

The ongoing operation, maintenance, upgrading and development of the infrastructure network that is not compromised by incompatible activities.

(Refer Policies INF.6 and 7)

OBJECTIVE INF.4 RECOGNITION OF ELECTRICITY TRANSMISSION NETWORK

To recognise the local, regional and national significance of the secure and efficient transmission of electricity in the sustainable management of the District's resources.

(Refer Policies INF.1, 6 and 7)

OBJECTIVE INF.5 PROVISION FOR THE ELECTRICITY TRANSMISSION NETWORK

The safe and efficient operation, maintenance, and upgrade of the existing electricity transmission network and the establishment of new electricity transmission resources to meet the needs of present and future generations, where:

- (i) significant adverse environmental effects of the network are avoided, remedied or mitigated;**
- (ii) the adverse effects of other activities on the network are avoided, remedied or mitigated;**

While recognising the technical and operational requirements and constraints of the network.

(Refer Policies INF.1, 3, 6 and 7)

OBJECTIVE INF.6 TRANSPORTATION AND ENERGY EFFICIENCY

To recognise the link between transportation and energy efficiency in the management of the transportation network in the sustainable management of the District's resources.

(Refer Policy INF.12)

POLICY INF.1 EXISTING INFRASTRUCTURE

To ensure that the ongoing operation and maintenance of existing infrastructure is protected, and to enable the upgrading and development of that existing infrastructure where the environmental effects of such work are:

- (i) no greater than existing at the time of adoption of this Plan; or**
- (ii) are compatible with the existing environment; and**
- (iii) that the values found within the land listed in and/or identified via the application of the following rules:**
 - Table 9 (SSWI Database);**
 - Table 13.3A (Potentially Outstanding Landscapes);**
 - Table 13.3B (Outstanding natural Features);**
 - Table 13.5 (Significant Wetlands);**
 - Table 13.6 (Waahi Tapu);**
 - Table 13.7 (Waahi Taoka and Mahika Kai);**
 - Table 13.8 (Areas of Significant Habitat): and**
 - Any areas as defined by Rules RRA.13 or COA.6 as requiring a resource consent**

of the District Plan are not significantly adversely affected.

(Refer Objectives 1-5 and Rule 4)

POLICY INF.2 UPGRADE OF EXISTING INFRASTRUCTURE

To encourage and enable the upgrade of existing infrastructure which maximises the capacity and efficiency of existing facilities, where appropriate, in preference to the establishment of new facilities in otherwise uncompromised environments.

(Refer Objectives INF.2 and 4 and Rule INF.4)

POLICY INF.3 ENABLE INFRASTRUCTURE DEVELOPMENT

To ensure that significant upgrading of existing infrastructure and the development of new infrastructure, including the transportation network, is located, designed and operated so that the following matters, where relevant, are recognised and provided for:

- (a) The avoidance of those areas contained in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rules RRA.13 or COA.6 as requiring a resource consentor where avoidance is not practicable, any adverse effect on the key values of the affected resource is remedied or mitigated;
- (b) The avoidance, remedying or mitigation of significant adverse effects on general landscape, including the coastal environment, and amenity values;
- (c) The avoidance, remedying or mitigation of adverse effects on water bodies and their margins (including their natural character) and any associated statutorily managed sports fish and game;
- (d) The avoidance, remedying or mitigation of any significant increase in risk to the safety of the public;
- (e) The efficient operation of other established utilities and infrastructure;
- (f) The avoidance, remedying or mitigation of adverse effects on the integrity of significant heritage and cultural values;
- (g) The avoidance, remedying or mitigation of adverse effects on the integrity of values of importance to Kai Tahu;
- (h) The avoidance, remedying or mitigation of the adverse effects of noise, vibration, lightspill, glare, stormwater run-off, and dust emissions;
- (i) The potential for material damage from erosion, subsidence, slippage, inundation or other natural hazard events and measures to avoid, remedy or mitigate exacerbation of any of these processes;
- (j) The potential for material damage or loss from the potential effects of climate change;
- (k) The avoidance, remedying or mitigation of adverse effects on town centres and identified townscape precincts;

- (l) **The long term and/or irreversible effects on communities, including the potential for the displacement, dislocation or severance of communities;**
- (m) **Any significant adverse effects on existing land use activities;**

While recognising and having regard to any specific location, technical and operational efficiency requirements and constraints of the network.

(Refer Objectives INF.1 and 5 and Rules INF.2, 8, and 9)

POLICY INF.4 INFRASTRUCTURE ROUTES

In assessing any resource consent application under Policy INF.2, to consider the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site, materials and method selection for any infrastructure route.

(Refer Objectives 2 and 6, Rules INF 2, 8, 9 and 12)

POLICY INF.5 UTILITY CORRIDORS AND CO-SITING

To mitigate the impact that infrastructure can have on the landscape values of the District by promoting and encouraging the co-siting of infrastructure and the location of infrastructure in “corridors” where this is feasible and practicable having regard to the operational and commercial efficiencies and the technical constraints of the infrastructure concerned.

(Refer Objective INF.2 and Rules INF.2, 8, and 9)

POLICY INF.6 HIGH VOLTAGE TRANSMISSION LINES

To avoid or mitigate both adverse effects on and adverse effects of high voltage transmission lines, by encouraging the location of new lines away from urban areas and sensitive rural locations, and by restricting the location of inappropriate subdivision, use and development in close proximity to existing lines, including preventing residential and other sensitive development near such lines.

(Objectives INF.4 and 5; Rules AME.9 and SUB.1(d)F)

POLICY INF.7 REVERSE SENSITIVITY EFFECTS

To avoid, remedy or mitigate reverse sensitivity effects of subdivision, land use and development activities on existing infrastructure in recognition of the need for ongoing operation, maintenance, replacement and upgrading of such infrastructure.

(Refer Objectives INF.2, 3, and 4 and Rules AME.9 and SUB.1(d)F)

POLICY INF.8 TELECOMMUNICATION FACILITIES

To ensure that the location and installation of telecommunication facilities is in accordance with the National Environmental Standard for Telecommunication Facilities 2008 and its subsequent updates.

(Refer Objective INF.1 and Rule INF.9)

POLICY INF.9 PUBLIC SAFETY INFRASTRUCTURE

To provide for structures essential to public safety.

(Refer Objective INF.1 and Rule INF.11)

POLICY INF.10 UNDERGROUNDING INFRASTRUCTURE

To encourage, where practicable, the location of infrastructure underground.

(Refer Objective INF.2 and Rule INF.7)

POLICY INF.11 MANAGING THE DEVELOPMENT OF THE TRANSPORTATION NETWORK

In addition to those matters identified in Policy 3 above, to ensure that the design, location and operation of the transportation network recognises and provides for the intended level and type of traffic usage and any foreseeable future demands.

(Refer Objectives INF.2 and 6 and Rule INF.2)

POLICY INF.12 TRANSPORT AND ENERGY EFFICIENCY

To ensure that new developments and new transportation routes are designed for optimum effectiveness, energy efficiency and are located in situations that provide protection from natural hazard events as far as is practical.

(Refer Objective INF.6 and Rule INF.2)

13.4.3. REASONS AND EXPLANATION FOR OBJECTIVES AND POLICIES

Infrastructure, such as electricity, telecommunications, water and sewerage reticulation, along with the transportation network and public safety devices, provide services that are essential to the functioning and wellbeing of the District's communities. The objectives and policies of this Plan recognise that the development and operation of such infrastructure is an essential component in providing for the social, economic, and cultural well-being, and health and safety of the people of the District. Where these activities are designed to avoid, remedy or mitigate adverse effects on the environment, they have been permitted as of right.

However, the objectives and policies also recognise that the scale and location of some infrastructure works can have significant adverse effects on the environment. The resource consent process will ensure that amenity values are recognised and provided for in the location/design of these structures. The resource consent process will also take into consideration the efficiency and operational needs of these works.

The requirements of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 are also reflected throughout the policy suite.

3.14.4. RULES

TO BE A COMPLETE CODE

Except where such activities require consent as part of an energy generation facility or new subdivision, the rules in this section of the Plan provide a complete code for those activities to which this section applies. Other than in relation to the provisions of 3.4 Energy, 3.7 Subdivision, 3.8 Financial Contributions and Reserve Requirements, the application of appropriate noise standards within the general section of the plan, and the Definitions in Section 5, no rule in any other part of this plan shall apply to any activity dealt with by this section, unless the application of that rule is directly referred to in this section of the Plan.

Please Note: The activities provided for below may require resource consents from the Otago Regional Council.

RULE INF.1 STANDARDS AND CONDITIONS

All activities provided for below, including permitted activities, must comply with the standards set out in Rule INF.13 where those standards are relevant to the activity in question.

RULE INF.2 TRANSPORTATION ROUTES

1. ROADS

(i) Existing Formed Legal Roads

The maintenance, upgrading or realignment of legal roads within legal road reserves or existing formed public roads not fully contained within the legal road reserve is a permitted activity except where the status/classification of the road is changed to State Highway or to a heavy traffic route in which case these activities become discretionary activities.

(ii) Encroachment beyond an Existing Road Reserve of Formed Road

The physical encroachment of a road due to upgrading, shape correction, or minor realignment works for the purpose of improving safety and efficiency of the road outside the existing road reserve boundary, is a permitted activity provided:

- (a) The area of land no longer required for road is rehabilitated for productive uses or is landscaped or rehabilitated effectively and permanently so to offset any removal of significant flora and/or habitat of significant fauna associated with the encroachment.
- (b) Any areas of soil, indigenous vegetation, riparian vegetation and margins disturbed by the construction work that are not incorporated into the new road carriageway are effectively reinstated to a standard no less than that which existed prior to the work taking place.
- (c) The safe and efficient operation of existing infrastructure is not adversely affected.
- (d) Stormwater control is integrated with the existing catchments stormwater drainage system.
- (e) No historic heritage item listed in Table 13.1 or Table 13.4 is affected.

- (f) No sites of cultural importance to Kai Tahu listed in Table 13.6 (Waahi Tapu) or Table 13.7 (Waahi Taoka and Mahika Kai) are affected;
- (g) Construction, including the relocation of the roads existing traffic flows, is managed to minimise any adverse effects of noise, vibration, dust, lightspill, glare, and the safety of any affected people/communities

Where these conditions cannot be met such activities shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the matter that can not be complied with.

A resource consent application made under this rule shall not be publicly notified.

This rule does not apply where the status/classification of the road is changed to State highway or to a heavy traffic bypass. In these circumstances such activities become discretionary activities.

(iii) New Roads

The construction of a new road, whether aligned with a legal road reserve or not, is a discretionary activity except where the road is to be formed as part of subdivision consent, or where the road is to be formed in general accordance with the structure plan for the Industrial Resource Area (Toko Plains).

2. RAIL

(i) Existing Railway Lines

The maintenance and upgrading of existing rail lines, including the repair or replacement of any associated structures, and the operation of rail services within an existing and developed railway reserve are permitted activities.

(ii) Existing Railway Reserve

The development and operation of a railway line on an existing but undeveloped railway reserve is a restricted discretionary activity. Council shall restrict the exercise of its discretion to the following matters;

- The avoidance, remedying or mitigation of any significant adverse effects on the affected environment resulting from the generation of noise, vibration, glare, lightspill, stormwater run-off, and dust emissions;
- Any displacement, dislocation or severance of the affected communities;
- The avoidance, remedying or mitigation of any adverse effects on public safety;
- The integration with the existing transportation network, in particular intersections with the roading network;
- The safe and efficient operation of existing infrastructure;
- The risk to the safety of the public;
- The potential for material damage from erosion, subsidence, slippage, inundation or other natural hazard events and the likelihood that the exacerbation of any of these processes is avoided, remedied or mitigated.

(iii) Railway Development Outside of Reserve or Designated Area

The development and operation of a new railway line where there is no existing reserve or designation is a discretionary activity.

RULE INF.3 AIRPORTS

(i) Development of New Rural and Private Landing Strips

Rural landing strips for fixed wing aircraft (including gliders) and landing pads for helicopters associated with normal rural land management practices or for the private purposes of the property occupier or for recreational and private purposes (of a non-commercial nature) by other than the occupier, are permitted activities provided they are not located within 500 metres of any dwelling or other building that accommodates people (excluding those located on the subject property), a registered building site, or a separate parcel of land capable of accommodating a dwelling.

Any development that does not meet the permitted activity criteria is a discretionary activity.

(ii) Balclutha Aerodrome

The maintenance, operation and development of the Balclutha Aerodrome (as identified on Planning Maps U4 and U7) that is consistent with the relevant management plan are a permitted activity. Any development that is not consistent with the relevant management plan is a discretionary activity.

(iii) Commercial Airports, Landing Strips and Landing Pads

Except as provided for in (iv) below Airports, Landing Strips and Landing Pads providing for the transport of passengers, freight transport services or that act as a base for commercial operations (including commercial recreation operations) are discretionary activities.

(iv) Commercial Airports, Landing Strips and Landing Pads for Industrial Resource Area (Toko Plains)

Helicopter Pads providing for the transport of passengers, freight transport services or that act as a base for commercial operations (including commercial recreation operations) in the Industrial Resource Area (Toko Plains) are a restricted discretionary activity.

Council's discretion is limited to the following matters:

- The scale of the operation, including the frequency of flights.
- The adverse effects of noise on not only the adjacent environment but also those areas affected by flight paths.
- Visual effects.

Any increase in traffic volume and flow and its effect on the transportation network in the locality.

RULE INF.4 EXISTING NETWORK UTILITIES

With respect to existing telecommunication facilities and existing National Grid electricity transmission facilities and/or activities, this rule only applies to such facilities and/or activities not provided for in and/or controlled through the Resource Management (National Environmental

Standards for Telecommunication Facilities) Regulations 2008 and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.

- (i) The operation, maintenance, repair, replacement, reconstruction and upgrading of existing network utilities and infrastructure is a permitted activity.

For the purpose of this rule 'upgrading' in relation to the appropriate infrastructure means:

- (a) Increasing the capacity of existing lines on same support structures by increasing the number of communication or electricity lines and circuits (sets of three conductors), including provision for minor strengthening.
 - (b) The resagging or bonding of lines or conductors
 - (c) Adding electrical or communication fittings and/or longer or more efficient insulators.
 - (d) Increasing the capacity of existing lines on same support structures by either replacing existing lines or conductors, including with higher capacity lines or conductors, or increasing the number of lines or conductors, including provision for minor strengthening.
 - (e) Installation of earthwires, which may contain telecommunication lines, earthpeaks and/or lightening rods on existing support structures, which do not currently have them to provide lightening protection and/or the installation of upgraded communication links
 - (f) Support structure replacement within the same location as the support structure that is to be replaced and/or the replacement of existing cross-arms with cross-arms of an alternative design:
 - (g) An increase in support structure height required to comply with the New Zealand Electrical Code of Practice 34:2001 by not more than 15% of the base height of the support structure, and where the base height is defined as the height of the structure at the date of public notification of the Plan;
 - (h) Increasing the voltage of an existing electricity line where that line is currently operating below its operating capacity.
 - (i) The replacement of existing poles, aerials, antenna, and dish antenna.
 - (j) The addition of new aerials, antenna, and dish antenna not exceeding 3 metres in diameter on existing support structures or on replacement support structures of the same dimension.
 - (k) The addition or removal of mast fittings, to or from an existing mast including, for example, light fittings, lightening protection devices, and aerial mountings.
 - (l) Upgrading for safety purposes, including the replacement of a building or structure for safety reasons or replacing or altering fencing around a mast.
 - (m) Upgrading single phase electricity supply to three phase supply systems.
 - (n) Upgrading an existing mast for the purposes of rust prevention.
 - (o) The upgrading of existing road, track or other access to an existing mast or line without any increase in the width of the existing access, to ensure that persons operating and maintaining the mast have all-weather four wheel drive access.
 - (p) Any work where, following the upgrading, the effects are no more than 10% greater than the intensity and/or scale of the utility prior to upgrading.
- (ii) The trimming and/or clearance of vegetation to enable the safe and efficient operation of utilities and infrastructure are a permitted activity.
- (iii) Any earthworks necessary to maintain the utility's function or to carry out an activity permitted by Rule 4(i) is a permitted activity.

- (iv) The removal of network utilities and infrastructure is a permitted activity.

RULE INF.5 BUILDINGS ANCILLARY TO OR ASSOCIATED WITH INFRASTRUCTURE

Buildings, excluding substations (*see Rule INF.12*) and buildings provided for in Rule INF.7 below, used for or in association with network utility activities are permitted activities throughout the District provided that:

- (a) The building does not exceed 20m² in gross floor area and/or 4m in height
- (b) The finish of the building shall be consistent with the surrounding environment.
- (c) This rule does not apply to buildings on land listed in the following tables and/or areas identified via the application of the following rules:
- Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding Natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rules RRA.13 or COA.6 as requiring a resource consent

Where conditions (a) and (b) cannot be met such activities shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the matter that cannot be complied with.

Such activities located within land listed under (c) shall be considered as discretionary activities.

RULE INF.6 HOUSEHOLD CONNECTIONS AND STREET LIGHTING

(i) Household Connections

Household connections to gas, water, drainage, sewer pipes, and television, electricity and telecommunication services are permitted activities provided that:

- (a) The services are constructed to, and conform to, the standards specified in NZS 4404:2004 Code of Practice for Urban Land Subdivision where relevant.
- (b) They are provided underground in land listed in the following:
- Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat);
 - the streetscape precincts identified in Schedule 12; and

- in other circumstances where the service line is already underground

Except in respect of aerials, antenna and dish antenna that are attached to buildings.

- (c) Where conditions (a) and (b) cannot be met such activities shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the matter that cannot be complied with.

(ii) Street Lighting

Poles and other support structures and connections to electricity supply for the purpose of street lighting are permitted activities.

RULE INF.7 UNDERGROUND UTILITIES AND ASSOCIATED INFRASTRUCTURE
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All underground or inground network utilities and ancillary pump stations, treatment plants and water supply intakes, including where such buildings are above ground, are permitted activities.

RULE INF.8 CONVEYANCE OF ELECTRICITY

This rule does not apply to activities provided for in Rule INF.4 Existing Utilities above. This Rule does apply to those electricity transmission facilities and/or activities not provided for by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 and to distribution and reticulation lines.

(i) Electricity Lines, including support structures

(a) Industrial Resource Areas

New support structures not exceeding 13 metres in height are permitted activities in the Industrial Resource Area.

(b) Rural Resource Area

Except as provided in (ii) below, new overhead lines for the conveyance of electricity and communication, including new support structures not exceeding 13 metres in height are permitted activities in the Rural Resource Areas, subject to compliance with relevant conditions set out in Rule 13 and the following additional conditions:

- Poles/support structures are located to ensure the safe and efficient operation of the transportation network is maintained;
- Any road surface affected by the construction of the new line shall be reinstated to a condition of a similar or improved standard to that which existed prior to commencement of the work;
- No such line shall be located within 50 metres of any dwelling, subdivision for residential purposes or registered building platform located within an adjoining property.

Where these conditions cannot be met, the activity shall be a restricted discretionary activity with Council's discretion restricted to those matters listed in (c) below.

(c) All Other Resource Areas and Lines Exceeding 13 metres in Height.

Except as provided in (ii) below, new overhead lines for the conveyance of electricity and communication, including new support structures, of any height located within in the Urban, Rural Settlement, and Transitional Resource Areas of the District, and new overhead lines for the conveyance of electricity and communication, including new support structures that exceed 13 metres in height within the Rural and Industrial Resource Areas, are restricted discretionary activities.

Council shall restrict the exercise of its discretion to the following:

- The avoidance, remedying or mitigation of adverse effects on general landscape and amenity values, and methods to avoid, remedy or mitigate adverse effects (including the undergrounding of such lines) having regard to the operational efficiency of the network concerned;
- The avoidance, remedying or mitigation of any significant increase in risk to the safety of the public, in particular traffic safety;
- The maintenance of the efficient operation of other utilities and infrastructure and recreational resources. The avoidance, remedying or mitigation of adverse effects on the integrity of significant heritage and cultural values;
- The avoidance, remedying or mitigation of adverse effects on the integrity of values of importance to Kai Tahu;
- The avoidance, remedying or mitigation of construction effects such as the impact on traffic flows and road surfaces, and the effects of noise, vibration, lightspill, glare, stormwater run-off, and dust emissions;
- The avoidance, remedying or mitigation of adverse effects on existing land uses.

Note: This does not apply to overhead lines, including support structures that are reticulating land within new subdivisions. The effects of lines reticulating land within new subdivisions shall be subject to the subdivision consent process.

(ii) Electricity and Communication Lines, including support structures in Sensitive Areas.

New lines, including pylons, poles and other support structures together with associated lines, ancillary structures and telecommunication facilities for the purpose of conveying electricity and communication that are:

- located within land listed in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rule RRA.13 as requiring a resource consent
- located within the Coastal Resource Area;
- located within the streetscape precincts identified in Schedule 13;
- High voltage transmission lines designed to operate at or over 110kv that are to be located within 32 metres of a building or structure (excluding fences) occupied by people

or animals. The 32 metre distance shall be calculated horizontally each side of the centre line of the proposed high voltage transmission line;

are discretionary activities.

RULE INF.9 TELECOMMUNICATION AND RADIOCOMMUNICATION STRUCTURES

This rule does not apply to activities provided for in Rule INF.4 Existing Utilities above. This rule does apply to those telecommunication facilities not provided for by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008.

(i) Aerials, antenna, subscriber terminals/antennas, and dish antenna used for telecommunication and radiocommunication purposes are permitted activities provided that:

(a) Dish antenna does not exceed the following diameter:

- 1.2 metres in the Urban Resource Areas
- 1.8 metres in the “Service Retail Frontage” sites of the Urban Resource Areas
- 3 metres in the Industrial and Rural Resource Areas.

(b) The maximum height above the point of attachment to any building is no more than:

- 2 metres in the Urban Resource Areas;
- 5 metres in the “Service Retail Frontage” sites of the Urban Resource Areas, Industrial and Rural Resource Areas.

(c) This rule does not apply to areas:

- located within areas of outstanding landscape;
- located within the Coastal Resource Area;
- located within land listed in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rule RRA.13 as requiring a resource consent

(ii) Telecommunication cabinets and telephone booths not exceeding 15m² in area are permitted activities, except in areas identified as streetscape precincts in Schedule 13, in which case such activities shall be discretionary (restricted) activities. Council shall restrict the exercise of its discretion to the visual impact of the structures and methods to avoid, remedy or mitigate adverse effects having regard to the operational efficiency of the network concerned

Note: definition of ‘telecommunication’ includes “radiocommunication and broadcasting.

(iii) Telecommunication and radiocommunication structures (above ground) not exceeding 25 metres in height are:

(a) Permitted activities in the Rural Resource Area and the Industrial Resource Area (except for lattice towers) provided they are set back a minimum of 200 metres from any dwelling or

other building that accommodates people (excluding those located on the subject property) and any registered building site, and a minimum of 50 metres from any other legal boundary; and

- (b) Restricted discretionary activities in all other areas of the District (except for lattice towers),

Provided that this does not apply to areas:

- located within the Coastal Resource Area.
- located within land listed in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rule RRA.13 as requiring a resource consent
- located within the streetscape precincts identified in Schedule 13.

With respect to Rule (iii)(b), Council shall restrict the exercise of its discretion to the visual impact of those structures and methods to avoid, remedy or mitigate adverse effects having regard to the operational efficiency of the network concerned.

For the purposes of this rule, aerials, antenna with an area of 1m² or less, lightning rods, and dish antenna with a diameter of no more than 1.2 metres are excluded from the height calculation.

For the purposes of this rule, lattice towers are self supporting structures of cross beams or bars with spaces between as opposed to masts where the diameter at the base of the structure is approximately the same as the diameter at the top of the structure (whether or not the masts are held up by wires).

- (iv) Telecommunication and radiocommunication structures that exceed 25 metres in height (above ground) and lattice towers are discretionary activities.

- (v) Sensitive Areas

Regardless of height, telecommunication and radiocommunication structures;

- located within land listed in the following tables and/or areas identified via the application of the following rules: Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rule RRA.13 as requiring a resource consent
- located within the Coastal Resource Area
- located within the streetscape precincts identified in Schedule 12

- do not meet the setback standards of 9(iii)(a) above
- are discretionary activities.

RULE INF.10 METEOROLOGICAL FACILITIES

Meteorological facilities are permitted activities provided that:

(a) This does not apply such activities:

- located within land listed in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rule RRA.13 as requiring a resource consent
- located within the Coastal Resource Area
- located within the streetscape precincts identified in Schedule 13

(b) The maximum height of all structures including masts shall not exceed 7 metres in Urban, Rural Settlements and Industrial Resource Areas except where attached to the top of a building then the maximum height above point of attachment to any building shall be 2 metres.

(c) The maximum height of all structures including masts shall not exceed 80 metres in Rural Resource Area subject to the following conditions:

- where attached to the top of a building then the maximum height above point of attachment to any building shall be 5 metres;
- the mast is set back a minimum of 200 metres from any dwelling or other building that accommodates people (excluding those located on the subject property) and any registered building site
- the mast is set back a minimum of 50 metres from any other legal boundary
- the mast shall not have a diameter that exceeds 500mm.

(d) No building or structure shall be sited closer than 10 metres to the boundary of a site used for a residential activity.

(e) Maximum floor area of any structure shall not exceed 50m².

Where conditions (b) to (e) cannot be met or where such activities are to be located within the land identified in (a), then such activities shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the following matters:

- The avoidance, remedying or mitigation of adverse effects on general landscape and amenity values, having regard to the operational efficiency of the network concerned;
- The avoidance, remedying or mitigation of adverse effects on ecological values, having regard to the operational efficiency of the network concerned;
- The avoidance, remedying or mitigation of any significant increase in risk to the safety of the public, in particular traffic safety;

- Provisions for the efficient operation of other existing utilities and infrastructure;
- The avoidance, remedying or mitigation of adverse effects on the integrity of significant heritage and cultural values;
- The avoidance, remedying or mitigation of adverse effects on the integrity of values of importance to Kai Tahu;
- The avoidance, remedying or mitigation of construction effects such as the impact on traffic flows and the effects of noise, vibration, lightspill, glare, stormwater run-off, and dust emissions;

RULE INF.11 SAFETY WORKS

Navigational aids, beacons, and other structures whose sole or primary purpose is to provide for public safety are permitted activities provided that;

- (i) they are no larger than required to fulfil their safety function;
- (ii) where they are located within land listed in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat); and
 - Any areas as defined by Rules RRA.13 and COA.6 as requiring a resource consent
- (iii) they shall be finished in colours that blend with the existing environment except as required to fulfil their safety function.

RULE INF.12 SUBSTATIONS

Note: Substations associated with electricity generation facilities are provided for in Section 3.4 Energy and are not subject to these rules.

- (i) Distribution substations up to 66kV are permitted activities provided that:
 - (a) This does not apply to such activities:
 - located within land listed in the following tables and/or areas identified via the application of the following rules:
 - Table 9 (SSWI Database);
 - Table 13.3A (Potentially Outstanding Landscapes);
 - Table 13.3B (Outstanding natural Features);
 - Table 13.5 (Significant Wetlands);
 - Table 13.6 (Waahi Tapu);
 - Table 13.7 (Waahi Taoka and Mahika Kai);
 - Table 13.8 (Areas of Significant Habitat);and

- Any areas as defined by Rule RRA.13 as requiring a resource consent.
 - located within the Coastal Resource Area
 - located within the streetscape precincts identified in Schedule 12
 - substations associated with electricity generation facilities (see Energy Section)
- (b) The relevant standards set out in Rule 13 are complied with.
- (c) A strip of planting for amenity treatment purposes that provides a screening effect shall be provided either around the outside of the group of facilities which together comprise a substation or within or around the perimeter of the site.

Amenity treatment shall include trees or shrubs (without wilding potential as defined in the Canterbury/Otago “Plant Me Instead” guide – refer to the “Weedbuster” website) designed to achieve substantial screening of the equipment (excluding pylons, poles, or termination structures) at maturity while not comprising electricity security and/or safety or the objective of the structure.

- (ii) Substations not provided for in (i) above are discretionary activities provided that in the Industrial Resource Area substations of any size are permitted activities except where the substation adjoins or faces across a road an Urban or Rural Settlement Resource Area in which case substations are discretionary activities.

RULE INF.13 STANDARDS FOR INFRASTRUCTURE
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The following standards shall apply to all infrastructure, including permitted activities, where relevant:

(A) GROUND DISTURBANCE

- (i) Where the construction, maintenance, relocation or removal of infrastructure involves disturbance to the ground, at the completion of the work the ground shall be reinstated to a condition of a similar or improved standard to that which existed prior to commencement of the work. Reinstatement shall ensure any slumped areas are restored to the ground level that existed before the ground was disturbed. Should ground disturbance be required to be undertaken in areas adjoining Public Conservation Land and/or land located within the tables identified Policy INF.1 above, plant and machinery shall be effectively cleaned of weed seeds and/or weed material. Reinstatement of indigenous vegetation shall be on a “like with like” basis and any plants with wilding potential shall not be planted.
- (ii) All earthworks or other ground disturbance activities undertaken in the vicinity of water bodies shall be managed to ensure that contaminants (including sediment run-off from stockpiles and hazardous substances) do not enter the water body.

(B) ACCIDENTAL DISCOVERY PROTOCOL

The accidental discovery of cultural and/or archaeological material shall be managed in accordance with the “Accidental Discovery Protocol” attached at Schedule 12.

(C) REDUNDANT STRUCTURES

That where equipment or structures not being defined as “existing works” under the Electricity Act 1992 or Telecommunication Act 1987 are made redundant for whatever reason, they shall be

removed and the site restored and rehabilitated to the standard of surrounding land within 6 months of the facility becoming redundant.

(D) LANDSCAPING

For above ground structures (excluding lines and support structures for lines):

- (i) Those areas not occupied by structures or used for the operation of the facility, access or parking shall be planted for amenity purposes.
- (ii) In addition to (i) above, for permitted substations a strip of amenity treatment that provides a screening effect shall be provided either around the outside of the group of facilities which together comprise a substation or within or around the perimeter of the site.

Amenity treatment shall include trees or shrubs (without wilding potential as defined in the Canterbury/Otago "Plant Me Instead" guide – refer to the "Weedbuster" website) designed to achieve substantial screening of the equipment (excluding pylons, poles, or termination structures) at maturity while not comprising electricity security and/or safety or the objective of the structure.

(E) PARKING

Parking shall be provided on the following basis:

- (i) Where sites are unstaffed no parking shall be required.
- (ii) Where sites are staffed, parking, (in accordance with the standards set out in Rule TRAN.6), shall be provided on the basis of one space per person normally working at the site.

(F) RADIO FREQUENCY RADIATION

All facilities and infrastructure shall comply with the relevant provisions of New Zealand Standard NZS 2772.1 (1999) (Radio Frequency Fields) Part 1: Maximum Exposure Levels 3kHz – 30 GHz as measured in accordance with the applicable Interim Australia New Zealand Standard principles and methods of measurement at points where the public has access and NZS 6609: Part 2: 1990 (Radio Frequency radiation Part II: Principles and Methods of Measurement 100kHz – 300 GHz).

(G) NOISE

The rules and methods of Sections 3.13.4 and Section 3.13.5 shall apply to the noise effects of infrastructure. Where there is no specific New Zealand or other standard listed in this section, the standards of the relevant Resource Areas shall apply.

(H) VIBRATION

Vibration from construction activity shall comply with the peak particle velocity limits in table 1 of German Standard DIN 4150-3:1999 Structural Vibration – Effects of Vibration on Structures

(I) AS BUILT PLANS

Two copies of "As Built" plans, in a form as determined in consultation with Council's chief engineer, of all infrastructure are to be supplied to Council within three months of completion of all works except where a different time period is stipulated in a resource consent.

(J) BUILDING BULK AND LOCATION

Except as specifically provided elsewhere in this section, all buildings (excluding lines and masts) shall comply with the bulk and location standards of the underlying Resource Area.

(K) GLARE

No building shall be constructed, and/or left unfinished and/or clad in any protective material or cover which could reflect sufficient light to detract from the amenities of the neighbourhood, cause significant discomfort to residents in the locality or detract from traffic safety. Rule AME.2 Glare shall apply.

(L) CONSTRUCTION STANDARDS

Public and private drains, pumping stations and all connections thereto shall be constructed in accordance with the standards specified in New Zealand Standard NZS 4404:2004 Code of Practice for Urban Land Subdivision unless determined otherwise as part of a subdivision consent process.

(K) SEPARATION DISTANCES

Oxidation ponds or sewerage treatment facilities with the capacity of serving the equivalent of 50 or more people shall locate no closer than 150m from any residential building or other buildings primarily occupied by people for whatever purpose or 300m from any Urban, Transitional or Rural Settlement Resource Area.

RULE INF.14 BREACH OF STANDARDS AND RULES AND INFRASTRUCTURE NOT REFERRED TO

Unless otherwise stated, any activity that fails to comply with any relevant standard or condition set out in Rules 2 to 13, and any infrastructure activity not specifically referred to in this Section of this Plan, shall be a discretionary activity.



4. RESOURCE AREAS

4.1. RURAL RESOURCE AREA

4.1.1. OVERVIEW

The Rural Resource Area has been identified as distinct from the built-up Urban Resource Areas of the District on the basis of its existing amenity values, which generally comprise a natural, open environmental character. The majority of activities are located within this area because they rely upon the physical characteristics of the area (e.g. forestry), or need to be close to an activity that is reliant upon the resource character of the area (e.g. a sawmill), or need a large open area where they can generate adverse effects without significantly affecting more sensitive activities (e.g. an airport).

It must be recognised that such activities need the physical and natural resources of the Rural Resource Area to survive. The purpose of the Rural Resource Area is to provide a flexible framework that allows these activities to continue while ensuring that they do not adversely affect the physical and natural resources upon which they rely. This enables these resources to be managed in a sustainable manner.

Resource use activities in the Rural Resource area can, as well as compromising their own sustainability, adversely affect other resource users and intrinsic ecosystem values.

4.1.2. THE ISSUES

The following are seen as the significant issues relating to the Rural Resource Area:

- **Rural land uses can have a significant adverse effect on water quality and quantity and soil quality.**

Explanation

Rural land uses rely heavily on the District's soil and water resources. However inappropriate management practices can undermine the viability of the resource base by:

- increasing nutrient and sediment run-off into waterbodies,
- by interception of precipitation
- the chemical or biological contamination of soil.
- Increasing the risk of erosion and instability
- Nutrient loss from soil
- Soil compaction

(Refer also Section 3.6 Water)

- **Some activities undertaken in the rural area, can in some instances, create noise, dust, odour, traffic generation and other similar objectionable characteristics, which can adversely affect amenity values in some rural locations.**

Explanation

The nature of rural activities is such that adverse effects will occur and are generally acceptable in the rural environment. However, these effects are generally not acceptable to residential and commercial type activities in the Rural Resource Area.

- **Indigenous plant and animal habitats are under continual threat from the effects of development.**

Explanation

The remnant areas of indigenous vegetation and habitat now assume a greater importance due to its relative scarcity in a large part of the District. Rural land use continues to pose a threat to its continued survival.

- **A shift in emphasis in the use of the Rural Resource Area from traditional pastoral based agricultural to activities such as production forestry, dairy farming and deer farming, is changing the nature of the effects agriculture has on the environment.**

Explanation

Recent years have seen an increase in forestry planting and the establishment of dairy units and deer farm units, and these trends appear set to continue. This has implications for natural resources particularly the effects on water quality.

- **Inappropriate land management practices can adversely affect the aesthetic environment of the Rural Resource Area.**

Explanation

The diverse and attractive rural landscape of the Clutha District is seen as a significant natural resource which can be adversely affected by inappropriate land management practices.

- **Buildings and structures can compromise the natural, open-space character of the rural environment.**

Explanation

In terms of visual amenity, buildings can have an adverse effect on two levels. Firstly, the building itself can have an adverse visual effect resulting from inappropriate design, location or colour in the rural landscape. Secondly, the cumulative effect of buildings in the rural environment can greatly reduce rural character by cluttering the landscape and detracting from the open-space character of the countryside.

- **Residential activities can adversely impact on soil and water quality.**

Explanation

Dwellings located in the Rural Resource Area generally are not connected into reticulation systems, with sewerage generally being disposed of via septic tank systems. Solid wastes are also disposed of on site. Both methods have obvious effects on ground water quality. Dwellings can also impact on

the soil resource. The encroachment of residential activities in areas of better class soil has often been an issue of concern in the past while excavation works for building platforms and access roads can also have an adverse impact.

- **Residential activities in Rural Resource Areas can create pressure on Council to extend services which can lead to the unsustainable management of these resources.**

Explanation

Where dwellings are located on the urban fringe, there is a tendency for pressure on Council to extend services such as water and foul sewer. Such extensions can be uneconomic and contribute to urban sprawl.

- **The effects of development in the rural resource area can adversely impact on the habitat of trout and salmon and valued non- indigenous wildlife such as game birds.**

Explanation

The habitat of trout, salmon and game birds is considered a valuable resource of the District. Some forms of land development can have detrimental effects on these habitats.

4.1.3. OBJECTIVES AND POLICIES

OBJECTIVE RRA.1

To provide a management framework for the rural environment that promotes the sustainable management of the resources of the District.

OBJECTIVE RRA.2

To maintain and where necessary, enhance the quality of the District's water and soil resource to enable it to meet the needs of present and future generations.

OBJECTIVE RRA.3

To ensure that water quality standards set by regional rules are not compromised by the effects of the use, development or protection of land.

OBJECTIVE RRA.4

To recognise the values of and where considered necessary provide protection for the District's outstanding natural features and landscapes, areas of significant indigenous vegetation and fauna, and valued non-indigenous wildlife habitats, within the management framework.

OBJECTIVE RRA.5

To maintain the amenity values of the rural environment.

OBJECTIVE RRA.6

To achieve a resource management position in which land users and communities adopt a stewardship approach by taking responsibility for the sustainable management of the resources they use.

OBJECTIVE RRA.7

That the ongoing operation of existing farming, rural based or industrial activities located within the Rural Resource Area or in other adjoining resource areas is not compromised by the establishment, upgrade or extension of sensitive activities within the Rural Resource Area.

POLICY RRA.1

To avoid a restrictive development framework within the rural environment except where this will not be effective in achieving the purpose of the Resource Management Act.

Explanation

Provided effects are mitigated or controlled, the appropriate mechanism to determine where particular activities should locate is the market. Activities will locate where site criteria are most suitable to that particular activity. Activities of a commercial or industrial nature will be provided for as appropriate to the effects they generate.

POLICY RRA.2

To ensure that the adverse effects that activities can have on the soil resource including the adverse effects of:

- **Erosion**
- **Instability**
- **Nutrient loss**
- **Soil contamination**
- **Soil compaction**

are avoided, remedied or mitigated.

Explanation

Some land use practices can have a significant impact on the soil resource. As the soil resource is considered a non-renewable resource and is of great significance to the District, practices that minimise these effects should be encouraged.

(Refer Rules RRA.7 and 9).

POLICY RRA.3

To manage the effects of clearing vegetation so that adverse effects on

- **Stands of significant indigenous vegetation**
- **Significant habitats of indigenous fauna**
- **Outstanding natural features and landscapes**

- **Stability of soil**

are avoided, remedied or mitigated.

Explanation

Vegetation plays a significant role in mitigating the adverse effects of development. It stabilises hillsides, reduces adverse effects on water quality and provides habitat for native fauna. Exotic vegetation is generally planted for commercial reasons, and the harvesting of this resource, as with clearing indigenous vegetation can have significant effects. Significant indigenous vegetation and habitats of indigenous fauna can require protection in their own right.

(Refer Rule RRA.8 and RRA.13 and Method RRA.1)

POLICY RRA.4

To ensure that the adverse effects land use activities can have on the water quality within the Districts waterbodies are avoided, remedied or mitigated by requiring the use of buffer zones or similar management methods.

Explanation

Water resources are critical to the economic and ecological base of the District and must be managed to ensure future generations are not disadvantaged by the actions of today's users.

Land use adjacent to water bodies can have a significant effect, particularly in terms of nutrient loading and siltation of water ways. Vegetation cover (both exotic and indigenous) minimises the severity of such effects.

(Refer Rule RRA.8, Method RRA.1)

POLICY RRA.5

To ensure that the use, development and/or protection of land within riparian margins is managed so as to avoid, remedy or mitigate adverse effects on waterbodies including the effects of

- **reducing bank stability**
- **increasing nutrient and sediment loadings**
- **reduction in habitat quality**

Explanation

Riparian margins play an extremely important part in the sustainable management of waterways. Riparian vegetation filters sediment and nutrients in surface runoff, reduces stream bank erosion and provides habitat for aquatic species. Activities involving earthworks, removal of vegetation, dumping of fill and waste often need to be controlled.

(Refer Rule RRA.8, Method RRA.1)

POLICY RRA.6

To manage the effects of activities, buildings and structures to ensure that adverse effects on the natural character and values of the Districts coast, wetlands, lakes, rivers and their margins, are avoided, remedied or mitigated.

Explanation

Council is required as a matter of national importance to preserve the natural character of the coastal environment, wetlands, lakes and rivers and their margins and protect them from inappropriate use and development. Wetlands are an extremely valuable natural resource not only for conservation and ecological values but also for economic and recreational reasons. Wetlands provide habitat and act as a nursery for fish and wildlife, and provide for associated recreational activities. Economically they are important for the production of clean, fresh water, and greatly reduce the impacts of flooding.

These resources are also of significant cultural value to Kai Tahu.

(Refer Rule RRA.8, RRA.13, and Rule COA.7, Method RRA.1 and Section 3.5 Heritage).

POLICY RRA.7

To manage the effects of activities and buildings to ensure that any adverse effects on the open-space and natural character amenity values of the rural environment are avoided, remedied or mitigated.

Explanation

The relatively quiet, open-space amenity values of the rural environment can be significantly affected by some effects of activities.

With the market influencing the location of activities, adverse effects of activities will be addressed in the Plan by the use of performance standards.

(Refer to Section 4.1.4 Rules and 4.1.5 Other Methods)

POLICY RRA.8

To ensure the adverse effects that buildings, structures and vegetation can have on

- i. amenity values of adjoining properties, and**
- ii. the safety and efficiency of the roading network**

are avoided, remedied or mitigated.

Explanation

Buildings or structures erected directly on the boundary can have a significant effect on adjoining properties and the operation of public roads. Bulk and location requirements will be developed to reduce these impacts. Plantings directly on boundaries can have an adverse effect by shading neighbouring properties which can prolong the icing of pasture and roading.

(Refer Rule RRA.11, 12 and 14, Rule TRAN.7 and Method RRA.1)

POLICY RRA.9

To control the emission of noise in the rural area to ensure adverse effects are avoided, remedied or mitigated.

Explanation

The rural area of the District is generally considered to be relatively quiet. However, as it is recognised as a working environment, noise associated with rural activities (e.g. farming, forestry, contractors' yards etc) that does occur is accepted as part of rural life. Such noises however, should not unduly impact on residential, educational, or health related activities located in the Rural Resource Area.

(Refer Rule RRA.10)

POLICY RRA.10

To manage the erection of signs to ensure that adverse effects on amenity values and on the safety and efficiency of the roading network are avoided, remedied or mitigated.

Explanation

The objective of a sign is to attract attention, and this can distract motorists attention from the driving task. Signs can also have a significant visual effect

(Refer Rule RRA.5 and Section 3.12 Signs)

POLICY RRA.11

To avoid, remedy or mitigate the adverse effects of effluent disposal from residential and other activities.

Explanation

Dwellings and other activities can have a significant effect on amenity values through the disposal of effluent.

Performance standards will ensure that adverse effects are minimised.

(Refer Rule RRA.11)

POLICY RRA.12

To manage the development of public services in the rural environment to ensure any such development promotes sustainable management.

Explanation

Developers will be responsible for the adequate provision of services such as water supply, roading and foul sewage disposal for any dwelling erected in the Rural Resource Area. Council, for its part, will not uneconomically extend existing public services.

(Refer Rule RRA.11).

POLICY RRA.13

To ensure that the establishment, upgrade or extension of sensitive activities are located and/or designed so that they will not be significantly affected by existing activities that generate noise, dust, traffic and odour effects so that reverse sensitivity effects will not occur.

POLICY RRA.14

To ensure that new sensitive activities or additions to existing sensitive activities in the rural environment do not result in reverse sensitivity effects on operations at the Stirling dairy factory site by requiring such activities within the noise control boundary to meet minimum standards for acoustic insulation.

4.1.4. RULES

RULE RRA.1 GENERAL STANDARDS

Any activity must conform with the provisions of Section 3 of this Plan

The following Sections are of particular relevance:

3.2 Manawhenua - note in particular Rules MAO.1 to 5.

3.3 Transportation - note in particular Rules TRAN.1, 4-7 and 12.

3.5 Heritage - note in particular Rules HER.1 and 3 and Method HER.5.

3.6 Water - note in particular Rules WAT.3, and 4 and 5.

3.9 Natural Hazards - note in particular Rules NHZ.1 and 2 Method NHZ.2.

3.11 Other Environmental Issues. – note in particular Rules relating to previously used buildings, landscaping, odour, glare, dust, existing effects, electrical interference.

RULE RRA.2 RURAL ACTIVITIES

Any activity that utilises and/or disturbs the soil resource including structures which comply with Rule RRA.12 ancillary to such an activity, and

- is not provided for in Rules RRA.3 to 8, 13 and 15 below, or any other rule in Section 3 of the Plan, and
- complies with all other rules relevant to the activity contained within this plan is a permitted activity

For the purpose of this rule "ancillary structures" are those structures reasonably necessary for the efficient functioning of the activity and may include haybarns, woolsheds, implement sheds etc. but do not include dwellings.

REASON

The majority of activities located in the Rural Resource Area have established there because they rely on the soil resource. This rule recognises that need and provided the adverse effects of those activities are minimised through the performance standards contained in this plan, their operation in the Rural Resource Area will continue to be permitted.

RULE RRA.3. RESIDENTIAL ACTIVITIES

(I) PERMITTED ACTIVITIES

Any residential activity that complies with the relevant rules of this Plan (note in particular Rule RRA.11, 12 and 15) is a permitted activity on the following basis;

- (a) 1. One dwelling per certificate of title created prior to the date this Plan was notified, excluding certificates of title associated with historic settlements (refer 2.3.4) and those certificates of title associated with historic subdivision excluded from any Urban, Transitional or Rural Settlement Resource Areas,

OR

2. One dwelling not closer than 200 metres to any existing or proposed dwelling or to an Urban, Transitional or Rural Settlement Resource Area,

PROVIDED THAT

An additional dwelling for the purposes of accommodating the staff of any property owner is permitted where that dwelling remains on the same certificate of title and shares the same access road as a dwelling permitted above.

- (b) A dwelling may be erected on a site which previously accommodated a dwelling.
- (c) Where a dwelling is subdivided from, any title referred to in (a) 1. above no further development is permitted on the parent title unless it conforms with the requirements of (a) 2. or (b) above UNLESS consent is granted to an application for a discretionary activity (see Rule RRA.3(iv)).

(II) CONTROLLED ACTIVITY

Multi-unit Papakaika housing is a controlled activity and will be assessed in accordance with the standards, terms and controls set out in Rule MAO.4.

(III) RESTRICTED DISCRETIONARY ACTIVITIES

Except as otherwise provided for in (i) and (ii) above, dwellings to be located between 150 metres and 200 metres of any existing or proposed dwelling or any Urban, Transitional or Rural Settlement Resource Area is a restricted discretionary activity, provided it complies with the relevant site criteria rules of this Plan. Council shall restrict the exercise of that discretion to the matters of:

- access;
- effect of waste disposal (including cumulative effect); and
- impact on the amenity values of the particular location.

Any application for resource consent made under this rule will generally not need notification or the written approval of affected persons unless Council determines that there may be a significant effect on the roading network or water quality or amenity values of the particular location.

Regardless of whether an application under this rule is to be notified, where access is to be a State highway, the NZ Transport Agency will be asked to comment.

REASON

Intensive residential development in the rural area can adversely affect rural amenity values of open space and natural character, and can also impact on water quality and road safety. The criteria selected gives a certain amount of flexibility while ensuring rural character is still maintained. The separation distance used under 1(a)2 allows further development on large titles which would be restricted under 1(a)1.

Minimum site size is controlled by the performance standards relating to effluent disposal. When a suitable site is identified which conforms with the relevant criteria, subdivision would be permitted as no minimum subdivision size is stipulated. Restricted discretionary activity status for a 150 metre separation distance enables Council to consider activities that may have a minor effect due to topography etc. without notification.

(IV) DISCRETIONARY ACTIVITIES

- (a) Any residential activity which does not conform with the relevant performance standards, of (i) to (iii) above is a discretionary activity.

Assessment Criteria - Not part of this rule

In assessing any application under this rule Council in addition to those matters set out in Section 104 of the Act will also consider the following:

- density of dwellings in the locality
- the effect on soil and water quality
- the effect on indigenous flora and fauna
- the effect on the roading network
- the visual impact of the development
- the effect on public services

- (b) Any residential activity which is to locate within 1 kilometre of any activity that:

- generates excessive or nuisance noise types
- is defined as an intensive farming activity
- requires a licence in terms of Section 15 of the Dangerous Goods Act 1974
- requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956, or
- uses, produces or stores commercial quantities of hazardous substances

OR any residential activity which is to locate within a "Noise Nuisance Area" boundary as shown on the planning maps excluding the 'Noise Control Boundary' for the Stirling dairy factory (see Rule RRA.10(iv)),

is a discretionary activity.

PROVIDED THAT this does not apply to any dwelling ancillary to an activity generating these effects.

Note: The following material does not form part of the rule.

In consenting to any application made under this rule, Council may impose conditions that require the applicant to mitigate any adverse effects that any neighbouring activity may have on the activity subject to the application and may utilise section 108(1)(c) of the Act (which relates to the use of covenants in respect of performance of conditions of resource consents).

REASON

Intensive residential development can have a significant effect on the resources of the Rural Resource Area, particularly water. Discretionary status allows consideration of all the issues.

RULE RRA.4 COMMERCIAL AND INDUSTRIAL ACTIVITIES
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(I) PERMITTED ACTIVITIES

(a) Roadside stalls of 2m² or less in dimension are permitted activities provided:

- they are not located on road reserve
- clear visibility along the road is provided which complies with the standards set out in Table 11 of the plan
- they are located and designed in a manner that will minimise disruption to the safe and efficient operation of the adjoining road off road parking is provided that is adequate for the number of vehicles attracted to the site.

(b) Except as otherwise provided for in (iii) Discretionary Activities below, activities which have the effect of attracting raw material or livestock to the site for further processing are permitted activities, provided:

- the activity complies with the rules of this Plan relevant to the activity
- adverse effects on indigenous vegetation and habitat are avoided
- adverse visual impacts are mitigated.

REASON

Provided activities comply with the relevant rules of the Plan Council considers that these activities will have minimal effect. Resource users, however, must ensure that the rules relating to access, parking, signage, noise, effluent disposal, financial contributions etc are complied with before the activity is permitted.

Council does not envisage a large number of activities of this nature locating within the rural Resource Area and therefore the separation distance used to regulate the effects of dwellings was not considered necessary. Furthermore, the majority of these types of activities will take place in association with residential activities.

(II) RESTRICTED DISCRETIONARY ACTIVITY

Except as otherwise provided in (i)(a) above, any activity which has the effect of attracting the general public to the site to utilise facilities or services provided, (including roadside stalls) are

restricted discretionary activities provided it complies with relevant site criteria rules of this plan and the selling of goods is not the principal activity on the site.

Council shall restrict the exercise of its discretion to the following matters:

- the effect on the safe and efficient operation of the adjoining road
- effects on indigenous vegetation and habitats of wildlife
- effects on amenity values, including visual amenities
- access and parking
- signage.

(III) DISCRETIONARY ACTIVITIES

- (a) Any activity whose effect is the attraction of people to the site for the purpose of purchasing goods, where that is the principal use of the site, is a discretionary activity.

Assessment Criteria - Not part of the rule

In assessing any application under this rule, Council, in addition to those matters set out in Section 104 of the Act will also consider the following:

- the effect on the community or any group within the community
- the effect on the transportation system, and in particular the activities effect on energy efficiency
- the ability of a site to dispose of waste servicing of the site and its effect on public services, and any extension of them.

REASON

Activities of this nature can have a significant adverse effect on the rural amenity by attracting high vehicle numbers. This also impacts on the efficient use of energy. Discretionary activity status will enable full consideration of effects.

- (b) Any activity that:

- generates excessive or nuisance noise types, or
- is defined as an intensive farming activity, or
- requires a licence in terms of Section 15 of the Dangerous Goods Act 1974, or
- requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956, or
- uses, produces or stores commercial quantities of hazardous substances,

is a discretionary activity.

Assessment Criteria - Not part of this Rule

In assessing any application under this rule Council in addition to those matters set out in Section 104 of the Act will also consider the following matters;

- the ability of the site to dispose of waste safely and adequately;
- the effects on any waterbody, heritage site, or area of indigenous vegetation or habitat;
- the effect on more sensitive activities in the receiving environment.

REASON

These types of activities have a significant effect on the environment and status as discretionary activities will ensure full consideration of effects.

However, once consent is received for such an activity, Council considers that the operation of that consent should not be jeopardised by a more sensitive activity locating with range of any effects generated.

RULE RRA.5 SIGNS

(I) PERMITTED ACTIVITIES

(a) Signs that are:

- situated on the property to which they relate
- do not exceed a total of 3 m² in area
- are erected at right angles to the roadway frontage but angled off the direction of the traffic by approximately 5 degrees to reduce headlight glare reflecting into the motorists vision, and
- are not constructed using retroreflective material, flashing or animated signs, including those employing revolving lights, and/or
- are only illuminated when the premises are open for business, and/or
- comply with Section 3.12 Signs.

are permitted activities.

(b) 'Heritage Trail' fingerboard signs that comply with Heritage Foundation Standards for such signs as set out in the document "Heritage Trail Signs Manual" (as held in Council's office) are a permitted activity provided that they are attached to existing fingerboard sign posts.

It should be noted that the written approval must be received from the owner of the existing sign before any such sign is erected. In the case of State highways, the NZ Transport Agency's written approval must be sought.

REASON

Signs can be a necessary activity in the Rural Resource Area. The adverse effects of signs can be avoided or mitigated by appropriate performance standards.

Except as provided for in (ii) below Council does not believe there is any valid reason that signs should be located off-site in the Rural Area. These rules should reduce the effect signs have on the safety and efficiency of the roading network.

(II) RESTRICTED DISCRETIONARY ACTIVITIES

Signs that do not comply with (i) permitted activities above and advance warning and directional signs are restricted discretionary activities.

Council shall restrict the exercise of its discretion to the following matters:

- the size of the sign

- the design, colour, and figures used in the sign
- the specific location of the sign

having regard to:

- road alignment
- the classification and use of the road
- proximity of intersections and access points
- the existence and location of any existing signs

and how the:

- safe and efficient operation of the road, and
- the amenity values of the location will be affected.

Any application under this rule will generally not be notified or require the written approval of affected persons except where the sign affects a State highway in which case the written approval of the NZ Transport Agency will be required.

This rule does not apply to warning signs of a temporary nature (e.g. stock warning signs, tree felling signs, road works signs, flood hazard signs etc.) or any other sign provided for by Rule SIGN.2(iv) or Rule SIGN.2(vii).

REASON

Off-site signs can compromise traffic safety and amenity values. However, advance warning, and directional signs (which have the sole purpose of altering the road user of a place ahead or a turn off for a facility) can play an important role in the social, economic and cultural wellbeing of the District's people and communities. Restricted discretionary activity status allows a more focused consideration of effects and is more efficient to administer.

RULE RRA.6 HEAVY TRAFFIC GENERATION
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(1) PERMITTED ACTIVITIES

Any activity that generates the effects of a Heavy Commercial vehicle (HCV) concentration. that exceeds 80 HCV movements in any one month period, or 210 HCV movements in any one year onto a public road that:

- is a State highway or a nominated Heavy Traffic Route as established by the Roading Hierarchy at Method TRAN.1 or
- is not a State highway or a nominated heavy traffic route but 18 months notice is given to Council that such an effect will be on a public road

is a permitted activity.

For the purposes of this rule, notice under (b) above shall be in writing and shall state the following:

- name and address of resource user
- public road to be utilised
- type of vehicle to be used

- likely volume and weight of product
- frequency of vehicle movements
- likely date of commencement
- neighbouring territorial authorities' roads that may be affected

The name and address of the cartage contractor will also be required at the time the effect is to be generated.

See Schedule 6.4 for a standard Heavy Vehicle Impact Notice.

Note: Council will in turn notify adjacent territorial authorities that may be affected.

For the purposes of this rule, heavy commercial vehicle means either a diesel-powered truck and trailer or articulated vehicles with or without trailers with five or more axles in total or a vehicle of manufacturers gross weight exceeding 3.5 tonnes.

(II) RESTRICTED DISCRETIONARY ACTIVITIES

Where less than 18 months of notice is given under (i) (b) above the activity shall be considered as a restricted discretionary activity. Council shall restrict the exercise of its discretion to the effect such activities have on the roading network.

REASON

A high concentration of heavy vehicles using any particular road can have a significant impact on the roading resource. Damage to carriageways can be costly to repair, and may be a traffic hazard to other users. Development of a heavy traffic network and the use of a notification period is seen as the most practicable option to mitigate these effects.

It should be made clear however that Council is under no obligation to upgrade roads when the 18 month notice is given. Financial circumstance may mean this is not possible. However, it enables Council to assess the road and the likely damage caused by the activity. The road user will be advised if damage is likely and what other alternatives are available to the road user.

If the road is damaged or is likely to be damaged in these circumstances Council has the option of downgrading or temporarily closing the road being used or the road to be used as the case may be and if appropriate, charge the person or body responsible for any such damage that may have occurred.

RULE RRA.7 SOIL DISPLACEMENT ACTIVITIES

(I) SCHEDULED QUARRIES - PERMITTED ACTIVITIES

The quarrying, mining and processing of material from those previously used quarries listed in Schedule 6.10 is a permitted activity subject to the following standards:

- No quarrying or mining activities shall be carried out within 10 metres of any waterbody.
- No material should be stock piled within 10 metres of any waterbody or placed in a position or manner where it may enter the waterbody (including natural stormwater channels).
- That if during the quarrying activity previously unidentified archaeological material or sites of possible interest to manawhenua are identified or disturbed then the following shall occur:

- a. All work that may affect the archaeological site shall cease; and
 - b. The consent holder shall contact the New Zealand Historic Places Trust and obtain all necessary authorisations in terms of Section 14 of the Historic Places Act 1993.
 - c. Contact the Iwi Office, Dunedin in the event that the sites are of significance to Iwi
 - d. Undertake an archaeological survey of the site by a qualified archaeologist prior to mining activity resuming with any archaeological findings being described and assessed.
- Where soil is to be removed to enable extraction of the material, all topsoil or sub-soil suitable or land reinstatement shall be separately removed and stockpiled so that it is not lost to wind-blow or run-off. If possible, such soil shall be used to reinstate the quarry floor.
 - The quarry operator shall take all practical measures to mitigate any adverse visual effects of the quarrying activity including appropriate landscaping and planting around the perimeter of the site.
 - Those quarries identified in the schedule as having road restrictions shall be limited by the conditions attached to the schedule.
 - Those quarries identified in the schedule, as having access limitations shall not be worked until access points are upgraded to a standard satisfactory to Council.
 - The working of the quarry shall recognise and provide for the ongoing safe and efficient operation of any network utilities and stormwater channels that traverse or adjoin the quarry site.
 - Those quarries identified in the schedule as being subject to a Management Plan shall be worked in accordance with the provisions of the Plan relevant to that individual quarry.
 - Those quarries identified in the schedule as being subject to resource consent conditions shall continue to be subject to such conditions where stated.
 - Prior to any work commencing, the operator shall provide Council with a Management Plan that outlines how the above standards are to be addressed during the operation of the quarry and how the quarry is to be efficiently worked and managed over time.

*Note: Aspects of this activity will be required to comply with the standards set out in the **Regional Plan: Water**. That plan generally requires that no sediment or contaminant shall be permitted to enter any water body, where that would give rise, after reasonable mixing, to a conspicuous change in the colour or visual clarity of the receiving water. Reference should be made directly to that Plan.*

REASON

The majority of quarries identified in this Schedule are not used on a regular basis but contain a reasonably significant volume of resource. However, the existing use right provisions of the Resource Management Act do not adequately provide for the ongoing use of these quarries with the consequence that resource consents are often needed to continue access to the resource. Given that the effects of these quarries are already in existence, this has become an inefficient process. To overcome these inefficiencies, these quarries have been identified as suitable for use without resource consent. To be placed in this category the quarries met the following criteria:

- The site is serviced by a road that is of adequate construction and design capable of accommodating vehicles likely to visit the site. Where this is borderline restrictions have been placed on the amount of material that can be extracted.
- Access to the road complies with the appropriate Plan rules in relation to design and site distances. Where access needs to be improved no work can be carried until it is upgraded to the appropriate Council standard.

- No waterbodies, areas of significant indigenous vegetation or habitat are likely to be affected by the working of the quarry.
- There are no known sites of heritage or cultural importance likely to be affected by the quarry.
- Dust, glare or noise will not cause a nuisance to any neighbouring property owner.

Schedule 6.11 – Existing Quarries (Refer Rule RRA.7(i))

Name	Location – Grid Reference and Road	Legal Description	Restrictions
Akatore	Akatore Road H45 916 522	Pt Sec 46 Blk 6 Clarendon SD	
Allisons	Elliotvale Road H45 698 439	Part Section 6 Block 36 Tokomairiro SD	
Andersons	Old Lake Road G45 342 405	Pt Lot 20 DP 1133	
Awamangu	Awamanga Road H45 506 502	Lot 6 DP 1996	
Barnards	Clutha River Road, north of Clydevale G44 377 628	Section 16 Blk 6 Ranleburn SD	
Black Swamp (Blakely Pacific Ltd)	Black Swamp Road H45 94 650	Lot 1 DP 16383	
Blackridge	Blackridge Road G45 412 465	Lot 2 DP 1193	Access Limitations – Road user safety
Blair Road	Blair Road G45 42 465	Pt Sec 75 Blk 8 Pomahaka SD	
Buckleys	Kempthorne Road G44 202 794	Lot 1 DP 26856 Greenvale SD	
Burgess No 1	Purakunui Falls Road G47 476 055	Section 21 Blk 7 Woodland SD	
Burgess No 2	Puketiro Road G47 405 077	Sec 26 Blk 5 Woodland SD	Access Limitations – road user safety
Calder Stewart	Glenledi Road, Glenledi H45 817 460	Section 14 Block 7 Akatore SD	
Caldwells	Caldwells Road G45 428 530	Sec 70A Greenfield Settlement SD	
Carmicheals	Black Gully Road G44 196 760	Section 4 Blk 4 Greenvale SD	Road Limitations – Load restriction on west bound traffic. Consult Council.
City Forests – Wild Horses #1	Wild Horses Road H46676342	Sec 21 Blk 8 Kaitangata SD	
City Forests – Wild Horses #2	Wild Horses Road H46 690 346	Sec 18 Blk 8 Kaitangata SD	
City Forests – Bull Creek	Off Bull Creek Road H45 821 442	Lot 2 Dp 301422	
City Forests – The Dell	The Dell Road h44 735 721	Sec 11 Blk 7 Waipori SD	
City Forests – Race	Race Road H44 730 736	Sec 1 Blk 7 Waipori SD	
City Forests – Begg	Begg Road	Sec 21 Blk 3 Kaitangata	

	H46 746 395	SD	
City Forests – Cinibar	Cinibar Road H44 723 710	Sec 6 Blk 9 Waipori SD	
City Forests – Emerald Heights #1	Emerald Heights Road H44 729 715	Sec 11 Blk 7 Waipori SD	
City Forests – Emerald Heights #2	Emerald Heights Road H44 731 715	Sec 6 Blk 9 Waipori SD	City Forests – Emerald Heights #2
City Forests – Glenledi	Off Glenledi Road H45 806 422	Lot 2 DP 301422	
City Forests – Hetherington #1	Hetherington Road H46 686 378	Lot DP 25980	
City Forests – Hetherington #2	Hetherington Road H46 688 394	Lot 1 DP 25980	
City Forests – Powe # 1	Powe Road H45 754 409	Sec 37 Blk 3 Kaitangata SD	
City Forests – Powe #2	Powe Road H45 754 408	Sec 37 Blk 3 Kaitangata SD	
City Forests – Stockyards	Stockyards Road H46 684 390	Lot 1 DP 25980	
Clarks Quarry	Quartermain Road G45 274 461	Lot 1 DP 20406	
Clarendon Quarry	Limeworks Road	Sec 2 of 36, Pt Sec 37, 35 and 1 of 36 and part closed road, Block VIII Clarendon District and Pt Sec 35 and 36 Block V, Sec 37 and Pt Sec 38 Block VI and part closed road Waiholā District	
Coal Gully Quarry	Coal Gully Road H4 782 451	Sec 23 Blk 1 Akatore SD	
Cochranes No 1	Port Molyneux Road H46 594 230	Lot 2 DP 5421	
Cochranes No 2	Port Molyneux Road H46 602 227	Lot 2 DP 5421	
Conical Hill Quarry	West Otago Road G45 172 525	Sec 83A Conical Hills Settlement SD	
Coopers Quarry No 1	Lambourne Road G45 437 474	Lot 6 DP 3007	
Coopers Quarry No 2	Lambourne Road H46 659 396	Pt Sec3 Blk 5 Kaitangata SD	Access Limitations – Access road to be upgraded
Delmont/Cochrane	Owaka Valley Road G46 259 339	Section 10, Block 5, Kuriwao SD	
Dents Quarry	Awakiki Road H46 560 268	Sec 6 Blk 19 Clutha SD	
Dewe	Tahakopa Valley Road	Lot 2 DP 18625	Specific resource consent conditions
Divers Quarry	Waipahi Highway (SH1)	Pt Lot 4 DP 1969	
Drivers Road	Driver Road H45 785 571	Lot 4 DP 1765	

Duffs	Abrams Road G44 132 758	Section 2 and 19, Block 13, Greenvale SD	
Easons	Owaka Valley Road G46 391 198	Pt Sec 29 Blk 4 Catlins SD	
Easons	Akatore Road H45 821 453	Lot 4 DP 960	
Ernslaw – Road 100	Road 3, Beaumont Forest G44 335 754	Lot 1 DP 21422	
Ernslaw – Redshirt Track	Road 2, Beaumont Forest G44 358 756	Lot 1 DP 21422	
Ernslaw – Packers Corner	Manuka Ridge Road, Beaumont Forest G44 334 736	Lot 1 DP 21422	
Ernslaw – Cookies	Cookies Road, Rankleburn Forest G45 340 664	Lot 1 DP 21418	
Ernslaw – Telford Tops new	Telford Tops Road, Rankleburn Forest G45 294 627	Lot 1 DP 21418	
Ernslaw – Fish Creek	Fish Creek Road, Rankleburn Forest G45 294 627	Lot 1 DP 21418	
Ernslaw – Cooney Creek	Cooney Creek Road, Rankleburn Forest G45 317 618	Lot 1 DP 21418	
Ernslaw – Telford Tops old	Telford Tops Road, Rankleburn Forest G45 275 598	Lot 1 DP 21418	
Ernslaw – Dusky	Blind Break Road, Dusky Forest G44 109 791	Lot 1 DP 21251	
Ernslaw – Ridge Road	Mitchells Gully Road, West Tapanui Forest G45 198 553	Lot 1 DP 21251	
Ernslaw – Mitchells Gully	View Road, Conical Forest G45 215 583	Lot 1 DP 21411	
Ernslaw – Conical	Main Break Road, Conical Forest G45 217 568	Lot 1 DP 21249	
Ernslaw – View Road	Cattle Flat Road, Rankleburn Forest G45 2269 590	Lot 1 DP 21249	
Ernslaw – Main Break	Main Break Road, Conical Forest G45 217 568	Lot 1 DP 21249	
Ernslaw – Cattle Flat	Cattle Flat Road, Rankleburn Forest G45 269 590	Lot 1 DP 21418	
Ernslaw – Middle Road	Middle Road, Rankleburn Forest G45 292 588	Lot 1 DP 21422	

Ernslaw – 4-9's	Rongahere Road between Clydevale and Beaumont, Beaumont Forest G44 376 725	Lot 1 DP 21418	
Ernslaw – Sharps Road	Sharps Road, Rankleburn Forest G45 314 651	Lot 1 DP 21418	
Ernslaw – Harraways	Blackcleugh Road, Rankleburn Forest G45 357 656	Lot 1 DP 21418	
Ernslaw – Landsend	Landsend Road, Rankleburn Forest G45 324 637	Lot 1 DP 21418	
Ernslaw – Grindstone	Grindstone Road, Beaumont Forest G45 358 677	Lot 1 DP 21422	
Florence Hill	Chaslands Highway G47 387983	Sec 11 Blk 4 Tautukku SD	
Forthill	Forthill Road H45 763 578	Sec 41 Blk 1 Table Hill SD	
Fox	Berwick Road, Berwick H45 836 690	Lot 1 DP 12283 Pt Sec 2 of 28 Blk 3 Manugatua	Specific resource consent conditions
Fulton Hogan (Barnego)	Barnego H46 562 385	Lot 1 DP 12186	Management Plan
Gardners	Puerua Valley Road H6 506 255	Lot 2 DP 18033	Access Limitations – road user safety
Goldinghams	Tahakopa Valley Road G47 376 073	Pt Sec 14, Blk 10, Rimu SD	Resource consent conditions – 20 metre buffer to Tahakopa River
Golds Quarry	Brookdale Road H46 505 416	Pt Sec 1 Blk 8 Sth Molyeux SD	
Greers	State Highway 1 – Critchon Corner H45 675 463	Sec 1 SO 18219	
Harrisons	Newhaven, then unnamed Council road H46 581 458	Pt Sec 45 Blk 6 Glenoamaru SD	
Harrisons	Waipahi Station Road G45 202 458	Sec 88 Blk 7 Waipahi SD	
Hazeldale	Hazeldale Road G45 235 292	Sec 6 SO 24500	
Heriot Earth Moving Quarry	Morris Road, Heriot Township G44 071 786	Sec 21 Blk 4 Greenvale SD	
Heriot Plantation	Black Gully Road, West G44 198 762	Pt Sec 3 Blk 4 Greenvale SD	Roading Limitations – Load restriction on westbound traffic. Consult Council
Hina Hina	Hina Hina Road H47 536 102	Pt Sec 66 Blk 8 Glenoamaru SD	

Hollands	West Otago Road G45 185 534	Sec 68A Conical Hills Settlement SD	
Hursts	Dodds Road G46 189 362	Sec 3A Blk 1 Slopedown SD	
Inder No 1	Freezing Works Road H46 576 319	Lot 2 DP 22588	
Inder No 2	Freezing Works Road H46 576 317	Lot 2 DP 22588	
Johnsons Quarry	Critchon Road H45 681 498	Part Sections 4 Block 42 Tokomairiro SD	
Johnstones	Mount Mistake Road G45 273 486	Pt Lot 1 DP 1276	
Kakapuaka Quarry	High Street, Kakapuaka H46 566339	Lot 87 DP 170	
Kemphornes	Old Switzers Road G44 140828	Sec 3 Blk 15 Greenvale SD	
Kitto's Quarry	Karoro Creek Road H46 613 176	Sec 37 Blk 4 Glenoamaru SD	
Lakeside	Lakeside Road H47 515 080	Sec 1 of 14 Blk 3 Woodland SD	
Landcorp	Owaka Highway, adjacent to South Roads Quarry H46 589 244	Sec 1 SO 23486	
Little Barnego	Clutha Valley Road, Balclutha H46 561 373	Sec 48 Blk 2 Hillend SD	
Lochindorb	Intersection of Owaka Valley Road and Lochindorb Runs Road G46 306 285	Pt Sec 18 Blk 9 Kuriwao SD	Management Plan
MacGills	Cannibal Bay Road H46 548 129	Sec 37 Blk 6 Glenoamaru SD	
Mackenzie No 1 (Farm)	Chaslands Highway G47 273 963	Sec 8 Blk 12 Tautuku SD	
Mackenzie No 2	Chaslands Highway G47 300 955	Sec 8 Blk 10 Tautuku SD	Access Limitations – Road user safety
Marretts	Hunt Road G46 478 186	Sec 31 Blk 2 Catlins 2	Access Limitations – Road user safety
Marshalls	Baker Road H45 822 617	Lot 3 DP 22834	Management Plan
MacGaws	McGaws Road H45 613 682	Pt Sec 25 Blk 6 Tuapeka East SD	Management Plan
McIntyre	Slopedown Road G46 249 323	{t Sec 18 Blk 5 Kuriwao SD	
McLachlans	Pomahaka River Road G45 350 484	Pt lot 56 DP 1963	
Milton Borough	Bush Gully Road H45 778 471	Sec 29 Blk I Akatore SD	
Mitchells	Old Switzers Road G44 205 832	Pt Sec 1 Blk 10 Greenvale SD	Note: Rural water pipeline at risk
Nyhon Pit	Wangaloa Road, Kaitangata	Pt Sec 14 Blk 9	Specific Resource

	H46 676 316	Kaitangata SD	consent conditions
Old Waipahi Transport Quarry	West Otago Road G45 186 501	Sec 52A Conical Hills Settlement SD	
ORC	Barnego Road, Barnego H46 575 373	Secs 74 and 75 Blk 2 Hillend SD	
Paisleys Pit	Burkes Ford Road G45 332 565	Pt Lot 46 DP 1956	
Powley	Jeff Road G46 200 384	Pt Sec 14 Blk 5 Waipahi SD	Management Plan
Ritchies Gravel Pit	Gabriels Gully Road, Gabriels Gully H44 523 752	Pt Sec 162 Blk 19 Tuapeka East SD	Management Plan
Roadex	Paradise Flat Road G44 144 748	Lot 1 DP 21181	Note: Stormwater buffer zone
Rocky Point	Berwick Road H45 839 670	Pt Sec 32 Blk 7 Clarendon SD	
Shaws	Burkes Ford Road G45 312 559	Sec 30 Blk 2 Rankleburn SD	Specific resource consent conditions
Sims Road	Sims Road G44 274 811	Sec 24 Blk 11 Crookston SD	
South Roads	Owaka Highway H46 591 246	Sections 1 and 2 SO 23486	
Stoney Creek	State Highway 1 H45 622 420	Lot 1 DP 25282	Management Plan
Stott	Harrington Mill Road G47 187 540	Lot 1 DP 26034 Pt Lot 1 DP 3052	Access Limitations: Road user Safety
Stratfords	West Otago Road G45 187 540	Lot 2 DP 25153	
Taieri Beach No 1	Taieri Beach Road H45 868 589	Lot 2 DP 21414	Access Limitations: Road user Safety
Taieri Beach No 2	Taieri Beach Road H45 875 568	Lot 7 DP 21414	Access Limitations: Road user Safety
Tapanui Railway Quarry	Old Tapanui Railway line G45 179 685	Pt Sec 1 Blk 13 Glenkenich SD	Management Plan
Tautuku Waikawa Lands trust	Chaslands Highway G44 238 948	Pt Sec 3 Blk 13 Tautuku SD	Management Plan
Taylor Quarry	Lawrence Waitahuna Highway (SH8)	Sec 150 and 161 Blk II Tuapeka East SD SO 1749	
Thomsons	Off State Highway G44 269 749	Lot 5 DP 1329	
Waipahi Quarry	Old Main Road G45 200 496	Pt Sec 1 Blk 8 Waipahi SD	Management Plan
Wairuna	Wairuna Siding/State Highway 1 G45 250 428	Pt Sec 62 Blk 3 Waipahi SD	
Warnocks Quarry	Warnock Road G47 472 056	Sec 22 Blk 7 Woodland SD	Management Plan
Watsons Road	Watson Road H45 869 470	Pt Sec 27 Blk 4 Akatore SD	
Watts Quarry	Fisher Road	Pt Lot 94 DP 170	

	H46 554335		
Wenita	Dip Road H45 780 671	Lot 6 DP 21317	
Wenita – ‘Magons’	East Boundary Road H45 806 634	Lot 4 DP 21317	
Wenita	Skyline Road H45 866 566	Lot 3 DP 21414	
Wenita	Taieri Beach Road 1 H45 876 569	Lot 2 DP 21414	
Wenita	Taieri Beach Road 2 H45 872 572	Lot 2 DP 21414	
Wenita – ‘Waronui’	Littles Road H45 734 407	Lot 1 DP 8028	
Wenita	Extension Road H45 846 540	Lot 1 DP 21414	
Wenita	Centre Road H45 869 515	Lot 1 DP 21414	
Wenita	Ridley Road H45 858 506	Lot 1 DP 21414	
Wenita	Staircase Road H45 875 508	Lot 1 DP 21414	
Wenita	Big Bush Road H45 835 501	Lot 1 DP 21414	
Wenita	Trig Road H45 832 528	Lot 1 DP 21414	
Wenita	Harris Road H45 762 644	Lot 6 DP 21317	
Wenita	Run Road H45 751 671	Lot 1 DP 21317	
Wenita	Pleasant Road H45 897 511	Lot 1 DP 21414	
Wenita	Boundary Road H45 881 526	Lot 1 DP 21414	
Wenita	Ridley Road 2 H45 866 491	Lot 1 DP 21414	
Wenita	Side Road H45 680 722	Lot 6 DP 21317	
Wenita	Banishiel Road H45 729 694	Lot 6 DP 21317	
Wenita	Cocksburn Path Road H45 714 723	Lot 6 DP 21317	
Wenita	Whitemire Raod H45 656 655	Lot 6 DP 21317	
Wenita	Ayton Road H45 704 704	Lot 6 DP 21317	
Wenita	Cairnbank Road H45 694 683	Lot 6 DP 21317	
Wenita	Quarry Road H45 876 580	Lot 3 DP 21414	
Wenita	Run Road Pit	Lot 1 DP 21317	

	H45 750 655		
Wenita	Halfway road H45 794 671	Lot 6 DP 21317	
Wilson, D.R.	Slopedown Road G46 180 260	Lot 2 DP 3409	Access Limitations – Road user safety
Wilsons	Bush Gully Road H45 776 467	Section 32 Blk 1 Akatore SD	
Winters Quarry	Tuapeka Road, Clydevale G45 418 541	Pt Sec 26A Greenfield Settlement SD	
Wooded Hill	Wooded hill Road, Kelso G44 176 710	Pt Sec 32 Blk 1 Greenvale SD	

(II) MINING ACTIVITIES - PERMITTED ACTIVITIES

Except as provided for by (i) above prospecting, exploration and mining activities are permitted activities provided that:

- The volume of material extracted shall not exceed 1,000m³ per 10 hectares from one contiguous land holding (farmed or utilised as one unit) provided that no more than a maximum of 5,000m³ shall be exceeded. (*Note: The volume calculation is a maximum figure, not a per annum figure*). Any overburden or topsoil extracted shall be considered part of the volume calculation if it is not to be reinstated
- The material extracted shall only be used on the land holding from which it is extracted, provided that this does not apply to prospecting.
- Areas disturbed by prospecting or exploration activities shall be progressively restored and rehabilitated to a standard not less than that which previously existed.
- The conditions set out in (i) above (excluding the first bullet point) are complied with.
- There is no significant risk of erosion or slope instability on the site to be disturbed.
- No mining activity shall take place within 500 metres of mean high-water springs.
- No mining activity shall take place within 50 metres of any waterbody. For the purposes of this particular rule “waterbody” is defined as a natural water course being 3 metres or greater in width, any wetland or lake identified in Table 13.5, page 177 of this plan or any wetland identified in Table 5 of the Otago Regional Council’s Regional Plan: Water, any waterbody identified in Schedule 6.6 of this Plan, or any other wetland or lake of 2 hectares or greater in area, and all coastal water.

Note: The Regional Council Air Plan also contains controls on mining activities. In general, these activities must not result in a discharge of smoke, odour, particulate matter or dust that is noxious, dangerous, offensive or objectionable at or beyond the boundary of the property. Direct reference should be made to the Regional Plan: Air.

Any drilling must comply with rules in the Regional Plan: Water for Otago, for example that which occurs on land over an aquifer identified in Maps C13 – C17 in that Plan requires a resource consent under Rule 14.2.2.1 of that Plan.

REASON

The adverse environmental effects of small-scale mining and soil displacement activities are generally minor and can be controlled through appropriate standards.

(III) MINING ACTIVITIES - DISCRETIONARY ACTIVITIES

Prospecting, exploration and mining activities that do not comply with the standards set out in (i) and (ii) above, and the construction of tunnels shall be discretionary activities

INFORMATION REQUIREMENTS

An application under this rule, in addition to the information required under Section 3.1.3, shall include a Management or Operation Plan in such detail as corresponds with the scale and significance of the actual or potential effects.

Assessment Criteria – not part of the rule

In assessing any application under this rule, Council in addition to those matters set out in Section 104 of the Act will also consider the following:

- a. Compliance with the rules contained within the District Plan, (in particular, rules in relation to heritage sites, including waahi tapu.)
- b. Operations for removal, storage and future use of topsoil and subsoils.
- c. Proposals for stockpiling material and its effect on the environment.
- d. Water requirements, disposal of water and control of runoff.
- e. Leachate control and treatment and the effect on any groundwater aquifer.
- f. Engineering structures.
- g. Hours of operation.
- h. Transportation and access requirements.
- i. The effects of noise, vibration, dust and odour.
- j. Effect on essential services such as roading and utility reticulation.
- k. Possible future use of the property.
- l. Progressive restoration and rehabilitation of the site including landscaping.
- m. Fire safety requirements.
- n. Likely effect on residents in the locality.
- o. The provisions of the Operation Programme or Management Plan developed.

REASON

The environmental effects of large-scale mining operations can be significant. Discretionary status enables a full assessment of such activities to ensure environmental quality is maintained.

(IV) ACCESS TRACKS - PERMITTED ACTIVITIES

The construction and maintenance of access roads (including bridges and culverts associated therewith) for the purposes of internal access are permitted activities provided that:

- (a) No site of heritage value listed in Table 13.1 to Table 13.8, or archaeological site is adversely affected.
- (b) The location is not or is not likely to be subject to material damage by erosion, subsidence, slippage or inundation and the proposed development is not likely to not initiate or accelerate any of these processes.

- (c) That where such a road or track is to be visible from a public road, or public place that permanent visual effects are mitigated against by vegetating fill batters.
- (d) Intersections with public roads are to be constructed in accordance with the standards set out in Rule TRAN.4.
- (e) The following design and construction standards are complied with:
- All formation surfaces with an inwards crossfall shall be drained by a watertable; and
 - Cutoffs or culverts shall be constructed or installed so as to prevent scour, gullyng, or other erosion of the formed or constructed surface and to comply with Section VI of the Freshwater Fisheries Regulations 1983 (which requires adequate provision for fish passage); and
 - All areas of fill including any formation surface overlying fill shall be compacted; and
 - Fill batters shall be constructed and vegetated, to a standard that is adequate to avoid batter erosion or failure.

Any activity that does not meet the standards above shall be a restricted discretionary activity with Councils discretion restricted to the matters of non-compliance. Any application under this rule will generally not be publicly notified or served on any affected parties.

Note: Where access tracks cross waterbodies, compliance with the statutory plans of the Otago Regional Council and with Rule RRA.8 of this Plan will also be required

Note: The Regional Council Air Plan also provides that road construction and maintenance must not result in a discharge of smoke, odour, particulate matter or dust that is noxious, dangerous, offensive or objectionable at or beyond the boundary of the property.

REASON

The sustainable management of resources clearly anticipates adequate access to them. The environmental effects of access tracks are generally short term and can be adequately mitigated with appropriate conditions.

RULE RRA.8 RIPARIAN MARGINS

(A) PERMITTED ACTIVITIES

The following earthworks or vegetation removal activities are permitted within 10 metres of any natural watercourse:

- (i) Earthworks permitted in accordance with the activities permitted under Rule WAT.3, (structures and buildings).
- (ii) Earthworks necessary in the construction and maintenance of defenses against water authorised by the Regional Council.
- (iii) Earthworks and the stockpiling of material associated with gravel extraction activities authorised by the Regional Council.
- (iv) Earthworks required in the maintenance and construction of access tracks, roading, walkways and reserves.

- (v) Removal of undesirable weeds or plants.
- (vi) Vegetation removal required to give effect to consents under this plan or any other plan developed under the Act,
- (vii) Removal of vegetation planted for commercial purposes prior to the date of notification of this plan
- (viii) Removal of forage seed and herbage crops either by stock grazing or other harvesting means
- (ix) The grazing of stock (excluding mob stocking practices)

PROVIDED THAT

any adverse effects on the water body and its margin are avoided, remedied or mitigated by ensuring that:

- (a) No disturbed vegetation, soil or debris is placed in the water body or is placed in such a position where it may enter or move into the water body
- (b) Riparian margins are restored and rehabilitated to a standard necessary to ensure that the margins remain in a stable condition.

Note: For guidance on what may be considered an “undesirable weed or plant” in terms of (v) above, please refer to the Otago Regional Council’s Regional Pest Management Strategy

(B) RESTRICTED DISCRETIONARY ACTIVITIES

Any activity that is not provided for in (a) above or does not comply with this rule shall be considered a restricted discretionary activity.

Council shall restrict the exercise of its discretion to the effects the activity may have on:

- The quality of water within the watercourse.
- The intrinsic values of riparian and aquatic ecosystems.
- The habitat of native fish species, trout and salmon.
- Indigenous vegetation and habitat of both indigenous and valued non-indigenous wildlife.
- Landscape values, natural character and amenity values
- Recreational values afforded by the water body
- Public access
- Maori cultural values
- Historic Heritage values
- Bank stability.
- The impact on the movement of water within the water body (especially in terms of flood-carrying capacity).

Any application under this rule will generally not be publicly notified or served on any affected parties. Where any person or public body is considered to be affected for cultural, recreational or ecological reasons, the notice of the application will be served on them unless all those persons who may be adversely affected have given their written approval to the application.

For the purposes of this rule natural water course is defined as being of 3 metres or greater in width, any wetland or lake identified in Table 13.5, of this plan or any wetland identified in Table 5 of the Otago Regional Council's Regional Plan: Water, any waterbody identified in Schedule 6.6 of this Plan, or any other wetland or lake of 2 hectares or greater in area, and all coastal water.

Note: See also Rule WAT.3, Rule WAT.4 Special Water Supply Catchments and Method RRA.1 Appropriate Land Management Practices.

REASON

Controls in respect of vegetation removal and earthworks in riparian margins have been imposed to protect water quality. Riparian vegetation acts as a buffer zone filtering nutrient and soil runoff, stabilises banks and provides habitat. The rule does recognise and provide for a number of essential activities that must occur within riparian margins (including the removal of existing plantations of commercial crops) provided that adverse effects on water bodies are minimised.

RULE RRA.9 LAND USE EFFECTS ON SOIL

- (a) Where an area of ground exceeding 30° slope has been made bare by the removal of vegetation that area of bare ground shall be revegetated or otherwise protected from soil erosion as soon as practicable and in no case later than twelve months after the disturbance.

REASON

The removal of vegetation cover, particularly on steeper slopes, can have significant effects in terms of topsoil loss, stability and effect on water quality. This rule will ensure bare ground is not left for any significant period but allows flexibility as to how the problem is to be dealt with.

- (b) Where any soil disturbance or earthworks is required for or in connection with the formation, construction, reconstruction, or maintenance of any road, track, landing, firebreak, fenceline, survey line, or utility service line:
- all formation surfaces with an inwards crossfall shall be drained by a watertable; and
 - cut-offs or culverts shall be constructed or installed so as to prevent scour, gullyng, or other erosion of the formed or constructed surface; and
 - fill shall not be placed over woody vegetation; except where the woody vegetation has been specifically placed for corduroying purposes; and
 - all areas of fill including any formation surface overlying fill shall be compacted; and
 - fill batters shall be constructed and vegetated, to a standard that is adequate to avoid batter erosion or failure; and
 - spoil shall be disposed of by end-hauling where the formation by sidecasting of any road or track crosses any unstable site or crush zone.

REASON

This rule controls the adverse effects that track cutting activities can have on water quality, soil stability, vegetation, and visual amenity.

RULE RRA.10 NOISE STANDARDS

- (i) The provision of Section 3.13 shall apply unless otherwise stated by these rules

- (ii) Corrected noise levels (L10) at the boundary of a site shall not exceed 65dBA provided that corrected noise levels (L10) shall not exceed the following limits at the boundary of any Urban Transitional or Rural Settlement Resource Area or at the notional boundary of any residential, hospitality, tourist, educational or health activity site located in the Rural Resource Area provided this rule does not apply to temporary short duration emissions of noise that are a one off occurrence:

Weekdays and Weekends

7am to 10pm	L10	-	55dBA
10 pm to 7 am	L10	-	45dBA

“Notional boundary” in respect of a residential activity means a line 20 metres from the facade of the building or the legal boundary of the site on which the building is located where the boundary is closer to the building than 20 metres.

“Notional boundary” in respect of hospitality, tourist, educational or health activities, means the legal boundary of the site.

- (iii) Where an activity is established and a new activity locates where it will be affected by the 65dBA noise maximum level (referred to in (ii) above), it shall be the responsibility of the developer of the newly located activity to ensure that buildings associated with that use are designed in such a manner that the day time and night time noise levels are met within that new activity.
- (iv) Any new sensitive activity, or additions that increase the floor area of an existing sensitive activity located within the Noise Control Boundary associated with the Stirling Dairy Manufacturing Site shall be constructed to achieve an internal design level of 35dBL_{Aeq}(1hr) in all habitable rooms with the windows closed.

Any activity that fails to comply with this standard is a discretionary activity.-The Operator of the Stirling Dairy Manufacturing Site shall be considered an affected party in relation to any application arising from non-compliance with this standard.

- (v) Any activity that fails to comply with these standards (i) to (iii) above is a restricted discretionary activity. Council shall restrict the exercise of its discretion to this matter. In considering any application under this rule, regard will be had to Method NSE.2.

REASON

These noise levels have been established by Council's 1993 Noise Study of the District. Standard (iii) has been added to ensure that noise sensitive activities cannot locate within close proximity to an established activity and claim to be affected by the noise it generates.

RULE RRA.11 SITE CRITERIA

All sites within the Rural Resource Area that are to accommodate buildings designed to provide for the living or working space of people shall comply with the following criteria:

- (i) the site shall be capable of the effective disposal of effluent safely within the site

PROVIDED THAT

for sites less than 4,000m² or where the activity on the site will generate quantities of effluent in excess of three household units or the equivalent thereof regardless of area Council shall require a certificate from Council's Environmental Health Officer or from a person professionally qualified in effluent disposal that effluent can be safely disposed of within the site.

Note: Resource users must also comply with any standards set by the Otago Regional Council. Consent may be needed from the Regional Council for any proposed discharges.

REASON

Effluent can have significant environmental effects in terms of odour, contamination of water supplies or pollution of water courses, and can be a health hazard.

- (ii) An adequate supply of potable water is provided for the needs of the occupier. Where a Rural Water Supply Scheme is servicing the property, Rule WAT.5 Rural Water Supply Schemes at of this Plan shall apply.
- (iii) No uneconomic extension or development of public services will occur.

REASON

Where Council services are available (for example, a Rural Water Supply Scheme) use or extension of them should not be at a cost to the general ratepayer.

RULE RRA.12 THE EFFECTS OF BUILDINGS AND STRUCTURES AND STORAGE OF MATERIALS

- (i) Where the site of a building or structure (other than a roadside stall) adjoins the site of a residential, hospitality, commercial, tourist, educational or health related activity, the bulk and location requirements of Rule URB.4.1, Rule URB.4.2, and Rule URB.4.3 shall apply provided that Rule URB.4.3 shall not apply to non-residential buildings. For the purpose of this rule chimneys and stacks with a diameter of 2.5 metres or less are exempt from this height restriction.

- (ii) Storage

Any area used for or proposed to be used for storage purposes (including the stockpiling of material) that is not enclosed or partly enclosed by a covered building shall be screened from the view of any public road, reserve, other public land, or any other adjacent site boundary or resource area boundary.

Such screening shall be erected or planted to a suitable height and density so as to mitigate adverse visual effects and dust effects that have the potential to occur and shall not impede visibility on adjacent roads provided that

- (a) No waste material, including animal waste shall be stored, stockpiled, or disposed of in a manner that attracts or increases habitats for flies, rodents, vermin or insects and birds.
- (b) Where such an area adjoins the site of a residential, hospitality, commercial, tourist, educational or health related facility, the bulk and location requirements of Rule URB.4.1 and Rule URB.4.2 shall apply unless such a storage area is ancillary to such a site or facility.

(iii) Where the site of a building, structure (excluding a roadside stall), or a stockpile of materials does not adjoin the site of any other building or structure, the minimum standards shall be as follows;

- (a) Height - maximum of 12 metres. For the purpose of this rule chimneys and stacks with a diameter of 2.5 metres or less are exempt from this height restriction.
- (b) Front yard - 4.5 metres provided that where loading, unloading or servicing of a building occurs in the front yard, it shall be of sufficient size to ensure there are no adverse effects on the safety and efficiency of the adjoining road, and does not require reversing manoeuvres onto, or off, the property.

Note: This does not apply to unformed roads.

REASON

The bulk and location requirements set out in Rule URB.5 have been developed to reduce the adverse effects of activities on the privacy and amenity values of neighbouring properties.

Where a structure, building or stockpile of materials is erected or stored on a site that adjoins a site free of any buildings used by people, it is not considered necessary to impose side and rear yards. If a development occurs on the adjoining property at a later date, then it will be for the developer of the activity to provide the appropriate separation standards. Front yards are seen as necessary to avoid adverse effects on the safe and efficient operation of public roads.

Chimneys are exempt from height restrictions because they have minimal effect in terms of shading and privacy etc. The operational requirements of many industries are such that chimneys are required to ensure that discharges to air are appropriately dispersed.

(iv) Where buildings, structures or stockpiles of materials front State highways or under width roads, the following standards apply:

- (a) Where buildings, structures or stockpiles of materials, front a State highway a minimum front yard of 6 metres shall be provided.
- (b) Where buildings or structures front an under-width road, a minimum front yard of 14.5 metres measured from the original centreline of the road shall be provided. Any reduction in this requirement shall be considered as a discretionary activity. In assessing any application under this Rule Council shall consider the likelihood of road widening in the foreseeable future and the effect on the safe and efficient operation of the road of fly such reduction.

REASON

State highways generally have a greater flow of traffic and in Rural Resource Areas, the speed limit will be high. A 6 metre set back will ensure better visibility along the road edge.

The restriction on under width roads recognises that road widening may be required in the future. The 14.5 metre distance from the road centre allows for a 20 metre legal road reserve and 4.5 metre front yard.

(v) No structure, buildings or stockpile of materials shall be sited in that triangle of land formed by the straight line between two points measured 18 metres in either direction from the intersection point of the legal road boundaries.

REASON

Development or structures on intersections impairs vision of on-coming traffic and can greatly affect traffic safety.

- (vi) The addition to or construction of buildings and structures within 20 metres each side of the centre line of high voltage transmission lines designed to operate at or over 110 kv is a discretionary activity

PROVIDED THAT

This rule does not apply to fences or buildings not occupied by human or animals for whatever purpose.

REASON

This rule will ensure that the public is reasonably protected from live transmission lines in the event of an emergency which results in a line failure. It will also enable ease of operational access by the network utility operator for maintenance and upgrading purposes.

Fences and buildings that are not occupied or used by humans or animals are not subject to this restriction

- (vii) The use, modification and erection of buildings and structures must comply with the following rules:
- Rule HER. 1, Method HER.3,
 - Rule WAT.3, Rule AME.2,
 - Rule AME.5, Rule AME.6,
 - Rule AME.7, Rule RRA.13 and Rule RRA.15 to 17.

REASON

Buildings and structures can have an adverse impact on the values of heritage sites.

- (viii) Activities that do not comply with the standards set out in Rule RRA.12 (i) to (vi) above shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the standard breached and the effects this may have on the environment.

RULE RRA.13 INDIGENOUS VEGETATION AND HABITATS OF INDIGENOUS FAUNA

(A) PERMITTED ACTIVITIES

The following are permitted activities:

- (i) The complete clearance or clear felling of up to 1 hectare of indigenous vegetation from land contained within one certificate of title or from land held as one property except as provided for in (b) (ii) to (v) below.
- (ii) The selective removal or selective modification of indigenous vegetation over an area of up to 5 hectares of indigenous vegetation located within land contained within one certificate of title or within land held as one property except as provided for in (b) (ii) to (v). The selective removal or selective modification of such vegetation shall not exceed 20% of the total vegetation.

- (iii) The clearance, modification or harvesting of indigenous vegetation which:
- a. has been planted and managed specifically for the purpose of harvesting or clearing; or
 - b. is reasonably necessary to enable the management, harvesting or replanting of any area of planted indigenous or exotic vegetation; or
 - c. has been planted and/or managed as part of a garden or gardens or has been planted for amenity purposes.
- (iv) The clearance, modification or destruction of indigenous vegetation which has regrown naturally on land which was lawfully cleared of vegetation or has been utilised as production land as defined in the Act since 1 January 2000.
- (v) The clearance, modification or destruction of indigenous vegetation necessary for the operation and/or maintenance of:
- Existing farm tracks; existing fire breaks; and existing fence lines;
 - Existing utilities and infrastructure and associated existing access tracks;
 - Existing high voltage transmission lines
- but excluding the expansion or upgrading of these activities except where otherwise permitted by this Plan.
- (vi) The clearance, modification or destruction of indigenous vegetation for the purposes of maintaining existing formed roads and other existing transportation networks, and for traffic, marine or aviation safety (including the maintenance of related signs and navigational structures) and which is undertaken by or on behalf of the authority responsible for maintaining that safety excluding the expansion or upgrading of these activities except where otherwise permitted by the plan.
- (vii) The removal of wind thrown trees or dead standing trees which have died as a result of natural causes and present a direct threat to safety of people or property.
- (viii) The clearance, modification or removal of exotic and/or defined plant pests species undertaken for the purpose of maintaining or enhancing the existing state of the remaining indigenous vegetation.
- (ix) The clearance, modification or removal of indigenous vegetation that is consistent with a reserve management plan approved under the Reserves Act or is consistent with an approved conservation management strategy.

Subject to compliance with the following rules and conditions:

- (a) That no less than one month prior to any clearance or modification work to be carried out pursuant to (a) (i) and (ii) above, notice is provided to Council that identifies on a plan the extent of land that is to be cleared and the extent of the property from which the land has been cleared;
- (b) Rule RRA.8 and Rule RRA.9;
- (c) Rule WAT.4;
- (d) For clarification purposes, any clearance permitted under (a) (i) and (ii) is permitted to occur once only from the subject property. It is not a yearly maximum.

(B) DISCRETIONARY ACTIVITIES

The following are discretionary activities:

- (i) Any activity that exceeds the restrictions set out in Rules (a) (i) and (ii) above.
- (ii) Clearance, modification or removal of indigenous vegetation from any area listed in Table 13.8 or any table substituted in its place.
- (iii) Clearance, modification or removal of indigenous vegetation from any area which provides habitat for indigenous plants, animals and fungi that are classified by the Department of Conservation as having a threat classification of either "Threatened" or "At risk: declining".
- (iv) Clearance, modification or disturbance of wetlands identified in Table 13.5 (or any table substituted in its place) or other wetlands 1 hectare or greater in area.
- (v) Clearance, modification or removal of indigenous vegetation from any Esplanade Reserve, Existing Crown Land Margin, Riverbank Reserve or unformed Legal Road adjoining a river or stream except in the circumstances provided for under (a) Permitted Activities (a)(v) to (a)(ix) above.

RULE RRA.14 TREE PLANTING ON BOUNDARIES
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No trees shall be planted in the following circumstances:

- (a) within 10 metres of an adjoining property boundary in rows of more than two deep (excluding road boundaries), or
- (b) within 5 metres of any main pipeline of any Rural Water Supply Scheme, or
- (c) within 50 metres of an Urban, Rural Settlement, Transitional Resource Area boundary in rows of more than two deep, or
- (d) within 50 metres of any existing dwelling (excluding those located on the subject property), in rows of more than two deep.

Any proposal to plant trees that does not comply with this rule shall be considered a restricted discretionary activity.

Council shall restrict the exercise of its discretion to the following matters:

- The effects of shading.
- The effects of root encroachment.
- The effects of harvesting.

Any application under this rule shall generally not be notified where the written approval of affected persons is received.

Note: Rule TRAN.7 applies to roads.

REASON

Plantings directly on boundaries can lead to shading of adjoining properties and can cause soil nutrient depletion and soil disturbance due to root encroachment. However, shelterbelt plantings and amenity plantings can also have positive effects. Any adverse effects relating to these types of

plantings are best left to the individuals involved to resolve. With respect to plantations, however, because significant economic investment is involved, and effects are generally on a much larger scale, a setback is considered appropriate, particularly in respect of urban areas where harvesting could generate significant adverse effects in terms of noise and traffic generation, also increase the fire risk. Plantings over pipelines causes damage to the pipes and hinders access for maintenance purposes.

RULE RRA.15 STANDARDS FOR ACTIVITIES IN OUTSTANDING LANDSCAPES - TABLE 13.3A

For those landscapes listed in Table 13.3A the following standards are conditions of permitted activities:

(I) BUILDINGS AND STRUCTURES (EXCLUDING FENCES)

- shall not be located on skylines, ridgetops or promontories when viewed from a public place
- shall be finished in tones or colours which do not contrast with the surrounding landscape.

Note: boxed material does not form part of the rule but should also be considered

In siting and designing buildings and structures the following should also be considered:

- site, buildings near a change in landform and/or with a backdrop of trees to blend the building into the landscape
- make use of existing vegetation as a background. Additional planting should be bold, large and dense enough to relate to the scale of the building, at the same time being in sympathy with the landscape.
- minimise excavation and reduce the need for large foundations by following the landform with the building and/or stepping the building into the slope
- align the building with the land so the length of the roof line runs parallel to the contour of the land
- group buildings and structures together. Link small structures with other structures.
- keep buildings well back from the road where possible

(II) POWER LINES AND TELECOMMUNICATION LINES

- are to be laid underground

(III) EXCAVATION, TRACKS, PERMANENT DISTURBANCES ETC.

Note: see also Rule RRA.7

- excavation and other permanent disturbances shall be designed and located so as to retain as far as practicable the appearance of an undisturbed natural form as a permanent effect
- where cuts have to be created, they shall be graded or battered back into surrounding landform
- cut and fill batters shall be revegetated and screened by appropriate plantings as soon as practicable

Note: boxed material does not form part of the rule but should also be considered

Where possible the following should be considered:

- follow natural contour lines to reduce the height of cut and fill batters to maintain easier grades and reduce scouring and runoff problems
- keep earthworks to a minimum
- locate adjacent to vegetation slopes or edges of landforms
- avoid crossing steep slopes or open places. If there are no edges to follow then use clumps of trees for example,
- blend with existing vegetation, avoid felling where possible
- avoid compaction of excavated material where possible to retain soil fertility and enhance revegetation

(IV) WOODLOTS, SHELTER BELTS AND PLANTATIONS

New plantings shall:

- link to existing plantings including native and riparian vegetation
- avoid planting that will obscure or screen important views

Note: boxed material does not form part of the rule but should also be considered

In siting and designing new plantings, consideration should also be given to the following:

- group plantings rather than plant individual trees
- use plantings to integrate existing scattered plantings or wildings
- vegetation which adds to the natural or historical character of an area should be retained and enhanced with similar planting
- ornamental plantings around the edge are not always the answer to beautification. Good overall planting design following the natural patterns of the land will usually give better looking results.

RULE RRA.16 OUTSTANDING NATURAL FEATURES. TABLE 13.3.B

Any work or activity that would or is likely to have an adverse effect on, or destroy, remove or damage any of the sites or features listed in Table 13.3.B is a discretionary activity.

REASON

These sites are either internationally or nationally important for their scientific and/or educational values, or are an outstanding natural feature of the district. It is therefore necessary to fully evaluate any activity that may affect the values of these sites.

4.1.5. OTHER METHODS

METHOD RRA.1 APPROPRIATE LAND MANAGEMENT PRACTICES

In carrying out any activity Council, over and above the rules of this plan, encourages resource users to adopt the "best practicable method" to avoid or mitigate adverse effects on:

- water quality
- riparian vegetation and associated habitat
- stability of the banks of any water body

and to avoid or mitigate the adverse effects of:

- erosion and instability
- nutrient loss
- soil compaction
- the spread of non-desirable weeds and plants, including wilding pines

In avoiding or mitigating adverse effects, Council encourages resource users to recognise the following practises which minimise the adverse effects of land use activities on water bodies:

- activities that intensively use land within the 10 to 20 metre buffer zone from the bank of any waterbody which may give rise to degradation in both the water quality of the waterbody and the stability of the bank structure, should be avoided.
- the spreading of fertilisers should be accurate, and avoid riparian areas, and should be carried out at the correct time and at a rate matching crop nutrient uptake.
- No disturbed vegetation, soil or debris should be placed in such a position where it may enter or move into any water body or coastal water.
- agricultural and other chemicals should be used carefully and in accordance with approved guidelines and Codes of Practices, for example; NZS 8409 1995 Agrichemical Users Code of Practice
- maintenance of thick riparian vegetation filters sediment and nutrients in surface runoff. Indigenous vegetation is important for the role it plays in the ecosystems of waterbodies, and the habitat it provides for other native species. Riparian vegetation also stabilises banks.
- riparian wetlands should be retained for denitrification, filtration and habitat purposes. Such wetlands also mitigate the effects of floods.
- minimise trampling damage and overgrazing
- avoid stream bank erosion and direct faecal inputs by exclusion of stock from waterways and riparian margins.
- adjust land use type to land capability.

Council would also advise resource users that a number of the activities above may be subject to Regional Council controls. The following activities are also controlled by the Regional Council:

- activities, including the operation of machinery, taking place in any water course;
- activities, such as silage pits and offal pits, involving discharges to land or water.
- the disturbance of, or the deposit of, any substance on the beds of rivers and lakes.

Note: Refer to Schedule 6.8 for the full list of Regional Council functions.

REASON

In identifying and encouraging good land management practices, Council wishes to avoid excessive regulation that may not be easily monitored and enforced, and may not allow flexibility in land management practices in different environments and situations. Council also recognises the land use effects on water may also be subject to Regional Council controls which take precedence on water quality matters. The District Plan may be reviewed as riparian land use issues are better defined through the regional planning process.

Financial measures such as subsidising the fencing off of riparian margins, or the outright purchase of such margins were not considered feasible.

METHOD RRA.2 VISUAL AMENITY

Council encourages resource users to recognise the benefits of the District's rural and open character amenity values, and to consider the following guidelines when carrying out activities in the District's rural areas;

(I) BUILDINGS AND STRUCTURES

- The siting of buildings near a change in landform and/or with a backdrop of trees blends the building into the landscape.
- Buildings sited on ridgelines or skylines tend to dominate the landscape thereby spoiling the overall rural quality of the District. This is obviously more significant when the site is visible from a major road or an area of high public usage.
- Finishing buildings in tones and colours which do not contrast with the surrounding landscape and which do not reflect light at a greater intensity than the natural background, creates good continuity in the landscape. This is easily achieved with colours that are darker than background colours. Bright, stark colours tend to dominate when used on large facades sited on slopes or ridgelines and are best used for highlighting purposes (for example, around windowsill and doors).

(II) EXCAVATIONS AND PERMANENT DISTURBANCES

Excavation and other permanent disturbances (e.g. a road line) should be designed and located so as to retain, as far as practicable, the appearance of an undisturbed natural form as a permanent effect. This can be achieved by:

- following contour lines where possible, as this will alleviate the effect of "striping" which can occur where roads etc. run in a straight line up a hillside.
- where cuts have to be created, grade the cut back into the surrounding landform
- utilise screening plantings of appropriate shrubs and trees at time of construction
- revegetate cuts and fills.

(III) WOODLOTS, SHELTERBELTS AND PLANTATIONS

Some general guidelines for siting and design of plantings

- relate the planting to the landscape pattern
- try to follow natural boundaries with planting avoid artificial boundaries

- plant trees around the contour line rather than in straight rows running vertically up and down the slope
- link new plantings to existing plantings, including native and riparian vegetation.

The following documents, which are available from Council's office, are useful guides for planting design and location.

- "Woodlots in the Landscape" D. Lucas, Landscape Publication Limited, 1987
- "Farm Forestry: A Landscape Guideline", Trees and Timber: Forest Management Practices No. 2 New Zealand Forest Service, 1984
- "On the Edge", Management Options for Plantation Edges, Ministry of Forestry, 1991.
- "South Island High Country Forestry Design", Ministry of Forestry, 1994.

REASON

The amenity value of the open, rural nature of the Clutha District landscape has been identified as a significant resource and with the increasing numbers of tourists visiting New Zealand seeking this type of landscape, it is also seen as increasingly important to the District's economy.

Buildings, structures, tree planting and other development can, in some instances, have a significant effect on the visual quality of the environment. Given that opinion varies on what is visually inappropriate, Council considered any regulation on this aspect would be inflexible, subjective and would restrict freedom of choice, and therefore has promoted "guidelines" that it hopes resource users will consider when carrying out activities in the rural area.

METHOD RRA.3 MONITORING

To assess the effectiveness of these policies and rules Council intends to

- analyse the location, number and type of building consents
- survey the quality and quantity of water in important catchments
- monitor the impact of heavy traffic generation on the District's roads
- where deemed necessary, and in association with the Otago Regional Council, monitor the effects of rural activities on the quality of the District's soil and water resources.
- encourage and provide for industry self-monitoring in association with Council and other authorities in order for all parties to gain a broader understanding of policy effectiveness and to assist resource users in understanding the effects of their activities.

REASON

Council needs to establish that the approach taken in this plan is promoting the sustainable management of the rural environment.

METHOD RRA.4 NOTIFICATION REQUIREMENTS

Except as otherwise stated, controlled activities and restricted discretionary activities will generally be considered without notification or the need to obtain written approval of affected persons. Where the activity may have an adverse effect on a residential, hospitality, tourist, educational or health related activity in the vicinity, or on any cultural or heritage values of a site or on a State highway, written consent may need to be obtained and the application may be notified.

REASON

Where such activities will have an adverse effect on a neighbouring property, it is unlikely to be able to satisfy the performance standards of the plan. Consequently, written consent of the adjoining owners is necessary.

METHOD RRA.5 WILDING TREE SPREAD

Council encourages all prospective tree planters to consider the possibility of wilding tree spread and to adopt methods to avoid, remedy or mitigate this occurring. Particular attention should be paid to species choice, siting, plantation design, and surrounding land management, in order to minimise the risk of unwanted spread onto adjoining properties. To avoid wilding tree spread, spread prone species should not be planted upwind of undeveloped land which has a light vegetation cover, particularly if "take-off" sites are involved.

Guidelines for the management of wilding tree spread (for example. "Guidelines for the Control and Management of Wilding Trees" W J Ledgard and E R Langer, New Zealand Forest Research Institute) are available from Council if required.

The following factors are involved in wilding tree spread and can assist in the control of spread:

- Spreading vigour varies according to species competitiveness, palatability, and seed weight. The order of declining spreading vigour is Lodgepole Pine, Scots Pine, Douglas Fir, Corsican Pine, European Larch, Ponderosa Pine, Bishops Pine, Maritime Pine and Radiata Pine. Douglas Fir is more able to invade shady situations than pines.
- Age of seed production is predictable – generally 8 to 12 years. Therefore, land managers have 8 to 12 years to remove young trees before they in turn produce seeds.
- Seed dispersal is mostly by wind. On flat sites the majority of wildings occur as fringe spread within a few hundred metres of seed source. More distance spread (over 500 metres) and outlier trees originate from ridges, hill tops and sites on or adjacent to north or west facing slopes. These are called take-off sites.
- Most seeds germinate within two years of dispersal. No germination occurs after 6 years.
- Spread is most likely to occur on undeveloped, ungrazed land downwind of seed source especially where there is incomplete vegetation cover.
- Spread is less likely to occur where there is a well-established dense vegetation cover (e.g. improved grassland or intact forest) or where intensive grazing (mob stocking) is practiced.
- Grazing by animals (mainly sheep) is the main human-induced controlling agent. Corsican Pine is the less palatable followed by Douglas Fir, Scotch Pine Larch, Lodgepole, Ponderosa and Radiates Pine.

The above factors indicate that conifer spread is very predictable. Predictable natural events or sequences are usually the easiest to manage or control.

REASON

It is possible to effectively and efficiently manage the spread of wilding trees. However, the uncertainty involved in identifying the origin and responsibility for wilding trees means it is not possible to use regulation to control the problem. Education, the provision of appropriate information, and direct action by other agencies, are considered the most appropriate management options in respect of this issue.

METHOD RRA.6 MITIGATING THE EFFECTS OF PLANTING TREES

The Council encourages all prospective tree planters to consider the potential adverse effects that trees can have on neighbours (particularly residential neighbours). Trees can shade neighbouring properties, obscure views, cause soil nutrient depletion and soil disturbance due to root encroachment.

Failure to recognise these potential problems could be costly as affected parties (including Council) can utilise the following remedies.

(I) COMMON LAW NUISANCE

Common law provides a remedy where private nuisance is involved. If shading, overhanging branches or encroaching roots interrupt reasonable use and enjoyment of the land, they may constitute private nuisance.

If an adverse effect is shown, the Resource Management Act can address these issues through enforcement orders (section 314) or abatement notices (section 322). While only Council may use the abatement notice procedure, any person can use the enforcement order process.

(II) PROPERTY LAW AMENDMENT ACT

Section 129 C of the Property Law Amendment Act provides for a person to apply to the District Court to remove or trim trees growing or standing on land whether or not they constitute a legal nuisance. This provision provides another remedy when trees cause an undue interference with reasonable enjoyment of land for residential purposes.

(III) FOREST AND RURAL FIRES ACT 1977

Under the Forest and Rural Fires Act 1977, exotic trees can be declared "forest areas" (section 17). This identifies that the forest is a fire hazard requiring continuous protection, equivalent to a restricted season. In order to be declared a forest area, exotic forest must, amongst other things, be at least 20 hectares in area and have a fire break of 10 metres to external boundaries of the forest. Fire authorities can also require a land owner of any land on which exotic trees are allowed to grow for the purpose of producing timber, to make fire breaks in such positions as the Fire Officer considers necessary for the purpose of fire control (section 27).

(IV) FENCING ACT 1908

Under section 26A of this Act, the Council has jurisdiction to order the removal or trimming of trees if it can be shown that this is necessary to remove or prevent the recurrence of any undue interference with the reasonable enjoyment of land.

4.1.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Maintenance of the open-space and natural amenity values of the District
2. Reduced impact on the Districts water and soil resource

3. Minimal adverse effects on the amenity values and public roads of the District from buildings and structure
4. Preservation of the natural character of wetlands, lakes, rivers and their margins.

4.2. COASTAL RESOURCE AREA

4.2.1. OVERVIEW

Section 6 of the Act identifies a number of matters of national importance that are directly relevant to the Coast. These are as follows:

- the preservation of the natural character of the coastal environment (including the coastal marine area) and the protection of it from inappropriate subdivision, use and development (s6(a)).
- the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development (s6(b)).
- the maintenance and enhancement of public access to and along the coastal marine area (s6(d)).

The two remaining matters of section 6 are also relevant to the coast in the context of the Clutha District. The coast contains large areas of significant indigenous vegetation and is also home to the majority of the district's indigenous fauna such as yellow eyed penguins, fur seals, and Hooker sea lions (s6(c)). Furthermore, the Districts coastline also has great significance to Maori (s6(e)).

In recognising its duty under the Act, Council has provided for the coast in a specific Resource Area. A brief description of the coast appears in Section 2.8 of the Plan.

In defining the Coastal Resource Area, Council has attempted to identify an area within which land use activities will or may potentially have an effect on the coastal environment. Identifying the resource area on the planning maps posed the same problems that existed under the zoning system of the Town and Country Planning Act, where zone boundaries were related to cadastral boundaries but were not readily apparent on the ground.

For the purposes of certainty, Council has adopted an approach that defines the Coastal Resource Area boundary approximately 500 metres from the mean high-water springs mark. This, however, will deviate in the following circumstances:

- i. where the 500 metres is close to a cadastral boundary or notable physical feature, then that boundary or feature has been adopted;
- ii. where a topographical pattern lends itself to the coastal margin, for example a low-lying swampy coastal strip, then that feature has been adopted as the boundary.

Adjoining the Coastal Resource Area is the coastal marine area within which the Otago Regional Council (in conjunction with the Minister of Conservation) has control. The coastal marine area is defined as:

"... the area of foreshore, seabed, and coastal water, and the air space above the water -

(a) Of which the seaward boundary is the outer limits of the territorial sea:

(b) Of which the landward boundary is the line of mean high-water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of:

(i) One kilometre upstream from the mouth of the river; or

- (ii) *The point upstream that is calculated by multiplying the width of the river mouth by 5.*

(Section 2 of the Resource Management Act)"

The landward boundary that crosses the rivers of the District has been agreed upon between Council and the Otago Regional Council and has been identified on the Planning Maps.

By virtue of section 64 of the Act the Regional Council is required to prepare a **Coastal Plan** to provide a framework for the integrated and sustainable management of Otago's coastal marine area. At the time of writing this plan, the **Coastal Plan** for Otago had been notified and Council has attempted to ensure consistency between this plan and the **Coastal Plan** as is required by the Act.

Also of significance to the coast and to this Plan are the following:

- The **New Zealand Coastal Policy Statement** prepared by the Minister of Conservation, which sets out the broad framework for the management of the coastal environment, not just the coastal marine area.
- The **Regional Policy Statement** prepared by the Otago Regional Council, which takes into account the matters within the New Zealand Coastal Policy Statement, and provides the specific policy framework for the management of the coast within the Otago Region, and therefore the Regional Coast Plan.

With respect to the coastal environment Council must therefore develop and maintain a close relationship with both the Department of Conservation and the Otago Regional Council.

4.2.2. THE ISSUES

The following are seen as the significant issues relating to the Coastal Resource Area:

- **The possibility of sea level rise, and its effect on low lying communities and facilities.**

Explanation

A number of sites within the district may be susceptible to sea level rise. The Royal Society of New Zealand 1990 report on climate change noted that sea level rise in New Zealand Ports since 1889 has averaged 16.7 (+ or - 2.3) cm/century, and has predicted that sea levels are likely to rise between 7 and 17cm by the year 2025 and between 17 and 35cm by the year 2050. What level Council should be planning for is yet to be determined as it has been promoted to Central Government that a national standard be set.

- **Land use and development can degrade indigenous flora and wildlife habitat.**

Explanation

A number of significant wildlife habitats are located along the Districts coastline. Several of these are home to rare and endangered species. These habitats are increasingly under threat from degradation by adjoining land uses and development.

- **Land use and development can degrade the quality of estuarine and coastal water.**

Explanation

Land uses adjacent to both the estuary itself and the water bodies feeding estuaries can significantly affect quality through pollution, siltation and flow changes. As these water bodies are significant habitats, nurseries and recreation areas, these effects must be mitigated.

- **The District's coastline contains a number of outstanding landscapes and natural features, and areas where natural character is largely uncompromised. These areas can be adversely affected by inappropriate use and development. This can include clearance of vegetation, exotic tree plantings, residential activities and excavation activities.**

Explanation

The District's coastline is one of its major attractions. The largely unspoilt nature of the majority of the coast can be adversely affected by numerous activities and in some areas the threat is very real. The natural character and outstanding natural features and landscapes of the coast require specific consideration and protection by virtue of section 6(a) and (b) of the Act.

- **Lack of recognition in the past of the significance the coast has to Maori.**

Explanation

The Coastal area represents various cultural, ancestral and traditional values to Maori. These have not always been recognised in the past. Kai Tahu are Kaitiaki of the coastal area.

(See Schedule 6.10 regarding issues from the Ngai Tahu Settlement Act 1998).

- **While erosion in the coastal area is generally a natural process, some activities can accelerate that natural process or cause erosion where it would not otherwise occur.**

Explanation

Natural physical coastal processes such as tide and current movement can cause erosion of the coastline. However, activities such as trail bike riding, tramping and overgrazing of stock (particularly cattle) can accelerate or cause erosion in the more sensitive areas of the coastal margin.

- **There is the possibility that activities or processes in the Coastal Resource Area can adversely affect areas and activities in the Coastal Marine Area particularly in matters of water quality, emission of noise, marine mammal and bird habitat, natural coastal processes, and the effects on natural character.**

Explanation

While the control and management of the Coastal Resource Area is the responsibility of Council, the control and management of the coastal marine area is the responsibility of the Otago Regional Council in conjunction with the Minister of Conservation. Recognition that activities may transfer actual or potential effects between the two areas is required in order to sustainably manage the District's coastal environment. Establishing processes between local authorities in order to deal with any cross boundary issues that may arise is required.

- **Public access to and along the margins of the Districts waterbodies is important to both residents of the District and the region however it is often restricted. In some instances, however, public access (particularly vehicular access) needs to be restricted to avoid or mitigate adverse effects on natural and physical resources (e.g. disturbance of sealions at Cannibal and Surat Bays).**

Explanation

The District's coastline is a well-used recreational asset and access to and along the coast is very important to the public at large. There are areas in the District where access to and along the coast is restricted. Development adjacent to the coast has the potential to further reduce public access. Section 6 of the Act requires that public access to and along waterbodies be maintained and enhanced as a matter of national importance. However, there are circumstances where public access may need to be restricted. In the context of the Clutha District, this needs to be considered with respect to vehicular access in Cannibal and Surat Bay, which is having an adverse effect on sealions in the area.

4.2.3. OBJECTIVES AND POLICIES

The majority of issues in the Coastal Resource Area are similar to those issues in the Rural Resource Area (e.g. effects on water quality) and differ only on a number of areas unique to the coast. Consequently, the objectives and policies of the Rural Resource Area also apply to the Coastal Resource Area except as otherwise provided in this section. The following objectives and policies are specific to the coast.

OBJECTIVE COA.1

To preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.

(Refer Policy COA.1 to 11)

OBJECTIVE COA.2

To recognise the importance of coastal resources to Maori.

(Refer Policy COA.5)

OBJECTIVE COA.3

To avoid or mitigate the adverse effects that natural hazards and in particular sea level rise may have on the natural and physical resources of the District.

(Refer Section 3.9 Natural Hazards)

OBJECTIVE COA.4

To protect the outstanding natural features and landscapes of the Districts coastline from inappropriate subdivision, use and development.

(Refer Policy COA 1, 2, 6 and 8 to 11)

OBJECTIVE COA.5

To maintain and enhance public access to and along the District coastline, only restricting such access in accordance with the New Zealand Coastal Policy Statement.

(Refer Policy COA.6 and 7)

POLICY COA.1

To ensure the subdivision, use and development of the coast and in particular, buildings and structures avoids, remedies, or mitigates any adverse effects on:

- **natural character values**
- **outstanding natural features and landscapes**
- **amenity values of the coast**
- **the safety of the public**
- **the enjoyment of the coast by the public**

Explanation

Buildings, structures and other development can have a significant effect on the public's enjoyment of the coast through adversely affecting amenity values. Council will ensure these effects are avoided, remedied or mitigated. This policy gives effect to Policy 3.1.1 of the NZ Coastal Policy Statement.

(Refer Rule COA.4)

POLICY COA.2

To manage the subdivision, use and development of the Coastal Resource Area to ensure adverse effects are avoided as far as practicable and that where complete avoidance is not practicable, that adverse effects are mitigated or provision is made for remedying those effects.

Explanation

Section 6(a) of the Act requires Council as a matter of national importance to protect the coastal environment from inappropriate subdivision, use and development. Policy 3.2.3 of the New Zealand Coastal Policy Statements requires that adverse effects of subdivision, use and development in the coastal environment be avoided as far as practicable. Where complete avoidance is not practicable, the policy requires that adverse effects be mitigated and provision be made for remedying those effects. This policy was developed to ensure consistency with the NZ Coastal Policy Statement.

(Refer Rule COA.1 to 7)

POLICY COA.3

To ensure that the adverse effects that activities can have on:

- **areas of indigenous vegetation and**
- **areas of indigenous fauna habitat and**
- **estuaries, wetlands, waterbodies and their margins and sand dunes**

within the coastal resource area are avoided, remedied or mitigated.

Explanation

A number of significant wildlife habitats exist along the Districts coastline (e.g. yellow eyed penguin breeding areas, Nugget Point seal and sealion colony) and along with the remaining areas of native vegetation, the many estuaries, wetlands and waterbodies, and the dune systems, they create the natural character of the coast. To give effect to the NZ Coastal Policy Statement, activities carried out within the Coastal Resource Area must avoid, remedy or mitigate any adverse effects on these landforms and habitats.

(Refer to Rule COA.6 and 7 and Rule RRA.8 and RRA.13)

POLICY COA.4

To ensure that the subdivision, use and development of the Coastal Resource Area avoids, as far as practicable, the adverse effects of sea level rise by adopting the best available international estimate of sea level rise.

Explanation

The possibility of sea level rise must be taken into account when development takes place in the Coastal Resource Area.

(Refer Rule COA.4)

POLICY COA.5

To consult and work with

- **the Department of Conservation**
- **the Otago Regional Council**
- **manawhenua**
- **affected landowners**

in resource management issues of the Coastal Resource Area.

Explanation

The Act imposes duties on both the Minister of Conservation and the Regional Council in respect of the Coast. It is important that a consistent approach is adopted. The Department of Conservation is the Minister of Conservation's agent in respect of the Conservation Act and has a role in advocating sustainable management under the Resource Management Act.

Maori have had a long association with the Coast that extends well beyond that of European experience. The Coast and its resources were necessary to Maori existence, with aspects of the coastal area representing various cultural, ancestral and traditional values. Decisions on resource management issues in the coast need to reflect this.

(Refer Rule COA.2 and Method COA.3)

POLICY COA.6

To maintain and enhance public access to and along the coast while ensuring adverse effects on

- **natural character**
- **cultural values**
- **wildlife**
- **dunes, wetlands, and indigenous vegetation ecosystems**

are avoided, remedied or mitigated

Explanation

Policies 3.5.1 to 3.5.4 of the NZ Coastal Policy Statement provide for public access to the Coast, and recognise the importance of maintaining and enhancing such access. This policy will ensure that such access is protected while minimising adverse effects on the coastal environment.

(Refer Rule FIN.8 and Method COA.2)

POLICY COA .7

To restrict public access, only where such a restriction is necessary

- **to protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, particularly from the effects of vehicles**
- **to protect Maori cultural values;**
- **to protect public health or safety**

to ensure a level of security consistent with the purpose of a resource consent; or

Explanation

This policy reflects Policy 3.5.1 of the New Zealand Coastal Policy Statement. The most significant issues locally are the effect vehicles are having on sea lions in the Cannibal Bay and Surat Bay locality, and on the Districts sand dunes causing coastal erosion and loss of natural character.

(Refer Rule FIN.8 and Method COA.2)

POLICY COA.8

To provide for intensive residential development in existing coastal settlements only, while recognising and providing for the adverse effects of dynamic coastal processes.

POLICY COA.9

To provide for recreational use of the coastal area while ensuring adverse effects on ecosystems, natural character and cultural values are avoided, remedied or mitigated.

POLICY COA.10

To control the erection of buildings in the coastal area to ensure adverse effects on natural character are avoided, remedied or mitigated.

Explanation

These policies accommodate Policy 3.2.1 of the New Zealand Coastal Policy Statement, which requires that Plans define what form of subdivision, use, and development would be appropriate in the coastal environment, and where it would be appropriate.

Policy COA.8 restricts intensive residential development to existing coastal settlements. These settlements have been specifically provided for, being identified as either Urban or Rural Settlement areas.

Policy COA.9 allows for appropriate recreational use of the coast, while Policy COA.10 allows for a limited number of buildings in the coastal area to provide for the continuance of farming and recreation activities provided adverse effects are minimal.

(Refer Rural Settlement and Urban Resource Areas, and Rule COA.4)

POLICY COA.11

To preserve the areas of the Coastal Resource Area where natural character is largely uncompromised through restricting, to the extent practicable, subdivision, use and development to areas where natural character is already compromised.

Explanation

Section 6(a) of the Act requires Council as a matter of national importance to preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development. Policy 1.1.1 of the New Zealand Coastal Policy Statement states that it is a national priority to preserve the natural character of the coastal environment by encouraging appropriate subdivision, use or development in areas where natural character has already been compromised and avoiding sprawling or sporadic subdivision use or development in the coastal resource area. This policy should achieve that priority.

(Refer Rule COA.1 to 7)

4.2.4. RULES

RULE COA.1 OTHER APPLICABLE RULES

Any activity undertaken within the Coastal Resource Area shall take place in accordance with the Rules of both Section 3 General Section and the Section 4.1 Rural Resource Area of this Plan unless this section provides otherwise.

Note: in particular Sections 3.5 Heritage and 3.6 Water

RULE COA.2 CONSULTATION

Any person making an application for a Resource Consent and Council, in considering any Resource Consent application, shall consult with the Runanga that has kaitiaki in that particular area, and where relevant, the Department of Conservation and the Regional Council.

(Refer also Method MAO.2)

REASON

Consultation with Iwi is a requirement of the Act. This is particularly important in the Coastal Area which is of great significance to the Manawhenua. Where considered necessary consultation will also be carried out with DOC and the Regional Council.

RULE COA.3 PAKAHIKA HOUSING

Multi-unit Pakaika housing is a controlled activity and will be assessed in accordance with the Standards, terms and controls set out in Rule MAO.4.

REASON

The New Zealand Coastal Policy Statement requires Council to make provision for pakaika housing (multi-unit residential occupancy on ancestral land owned by Maori).

RULE COA.4 BUILDINGS AND STRUCTURES

- (a) Any building or structure permitted under Rule RRA.2 that complies with Rule RRA.12 is a controlled activity. Council shall exercise control over the design and specific location of such structures in terms of their impact on amenity values of the Coastal Resource Area.
- (b) Except as otherwise provided for in (a) above and Rule COA.3, any activity that has the effect of erecting a building or structure shall be a restricted discretionary activity. Council shall restrict the exercise of its discretion to the following aspects:
- the ability of the site to dispose of wastes adequately
 - the effects of sea level rise or coastal erosion
 - the effect of the building and any associated signage on the natural character of the Coast particularly in terms of visual impact
 - the effect of the proposal on the intensity of development in the area
 - the effect of the building or structure on indigenous flora and fauna
 - the effect on cultural values
 - height, yard and open space requirements.
- (c) Any application or resource consent under (a) and (b) of this rule will generally not be notified or require written approval of affected persons.
- (d) For the purpose of this rule, structure does not include fences.

REASON

The erection and density of buildings and structures in a coastal environment (excluding coastal urban areas) can have significant impact on the natural character. In order to minimise these effects and protect the natural character where practicable restricted discretionary activity status is seen as the most appropriate control. Those buildings provided for under (a) above (e.g. hay barns etc) have been given controlled activity status as they are not subject to market forces and are often site specific.

RULE COA.5 SUBDIVISION (SEE RULE SUB.2)

Subdivision in the Coastal Resource Area shall be a discretionary activity.

Assessment Criteria - not part of the rule

In assessing any application under this rule, Council in addition to those matters set out in Section 104 of the Act shall also consider the criteria of Section 3.7 Subdivision, Rule SUB.1(d) and Rule SUB.4, the objectives and policies of the Coastal Resource Area and the Regional Policy Statement, Regional Coast Plan and the New Zealand Coastal Policy Statement.

REASON

While subdivision itself cannot be considered a land use as such, it is generally the forerunner of intensive development and often leads to pressure on Council to extend services or to consider an inappropriate activity at a later date. Discretionary status enables Council to refuse consent to subdivision that has potential cumulative effects that are not compatible with the natural character of the coast.

RULE COA.6 INDIGENOUS VEGETATION AND HABITATS OF INDIGENOUS FAUNA

Except in accordance with the exceptions listed below, the clearance, modification or destruction of indigenous vegetation or the modification of any wetland or sand dune shall be a discretionary activity.

The following exceptions shall apply to this rule:

- (i) The clearance, modification or harvesting of indigenous vegetation which:
 - (a) has been planted and managed specifically for the purpose of harvesting or clearing; or
 - (b) is reasonably necessary to enable the management, harvesting or replanting of any area of planted indigenous or exotic vegetation; or
 - (c) has been planted and/or managed as part of a garden or gardens or has been planted for amenity purposes;
 - (d) except on land which is Esplanade Reserve, Existing Crown Land Margin, Riverbank Reserve or unformed Legal Road adjoining a river or stream.
- (ii) The clearance, modification or destruction of indigenous vegetation which has regrown naturally on land which was lawfully cleared of vegetation or has been utilised as production land as defined in the Act since 1 January 2000 except on land which is Esplanade Reserve, Existing Crown Land Margin, Riverbank Reserve or unformed Legal Road adjoining a river or stream.
- (iii) The clearance, modification or destruction of indigenous vegetation necessary for the operation and/or maintenance of:
 - Existing farm tracks; existing fire breaks; and existing fence lines;
 - Existing utilities and infrastructure;
 - Existing high voltage transmission lines;

but excluding the expansion or upgrading of these activities except where otherwise permitted by this Plan.

- (iv) The clearance, modification or destruction of indigenous vegetation for the purposes of maintaining existing formed roads and other existing transportation networks, and for traffic, marine or aviation safety (including the maintenance of related signs and navigational structures) and which is undertaken by or on behalf of the authority responsible for maintaining that safety, but excluding the expansion or upgrading of these activities except where otherwise permitted by this Plan.
- (v) The removal of wind thrown trees or dead standing trees which have died as a result of natural causes and present a direct threat to safety of people or property.
- (vi) The clearance, modification or removal of exotic and/or defined plant pests species undertaken for the purpose of maintaining or enhancing the existing state of the remaining indigenous vegetation.
- (vii) The clearance, modification or removal of indigenous vegetation that is consistent with a reserve management plan approved under the Reserves Act or is consistent with an approved conservation management strategy.

Subject to compliance with the following rules and conditions:

- (a) Rule RRA.8 and Rule RRA.9;
- (b) Rule WAT.4.

Note: Rule RRA.13 does not apply in the Coastal Resource Area.

RULE COA.7 AREAS OF SIGNIFICANT NATURAL CHARACTER (REFER PLANNING MAPS)

In those areas identified on the Planning Maps as having significant natural character, the following activities are discretionary activities;

- forestry
- excavation of land, including roading, cut and fill batters, quarrying and mining activities

REASON

While forestry need not be a negative landscape element, this rule recognises that the location and design of forestry plantings must be carefully planned to avoid adverse effects that forestry could have on the natural character of the coastal environment.

Excavation required for roading and tracks can create intrusive unnatural lines on the landscape if they cut across the natural landform. Quarries and mines obviously have major landscape impact given their nature and the scale of some operations. Requiring resource consent for these activities will allow conditions to be imposed that avoid, remedy or mitigate adverse effects.

4.2.5. OTHER METHODS

METHOD COA.1 MONITORING

To assess the effectiveness of those policies and rules Council shall;

- analyse the location, number and type of building consents

- analyse the nature of resource consent applications received and granted

REASON

Council needs to establish that the approach taken in this Plan is promoting the sustainable management of the coastal environment.

METHOD COA.2 PUBLIC ACCESS

To identify those areas of the District's coast where;

- (i) public access needs to be maintained and enhanced, and
- (ii) public access, particularly vehicular access, needs to be restricted or modified, and to investigate the means by which these matters can be provided for.

REASON

This method will enable Council to fulfil its duty under both the Act and the New Zealand Coastal Policy Statement regarding the issue of public access to the coast.

METHOD COA.3 CROSS BOUNDARY PROCESSES

- (i) To hold joint hearings, where appropriate, with the Otago Regional Council when considering applications for resource consents that may have applications for the coastal marine area.
- (ii) To liaise with the Otago Regional Council and/or adjacent District Councils over:
 - (a) Issues of concern that cross the line of mean high-water springs; and/or
 - (b) Issues of concern that cross territorial boundaries.

REASON

The holding of joint hearings with the Regional Council ensures that the effects of the activity, both within the coastal marine area and on any adjacent land areas, is taken into account. Liaising with the Regional Council and adjacent district and city councils allows for the identification and resolution of issues that cross the line of mean high-water springs, and which require a coordinated response.

4.2.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Protection of significant indigenous flora and fauna.
2. Preservation of the natural character of the coast where practicable.
3. Recognition and protection of sites of cultural importance.
4. Protection of the coasts outstanding natural features and landscapes from inappropriate subdivision, use and development.
5. Maintenance and enhancement of public access to the coast.

4.3. URBAN RESOURCE AREA

4.3.1. OVERVIEW

The wellbeing, safety and health of people and communities is closely linked to urban areas. These areas meet basic human needs such as shelter and warmth, provide a system of mobility and access to services, provide infrastructure for activities, contribute to the community's quality of life, and protect its assets. For these reasons it is essential that urban areas are managed in a sustainable way for current and future generations.

The Act's focus on effects has implications for planning Urban Resource Areas in terms of the type of techniques Council can develop to control the effects generated by activities and development on the natural and physical environment. It is no longer appropriate for Council to direct development or activities to particular land areas by way of a grouping of activities. Property owners are basically free agents as long as environmental protection standards are not breached.

4.3.2. ALTERNATIVES CONSIDERED

In developing a management framework Council considered it essential that any standards set for different activities and effects should be compatible with the characteristics of the existing natural and physical environment. To this end Council identified environments within the urban area where the amenity standard differs for one reason or another.

Areas of high amenity standards tend to coincide with areas formerly zoned Residential. Areas of a medium amenity standard coincide with business centres where people work and shop. Areas of lower amenity standard tend to coincide with the more industrial activity type area, where buildings are purpose built.

With this in mind, Council considered the following alternatives:

1. TRADITIONAL ZONING TECHNIQUES

This technique as discussed above, lists activities that are permitted in each area. The listing of compatible uses was often arbitrary and uses were omitted which could be compatible and without adverse effects if adequate performance standards were imposed. While this technique creates certainty, it tends to direct development and is therefore not compatible with the effects-based approach of the Act.

2. DEFINE ONE URBAN AREA WITH SUB GROUPINGS

This approach is similar to the traditional zoning techniques except that each sub-grouping would be developed on the basis of a set of performance standards that reflected existing amenity values in each particular area.

While there may be some justification for this approach in Balclutha and Milton, it is difficult to apply this approach to the smaller urban areas of the District as there is often no significant difference in amenity values between the former "residential", "commercial" and "service

commercial” zones of these towns. There would also be a problem with this approach in Balclutha with the area formerly zoned “mixed use” and its transition with the former “residential” zone. Defining a boundary line based on amenity levels in both of these situations would be a rather arbitrary process, and would be construed as directing development. For these reasons Council has not pursued this approach.

However, these problems are not as apparent with areas that are predominantly industrial in nature. These areas are clearly of a lower amenity standard, and identifying these was seen as the most practical solution.

Consequently, Council does not see any merit in the application of this approach to the Clutha District except as noted for industrial areas.

3. DEFINE ONE URBAN AREA ONLY

This technique involves identifying the urban area (generally identified on the basis of servicing capability) without identifying any areas of particular amenity values within that urban resource area.

The difficulty that confronted Council with this approach was at what level should the environmental bottom lines be established? Setting a high environmental bottom line (for example, based on the amenity values of the former Residential Zones) would ensure a high environmental quality but would necessitate numerous resource consent applications for industrial and commercial activities which could not meet the strict performance standards. This approach would be costly for both developers and Council alike.

At the other end of the scale, setting a low environmental bottom line (for example, based on former Industrial Zones) would reduce the need for Resource Consent applications but would have the effect of lowering the amenity standard throughout the entire Urban Resource Area, particularly in traditional residential areas where people seek a quiet and visually pleasant environment.

As it was obvious that the higher amenity standards are associated with residential activities, Council felt the most appropriate approach under this scenario was to look at the effects of activities in terms of residential and non-residential. By defining Industrial areas as suggested under 2. above Council could then develop performance standards to control effects on two levels - those impacting on residential activities and those impacting on non-residential activities. This approach would not direct development but would create a situation whereby the performance standards for an activity would be determined by who its neighbour is.

The result of this analysis is that the District Planning Maps identify only two areas within the District’s towns - the Industrial Resource Area (see Section 4.4) and the Urban Resource Area.

Within the majority of the Urban Resource Area the amenity standard is generally quiet, free from high traffic generating activities, and has, on the whole, a pleasant visual appearance with buildings set back from road frontages and neighbouring properties. Buildings are generally not more than two storeys high, and set on landscaped sites. Few activities that discharge smoke, odour, smell or vibration are located within these areas.

There are, however, some locations where the amenities have been created by activities that are characterised by an orientation towards commerce. These areas are generally located in the central area of town, on the town’s main road. Buildings are generally built right to the street and form a continuous frontage. Signs are displayed to attract people to premises and advertise goods. Being people orientated they have a reasonable amenity standard although they are more intensely developed and noisier than residential areas, as they are the areas where people shop and carry out

business. Noise in the area is generally created by passing traffic. Activities that generate nuisance noise types or discharges are not commonly found in these areas.

Where activities propose to locate in these areas, performance standards would not be as demanding as compared to the activity locating in an area of a predominantly residential nature.

4.3.3. THE ISSUES

- **Non-residential activities can adversely affect residential activities through generation of noise, traffic and other nuisances.**

Explanation

The urban area generally contains two types of activities - residential and non-residential. As amenity standards for residential activities are generally high, non-residential activities adjoining residential activities can have a significant effect.

- **Structures in these areas can adversely impact on adjoining properties' access to sunlight and privacy due to their bulk and location.**

Explanation

People living in these areas seek good access to sunlight and a reasonable level of privacy. The question is how to provide this without unduly restricting the use of the site.

- **Past management controls have often lead to the inefficient use of land and restricted activities where adverse effects are minimal.**

Explanation

Controls utilised in the past have often created situations where space has been underutilised or wasted. By the same token choice of location for particular types of activities has often been limited for no good reason.

- **Inappropriate development can lead to unsustainable management of the physical resources contained in the District's town centres.**

Explanation

The central areas of the District's main towns are a very significant resource as they contain substantial public and private investment in buildings and physical services. As town centres are not a natural system, they cannot adapt to changing circumstances without human intervention. To maintain these areas as the focal point of a town will therefore require some action from Council.

- **The resources and amenities of the business areas of the district's towns convey that particular towns image and this can be adversely affected by some activities.**

Explanation

As these areas are generally the most intensively used areas of the district, environmental quality is particularly important. Town centres are generally the community focal point and convey an image of each town to residents and visitors alike. However, the protection and enhancement of this image

is only partly within the scope of the Resource Management Act and this Plan - it is a matter to be addressed through the Annual Plan and Strategic Plans.

4.3.4. OBJECTIVES AND POLICIES

OBJECTIVE URB.1

To manage the development of the urban area in order to;

- a) provide a framework which enables people and communities to provide for their social, economic and cultural wellbeing, and their health and safety, while
- b) maintaining and where possible enhancing the environmental quality of particular environments within the urban area, and
- c) avoiding, remedying or mitigating any adverse effects on the natural and physical resources of the Urban Resource Area.

POLICY URB.1

To avoid, remedy or mitigate the adverse effects that activities can have on the existing amenity levels of the District's Urban areas.

Explanation

From the results of the consultation process carried out for the preparation of this plan it can be inferred that the public wish to retain (and where possible improve) the existing amenity levels of the neighbourhoods they live in.

(Refer Rule URB.3 to 6).

POLICY URB.2

To avoid, remedy or mitigate the adverse effects that activities have on neighbouring properties including the adverse effects of the following:

- Loss of privacy
- Loss of sunlight and daylight
- Poor development and maintenance of street frontages
- Untidy buildings and site usage
- Increased street parking and excessive traffic movement, particularly trade vehicles
- Reduction in traffic safety
- Excessive noise, air pollution, glare etc.
- Excessive security provisions: lighting and fencing.

Explanation

These effects greatly reduce amenity value in these areas and consequently will be controlled by the rules in the Plan.

(Refer Rule URB.3, 4 and 5 and Section 3.11)

POLICY URB.3

To avoid, remedy or mitigate the adverse effects that non-residential activities can have on residential activities including the adverse effects of

- noise
- odour
- heavy or intensive traffic generation
- loss of privacy, sun and views
- security provisions
- building design.

Explanation

Non-residential activities often create effects that are not compatible with residential activities.

(Refer Rule URB.5)

POLICY URB.4

To provide for maximum utilisation of sites without compromising amenity value.

Explanation

Performance standards in the past have often created a situation where space on a site, for example a side yard, is poorly utilised. Council intends to provide a flexible system that will allow maximum utilisation of these areas.

(Refer Rule URB.4(1) and (3)).

POLICY URB.5

To maximise private choice of residential dwelling types and location.

Explanation

A mixture of housing types and other forms of residential accommodation is desirable in order to promote a more balanced community structure.

With performance standards mitigating any adverse effects, there is little justification for restricting certain types of development (e.g. multi-unit housing) in these areas.

(Refer Rule URB.2 and 4)

POLICY URB.6

To avoid, remedy or mitigate the adverse effects of signs.

Explanation

Signs and other visual displays can add to the vitality and interest of an area or they can be a serious environmental distraction. Performance standards should minimise the adverse effect of signs.

(Refer Rule URB.4(6) and Rule URB.5(3))

POLICY URB.7

To encourage new buildings and renovations to complement the design of existing neighbouring buildings.

Explanation

The design and appearance of buildings particularly large buildings and buildings on prominent sites can have a significant effect on the surrounding environment. It is difficult to prescribe performance standards for design and appearance without creating interpretation uncertainties and unintentionally restricting innovative design solutions. Consequently, Council considers it more appropriate to encourage design that complements existing development rather than regulate.

(Refer Method URB.1 and Method SIGN.2)

4.3.5. RULES

RULE URB.1 GENERAL STANDARDS

All activities must conform with the provisions of Section 3 of this Plan.

Note in particular:

- 3.3 Transportation**
- 3.5 Heritage**
- 3.7 Subdivision**
- 3.8 Financial and Reserve Requirements**
- 3.11 Other Environmental Issues**
- 3.12 Signs**
- 3.13 Noise**

RULE URB.2 PERMITTED ACTIVITIES

- (i) Residential activities that conform with the rules set out in Rule URB.4, 6 and 7 and the relevant provisions with respect to the servicing and development of sites contained in Sections 3.7 Subdivision and 3.8 Financial and Reserve Requirements are permitted activities except for those activities that fall under Rule URB.3.
- (ii) Non-residential activities that conform with the rules set out in *Rule URB.5*, 6 and 7 and the relevant provisions with respect to servicing and development of sites contained in Sections 3.7 Subdivision and 3.8 Financial and Reserve Requirements are permitted activities, except for those activities that fall under Rule URB.3.
- (iii) Any activity involving the housing or keeping of animals that conforms with the performance standard set out in Rule URB.8 is a permitted activity.

REASON

Compliance with the performance standards will ensure adverse effects are mitigated or avoided.

RULE URB.3 DISCRETIONARY ACTIVITIES

- (i) Any activity that has the effect of generating, or the potential to generate the following effects:
- excessive or nuisance noise types,
 - noxious, hazardous, or objectionable waste, or
 - uses or stores commercial quantities of hazardous substance

is a discretionary activity.

REASON

These effects would have a significant impact on the amenities of the area and status as discretionary activities will ensure full consideration of the effects.

- (ii) Any non-residential activity which does not front a road identified as service retail frontage on the planning maps that has the effect of generating high levels of traffic or is serviced by heavy vehicles (other than activities listed in (iii) below) is a discretionary activity.

Assessment criteria - not a part of this rule

In assessing any application under this rule, Council in addition to those matters set out in Section 104 of the Act will also consider

- the nature of adjacent activities,
- the effects of traffic generation in that particular locality,
- the alternatives considered by the applicant,
- the effect on the community or any group within the community, and
- the effect on the built resources of the towns centre.

For the purpose of this rule a “high level of traffic” is defined as generating in excess of 30 vehicle movements per day to or from the property.

REASON

Outside of those streets identified as having service retail frontage (which generally comprise commercial activities) these activities would have a significant adverse effect on amenity values.

- (iii) Any activity that has the effect of attracting vehicles to the site for the purposes of servicing, maintaining and/or storing those vehicles is a discretionary activity.

Assessment Criteria - not part of this rule

In assessing any application under this rule, Council in addition to those matters set out in Section 104 of the Act will also consider:

- the nature of adjacent activities,
- the effects of traffic generation in the particular locality,
- the alternatives considered by the applicant,

- the effect on the community or any group within the community,
- the effect on the built resources of the towns centre.

REASON

These activities generate high level of traffic use and inappropriate site design and location can have a significant effect on the safety and efficiency of the roading network, and general amenity values of the area.

- (iv) Any activity that involves the boarding or keeping of animals that does not comply with Rule URB.8 is a discretionary activity.

REASON

The keeping of animals can have adverse effects such as noise, smell and other nuisances. These effects are exaggerated when animals are kept for commercial purposes.

- (v) The addition to or construction of buildings and structures within 20 metres each side of the centre line of high voltage transmission lines designed to operate at or over 110 kv is a discretionary activity.

PROVIDED THAT

This rule does not apply to fences or buildings not occupied by human or animals for whatever purpose.

REASON

This rule will ensure that the public is reasonably protected from live transmission lines in the event of an emergency which results in a line failure. It will also enable ease of operational access by the network utility operator for maintenance and upgrading purposes.

Fences and buildings that are not occupied or used by humans or animals are not subject to this restriction.

RULE URB.4 RESIDENTIAL ACTIVITY PERFORMANCE STANDARDS
--

1. YARD REQUIREMENTS

- (a) Front Yards - 3.0 metres provided that a garage or carport either freestanding or structurally part of or attached to the principal building on the site may be erected in the front yard where:
- the garage or carport does not occupy more than 50% of the street frontage or 6 metres whichever is the lesser
 - where it is located within any side yard, written consent of the immediate adjoining owner is received and submitted to Council with the building consent application
 - the location of the garage or carport does not adversely affect the safe and efficient operation of the adjoining road.
- (b) Side and rear yards - minimum yard of 1.5 metres provided that an accessory building or a garage or carport structurally part of or attached to the principal building on the site may be erected in the side or rear yards where:

- 1.5 metres unobstructed access to the rear of the site is provided on at least one side yard
- the building within the yards do not exceed 7.5 metres in total length adjacent to any one boundary
- the height of the building within the yard does not exceed a maximum of 2.8 metres provided that in the case of a building with a gable end, the apex of the gable end may be 3.5 metres high on the boundary. The maximum width of the gable and supporting walls beyond the 2.8 metre height control is 4.5 metres
- written consent of adjoining owners is received and submitted to Council with the building consent application.

(c) Non-compliance

- (i) Side and rear yards less than 1.5 metres (up to and including the zero lot line as illustrated in Figure 18) are controlled activities provided the written consent of the affected adjoining owners is received.

Council shall exercise its control in respect of the height of the building, the design and placement of windows and their effect on neighbouring properties.

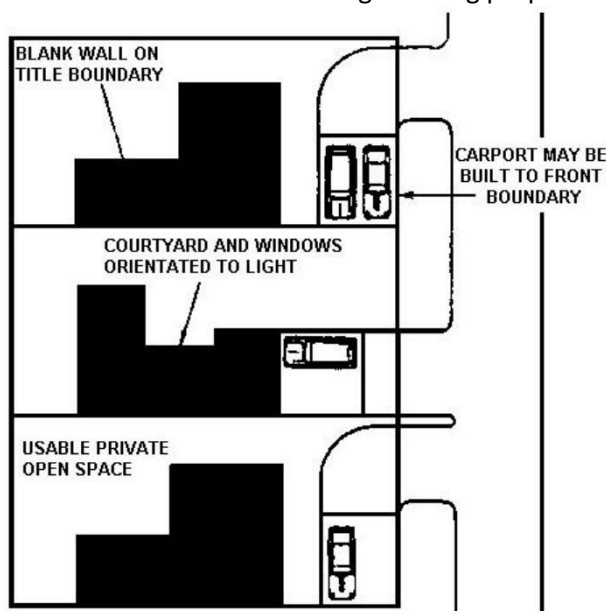


FIGURE 18: ZERO LOT LINE TECHNIQUE

- (ii) Any application for a resource consent to reduce the side or rear yard requirement shall be considered as a restricted discretionary activity where adjoining owners consent is not received. Council shall restrict the exercise of its discretion to the effects on the amenity values of adjoining properties.
- (iii) Any application for a resource consent to reduce the front yard requirement will be considered as a restricted discretionary activity, with Council restricting the exercise of its discretion to the effect on amenity values and the roading network.

REASON

A 3.0 metre front yard retains and enhances the amenities of the area without creating a large area of underutilised space. It also reduces the effect on the road carriageway by avoiding possible

shading and protecting visibility. Front yard provisions have been retained in the Plan because of public support for the amenity value provided.

The minimum 1.5 metre side and rear yard is required to ensure access for maintenance, drainage and firefighting purposes on all sides of a building and in conjunction with height control will, reduce the adverse effects buildings may have on neighbouring properties. An open space requirement will provide for outdoor living and will further reduce the effect of shading etc on neighbouring properties.

The "Zero lot line" technique (i.e. reducing the side or rear yard) enables maximum use of a site, with open space on the section being maximised on the side with maximum orientation to the sun allowing flexible, innovative design and reducing the "no mans" land in side yards to a minimum. This approach is controlled, however, due to the effect it may have on a neighbouring property.

2. HEIGHT

- (a) Level Sites A level site exists where the ground slope within the buildable areas varies from level to 6° (approx. 1 in 10).

No building shall exceed 9 metres in height, provided that:

- (i) The maximum height along the line of the minimum yard provisions (excluding the front yard) shall be 3.5 metres provided that:
- The measurements shall be taken from the average natural ground level along the foundations nearest to the boundary under consideration, and
 - The measurements shall be taken to the point where the planes of the wall surface and the roof covering would meet if extended, provided that in the case where there is no wall surface (A Frame) then the vertical plane shall be an imaginary vertical line, or
 - In the case of a building with a gable end, the apex of the gable end may protrude to the maximum of 3.5 metres through the inclined slopes defined under (ii) below. The maximum width of the gable and supporting walls which may penetrate through the height control plane is 4.5 metres.
- (ii) Beyond the minimum yard spaces the maximum height shall be determined by an inclined plane which originates from the point determined in (i) above and then slopes upwards at an angle of 25° to the horizontal.

NOTE : To achieve max. height of 9.0 m at centre of building Section width minimum of 23.0 metres

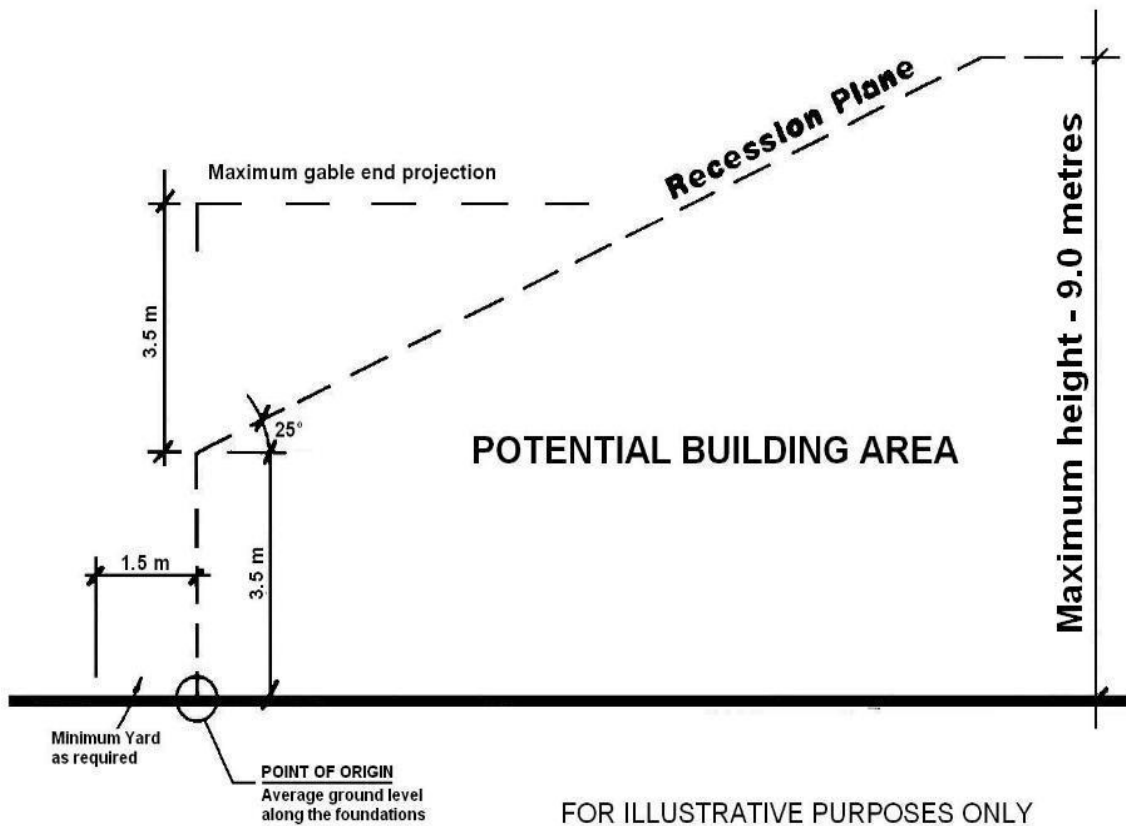


FIGURE 19: HEIGHT CONTROL ENVELOPE

- (b) Sloping Sites A sloping site exists where the ground slope within the buildable area exceeds 6° (approx. 1 in 10).

No building shall exceed 6 metres in height, provided that:

- (i) The measurement shall be taken from the average natural ground level along the external wall nearest to the road, and
- The highest point of the parapet or coping in the case of a flat roof; or
 - The mean level between the eaves and the highest point of the roof in the case of a sloping roof, excluding in either case chimneys, ventilator shafts, water tanks, elevators, lofts, steeples, towers, and such finials and similar parts of the building as constitute only decorative features.
- (ii) Where the building is set back from the road line on a site which slopes up from or down from the road level, then the height shall be measured from the mean level of the ground along the external wall on the higher side of the site. Provided that the absolute height of any building to be erected on a sloping site shall not exceed 9 metres.

- (c) Height - Accessory Buildings The maximum height of any accessory building including private garage shall be 3.5 metres.

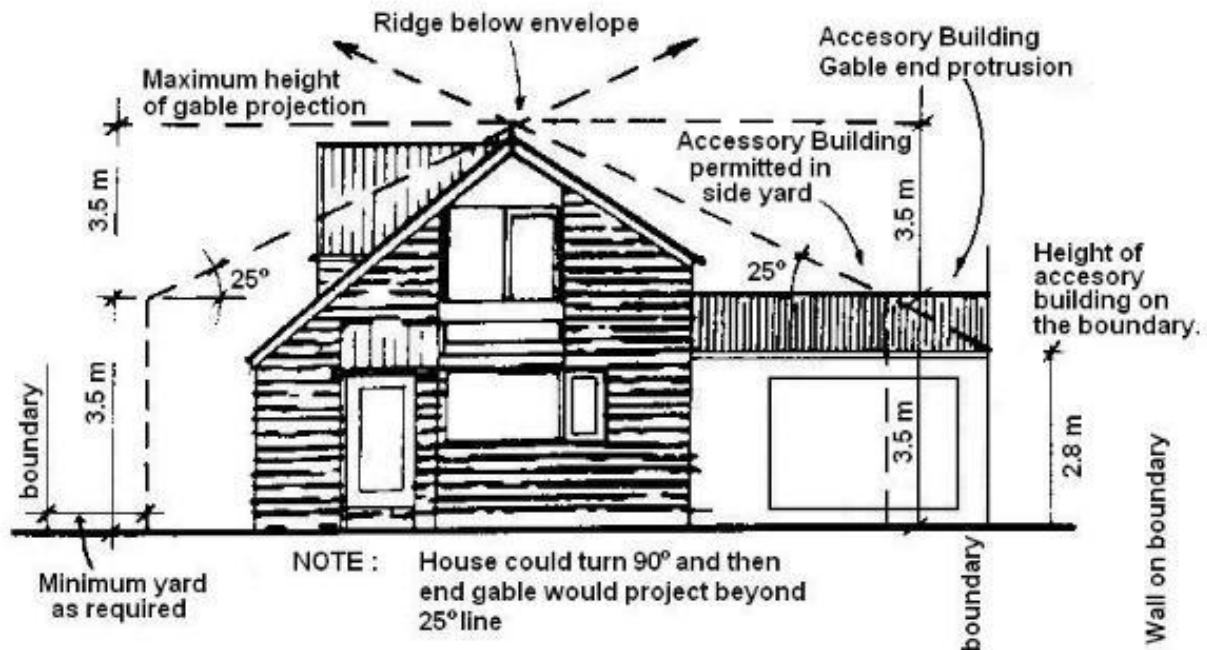


FIGURE 20: CONTROL IN OPERATION

- (d) Any increase in these requirements will require the following:
- (i) Any activity that breaches this rule up to an additional 1 metre is a restricted discretionary activity provided the consent of all adjoining owners affected is received. Council shall restrict the exercise of its discretion to the effect any such reduction may have on the amenity values of the neighbourhood.
 - (ii) Where consent of affected owners is not received in the situation referred to above in (i), the activity shall be considered as discretionary activity.
 - (iii) Any activity that increases height beyond 10 metres or in the case of accessory buildings, 4.5 metres, shall be considered as a non-complying activity.

REASON

Controls on height have been considered necessary because of the adverse effects, (such as shading and reduction in privacy and views,) that buildings can have on adjoining properties. Height controls in conjunction with yard controls minimise these effects.

Applications relating to height of buildings will generally be considered with regard to the effect on neighbours and the character of the area. Increased height will generally only be allowed where there are exceptional circumstances and the building will not cause any more shadow or more restriction of view of neighbours than if the building was built to the permitted height. The effect on character will, be considered in relation to the existing situation. For example, it will generally be inappropriate for a tall building to establish where the area contains only buildings of a much smaller scale, however if the location is particularly appropriate and the activity is to be encouraged, then an application may be granted.

3. OUTDOOR LIVING AND PRIVACY REQUIREMENTS

A. ATTACHED DWELLINGS, TWO BEDROOMED TOWNHOUSES AND MULTI UNIT RESIDENTIAL DEVELOPMENTS

(i) Ground floor

Outdoor living space adjoining the main living area of each unit shall be provided in accordance with the following:

1. Minimum area of 36m²
2. Minimum dimension of 4 metres adjacent to the exterior wall of the main living area, orientated east, north or west of the unit to which it relates.
3. Shall be free of driveways, parking spaces and garages but may include an accessory building of not more than 10m².
4. Not less than 60% of the minimum area shall be in permeable surface (i.e. lawn, trees, shrubs, etc.) **PROVIDED THAT** an application for resource consent to reduce the area of permeable surface to a standard less than 60% which allows for Cobblestones or other similar materials shall be considered as a controlled activity. Council shall exercise its control to the mitigation of the effects of run-off.

- (ii) Above Ground Level - for units above ground level, the outdoor living space provided at ground level may be reduced to 25m² provided it is supplemented by a balcony which adjoins and is accessible to the living room of each unit above ground floor level. This balcony shall have a minimum area of 8m² and a minimum dimension to the east, west or north of 2 metres.

REASON

The requirements of (i) to (iii) are seen as appropriate to ensure that some open character within the urban areas is maintained and that provision is made for outdoor living in conjunction with each dwelling unit. The provision of outdoor space also reduces the pressure on reserves and ensures that each dwelling unit has reasonable access to sunlight.

(iii) Visual Privacy Between Dwelling Units

No dwelling units on the same site shall be so sited or designed so that the main glazing of the living areas of one dwelling unit will oppose the main glazing of the living areas of another dwelling unit; unless screening in the form of fencing and/or landscaping is provided at a distance of not less than 3 metres from each unit.

(iv) Screening of Outdoor Living Space

Every outdoor living space shall be required to be visually screened from adjoining sites and outdoor living spaces appurtenant to any other dwelling units. The screening shall be constructed of materials which blend with the natural materials of the site or with those of the building on the site.

REASON

Intensive residential development can have the effect of impinging on the privacy of people occupying adjoining dwellings and sites. The standards of (iii) and (iv) are aimed at minimising that effect.

B. DETACHED DWELLINGS (NOT PART OF A MULTI UNIT RESIDENTIAL DEVELOPMENT)

Outdoor living space associated with detached dwellings shall be provided in accordance with the following:

1. minimum area of 100m² with a minimum dimension of 5.0m by 10m orientated east, north or west.
2. shall be free of driveways, parking spaces and garages but may include an accessory building of no more than 10m².
3. Not less than 60% of the minimum area shall be in permeable surface (i.e. lawn, trees, shrubs, etc.) **PROVIDED THAT** an application for resource consent to reduce the area of permeable surface to a standard less than 60% which allows for Cobblestones or other similar materials shall be considered as a controlled activity. Council shall exercise its control to the mitigation of the effects of run-off.

REASON

Detached dwellings that are the only dwelling unit on a site generally require a larger open space area as this type of development provides for family living.

C. NON-COMPLIANCE

Any reduction in these requirements (other than already provided for in A.(i) 4 and B.3.) shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the effect on the amenity values of adjoining properties and the effect on reserves in the locality. Any application for resource consents under this rule shall generally be considered without notification but the consent of adjoining owners may be required.

4. OUTDOOR STORAGE

- (a) Any area used or proposed to be used for storage purposes that is not enclosed or partly enclosed by a covered building shall be screened from public spaces and from residential sites by a 2 metre high close boarded fence or other suitable screen and shall not exceed 50m² of site area and shall not impede visibility on adjacent roads.
- (b) Storage areas shall not exceed 2 metres in height.
- (c) There shall be no storage in the open of sand or aggregate, or other materials that may be windblown.
- (d) Any activity that fails to comply with this standard is a restricted discretionary activity. Council shall restrict the exercise of its discretion to this matter.

REASON

Outdoor storage facilities can have a significant visual effect and have the potential to attract vermin and create windblown debris.

5. NOISE

- (a) The provisions of Section 3.13 Noise shall apply unless otherwise stated by these rules.
- (b) Corrected noise level at the boundary of a site shall not exceed the following limits

Weekdays and Weekends

7am to 10pm L10 55dBA

10.00 pm to 7.00 am L10 45dBA

- (c) Activities not complying with these standards shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to this matter

REASON

Noise limits have been based on the findings of Council's 1993 Noise Study of the District and are designed to preserve the existing amenity level.

6. SIGNS

- (a) The provisions of Section 3.12 Signs shall apply unless otherwise stated in these rules.
- (b) Subject to (c) below one double sided sign per site, not exceeding 1.2 m², is permitted provided it refers to the site on which it is located.
- (c) Illuminated signs are discretionary activities while flashing signs are prohibited.
- (d) Activities not complying with these rules shall be considered as discretionary activities.

REASON

Signs can have a significant visual effect in these areas. This performance standard seeks to minimise that effect.

7. PARKING

Provision shall be made for off street parking in accordance with the requirements set out in Rule TRAN.6 and Table 12, Figures 5 and 6.

RULE URB.5 NON-RESIDENTIAL ACTIVITY PERFORMANCE STANDARDS
--

1. BULK AND LOCATION

- (a) No front yards are required except that where a residential activity adjoins both sides of the site a front yard of 3 metres is required.

- (b) No rear or side yards are required except that where a site adjoins a residential activity without the intervention of a road or service lane, side and rear yards of 4.5 metres will be required.
- (c) No building shall exceed 12.0 metres in height provided that where the activity adjoins a site where the principal activity is residential in nature the height provisions of Rule URB.4(2) apply.
- (d) Activities not complying with these standards shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the effects on amenity values.

REASON

Yards adjoining residential activities will reduce the adverse effects non-residential activities can have on residential activities in terms of shading, noise and visual impact.

2. NOISE

- (a) The provisions of Section 3.13 shall apply unless otherwise stated by these rules.
- (b) Corrected noise levels shall not exceed the following limits.
 - (i) At the boundary of a residential activity;
Weekdays and Weekends
7.00 am to 10.00 pm L10 55 dBA
10.00 pm to 7.00 am L10 45 dBA
 - (ii) At the boundary of any other non-residential property;
At all times L10 65dBA
- (c) Activities not complying with these standards shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to this matter.

REASON

Noise limits have been based on the findings of Council's 1993 Noise Study of the District and are designed to preserve the existing amenity level.

3. SIGNS

A. PERMITTED ACTIVITIES

Signs that are located on the site to which they relate (excluding those signs provided for in (v) below) are permitted activities (other than provided for in (b) to (c) below) provided they comply with the following performance standards:

- (i) The sign is not erected in a position that is higher than the apex of the roof of the building on the site.
- (ii) Any sign suspended under a verandah shall:
 - have a minimum clearance of 2.5 metres above the footpath, and
 - Have a minimum clearance of 450mm from the kerb line.

- (iii) Freestanding pole signs do not exceed 3m² in area or six metres in height provided their specific location is approved by Council.
- (iv) Footpath sandwich board type signs provided that:
- the sign does not exceed 1 m² in area
 - the sign is not placed in a position that impedes pedestrian traffic and that there is at least 1.8 metres clearance in the footpath
 - it is not placed within 2 metres of any corner or intersection or so as to interfere with traffic visibility
 - there is no more than 2 signs per shop frontage
 - it must be placed outside the premises to which the sign relates
 - it may only be displayed when the premises are open
- (v) 'Heritage Trail' fingerboard signs provided that they comply with the Heritage Trails Foundation Standards for such signs as set out in the document " Heritage Trail Signs Manual" as held in Council's office and that they are attached to existing fingerboard sign posts. (*Note: the written approval of the existing signpost owner must be received before such a sign be can erected*).

B. RESTRICTED DISCRETIONARY ACTIVITIES

- (i) Signs on a site or building that adjoins a residential activity and signs not conforming with the standards above shall be restricted discretionary activities. Council shall restrict the exercise of its discretion to size, design, and location.

C. PROHIBITED SIGNS

- (i) Flashing signs are prohibited activities.

REASON

Signs can have a significant visual effect in these areas. This performance standard seeks to minimise that effect.

4. HOURS OF OPERATION

Any non-residential activity that adjoins a residential activity shall limit their hours of operation as follows

Places of Assembly

7am - 10pm Sunday to Thursday,

7am - midnight Friday and Saturday

Other Non-residential activities

7am – 10pm every day

PROVIDED THAT this rule shall not apply to public works, network utility installations, and any activity for which a licence under the Sale of Liquor Act 1989 is required.

Any activity not complying with this rule shall be considered as a discretionary activity.

REASON

While the noise standards are also aimed at preserving the night time amenity in these areas, it is felt that some limit on hours of operation is also necessary to reduce or avoid the noise and nuisance effects of vehicles and people using non-residential facilities. Activities licensed under the Sale of Liquor Act have been exempt from this clause as the licensing of such facilities go through a public notification process through which the public can have their say with regard to the hours such operations keep. It should be noted that "temporary military training" activities are not considered non-residential activities (see definitions of non-residential activities at).

5. OUTDOOR STORAGE

The provisions of Rule URB.4 (4) shall apply.

6. SERVICING AND FINANCIAL CONTRIBUTIONS

The development of any site and the provision of all network utility services to the boundary of the site is the responsibility of the developer, and shall be undertaken in accordance with the relevant provisions of Section 3.7 Subdivision.

7. LANDSCAPING

The site of any non-residential building that is substantially clad in glass or similar reflective or translucent material; sheet material such as cement fibre panes, corrugated or sheet metal panels; or other similar materials, shall be landscaped and finished in a manner that minimises the adverse visual effect on residential activities in the vicinity of the site.

REASON

Purpose built industrial or commercial buildings can have a significant adverse effect on residential amenity values. The visual impact of these buildings must be minimised.

RULE URB.6 UNRETICULATED SITES

Any unreticulated site shall be capable of the effective disposal of effluent safely within the site

PROVIDED THAT

for sites less than 4,000m², or where the activity on the site will generate quantities of effluent in excess of three household units or the equivalent thereof regardless of area Council shall require a certificate from Council's Environmental Health Officer or from a person professionally qualified in effluent disposal that effluent can be safely disposed of within the site.

REASON

Effluent can have significant environmental effects in terms of odour, contamination of water supplies, and other health hazards. As no minimum site sizes have been set, the size of any sites in unreticulated areas will be determined by the sites ability to dispose of effluent effectively. Council accepts that sites 4000m² and above are generally adequate for this process however sites below this size will need certification from Council's Health Inspector or some other suitably qualified person.

RULE URB.7 VERANDAHS

A verandah extending across the entire road frontage, designed in accordance within the limitations set in Figure 22 shall be provided on the erection, reconstruction or alteration of any building on those streets identified as requiring verandahs on the planning maps, except where the reconstruction or alteration is to an historical building upon which a verandah is not appropriate.

Where circumstances of building design or layout or topographical features give rise to a request for relaxation of this requirement the matter shall be dealt with as a discretionary activity and shall be publicly notified.

REASON

To maintain the character and amenity values of the District's urban areas (and also to provide protection from the elements) maintenance of existing verandah frontages is considered essential.

RULE URB.8 BOARDING AND HOUSING OF ANIMALS

The housing and/or breeding of animals as a domestic activity on the site is a permitted activity provided that

- (i) not more than two pigs are kept and that a piggery building or any area designated for the occupation of pigs is located not less than 50 metres from any of the following:
 - any residential building
 - milking shed
 - any place used for preparation, storage,
 - or sale of food
 - public road
 - adjoining property boundary.
- (ii) Not more than two dogs are kept on a property provided that their progeny may be kept on the site up to the age of 3 months.
- (iii) The number of domestic fowls does not exceed ten.
- (iv) The activity is conducted so that it does not create a nuisance to the occupants of adjoining or nearby properties. Note: It shall be for Council's Enforcement Officers to determine upon reasonable grounds, that a nuisance is being created.

REASON

The keeping of animals can have adverse effects such as noise, smell and other nuisances. This performance standard should avoid the effects associated with the keeping of animals for purposes other than domestic needs.

RULE URB.9 EARTHWORKS

Earthworks not required for construction of a building for which a building consent has been issued that exceed the following:

- (a) An excavation depth or fill height exceeding 3 metres, or

- (b) the removal or the depositing of material exceeding 250 m³, or
- (c) an area of earthworks exceeding 1000 m², or
- (d) involve the use of explosives

are a restricted discretionary activity.”

Council shall restrict the exercise of its discretion to the following matters:

- The effects of noise and dust emission;
- The effects of any blasting required;
- The extent, timing and duration of bare ground;
- The location, timing of construction, design and density of the earthworks;
- The control of run-off;
- The disposal and stabilisation of waste material or fill;
- The effects on waterbodies;
- The effects on slope stability;
- Measures to avoid, remedy or mitigate adverse visual effects;
- The effects of traffic generated by the activity.
- The effects on stormwater flows
- The need to protect survey marks
- The effects on structure supports, including structures on other properties
- The effects on infrastructure and utility services (including stormwater systems, and manhole or service covers) in particular the retention of appropriate cover, the retention of practical access to them and the recognition of loading weights.

This rule does not apply to earthworks associated with the construction of utility services and roads (including works within road reserves for footpaths, drainage systems etc.) authorised by this plan or appropriate resource consents.

Any application under this rule will generally not be notified or served. Where any neighbouring property owners are considered to be affected by any application, the notice of the application will be served on them unless all persons who may adversely affected have given their written approval to the application

REASON

Earthworks in urban areas can have a significant adverse effect on neighbouring properties, stormwater flows, utilities and infrastructure. These effects can include noise, vibration and dust emissions from blasting and traffic generation and potential effects on stability and water quality. Council has developed a tiered approach to the control of earthworks. Only large-scale earthworks exceeding the limits set out above will require assessment through the resource consent process. Small-scale earthworks involving less than an area of 500m² and 25m³ do not require any authorization. Earthworks of a scale greater than this but less than the levels listed above will require an earthwork permit under Councils Bylaw.

4.3.6. OTHER METHODS

METHOD URB.1 SIGN GUIDELINES

Council encourages businesses of the District to consider the Grid Analysis Technique contained in Method SIGN.2, and the following guidelines when erecting signage.

- That signs be designed, and in colours appropriate, to the architecture of the buildings to which they are affixed, and to their adjoining streetscape. Signs should not be placed on the decorative forms or mouldings of buildings, dominate facades, conceal windows or architectural features.
- That where possible and practical, signs on adjacent buildings should be coordinated, particularly in regard to alignment.
- That signs should not project above parapet lines or be constructed so as to obscure views of landforms, vegetation or buildings which contribute to the amenities of the local environment.
- That sign combinations be chosen from the following options as illustrated by Figure 21:

A. GROUND FLOOR FACADE

- (i) awning fascia
- (ii) one suspended under verandah sign or one cantilevered over footpath sign at standard awning level where there is no verandah.
- (iii) above doorhead/above display window tramson.
- (iv) piers.
- (v) below windowsill.
- (vi) on the window glass or the masonry beside a door.

Signage is limited to one of the following combinations, either (i), (ii) or (vi) or (iii), (iv) and (v). This provides for a total of three signs at ground floor facade level.

B. UPPER LEVEL SIGNS

- (i) wall face box or applied sign.
- (ii) one projecting vertical sign.
- (iii) parapet sign.

Signage is limited to one of these options.

REASON

While not wishing to impose strict regulations on businesses in respect of signage location, Council does consider it necessary to promote cohesive and attractive development of signs in the District's urban area. It is hoped that these guidelines will go some way in achieving that.

Figure 21 - Signage Options

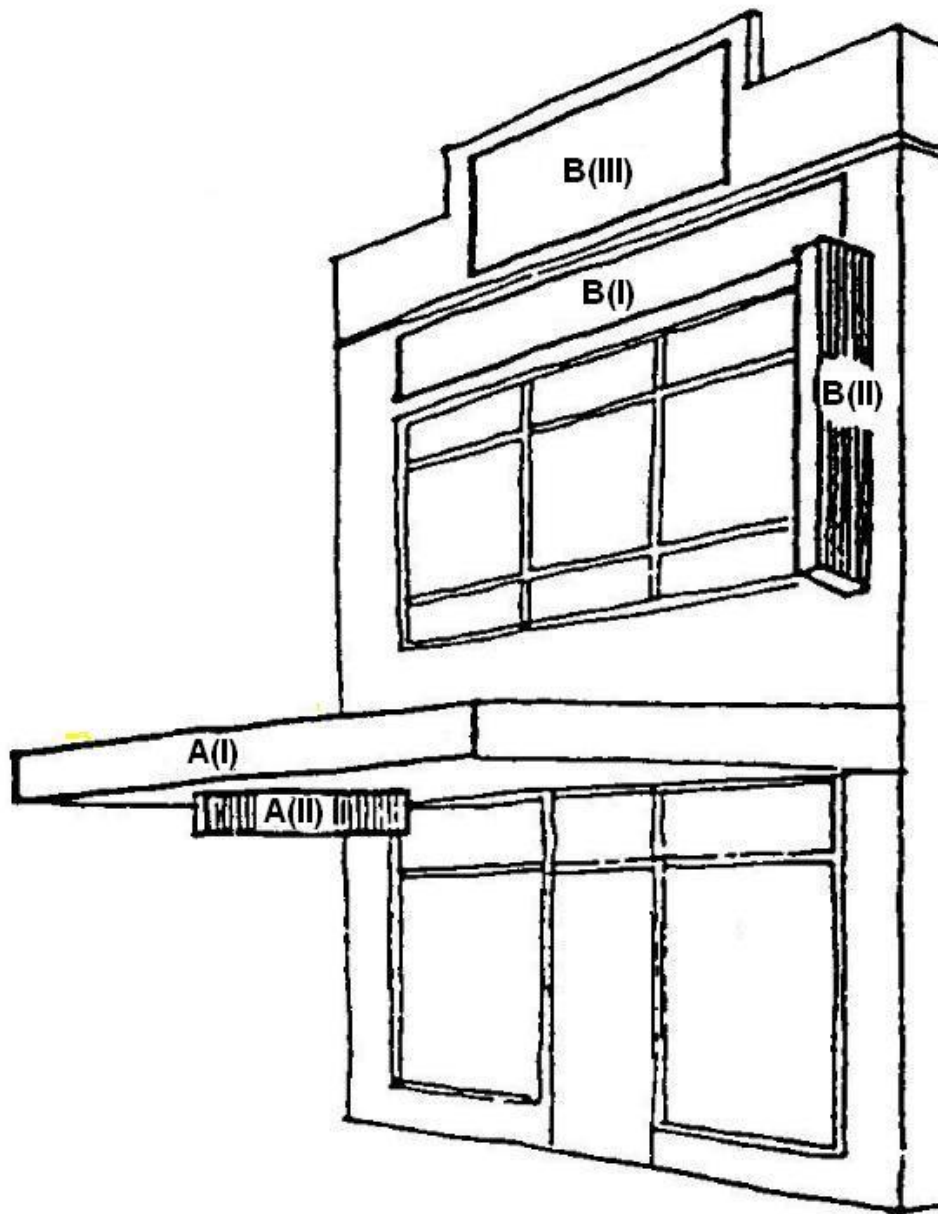
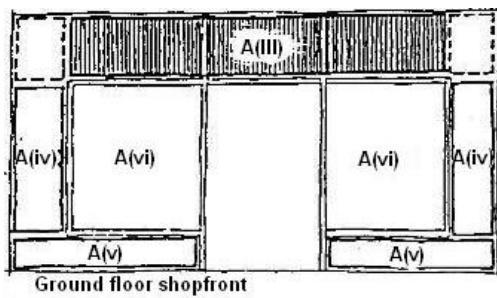
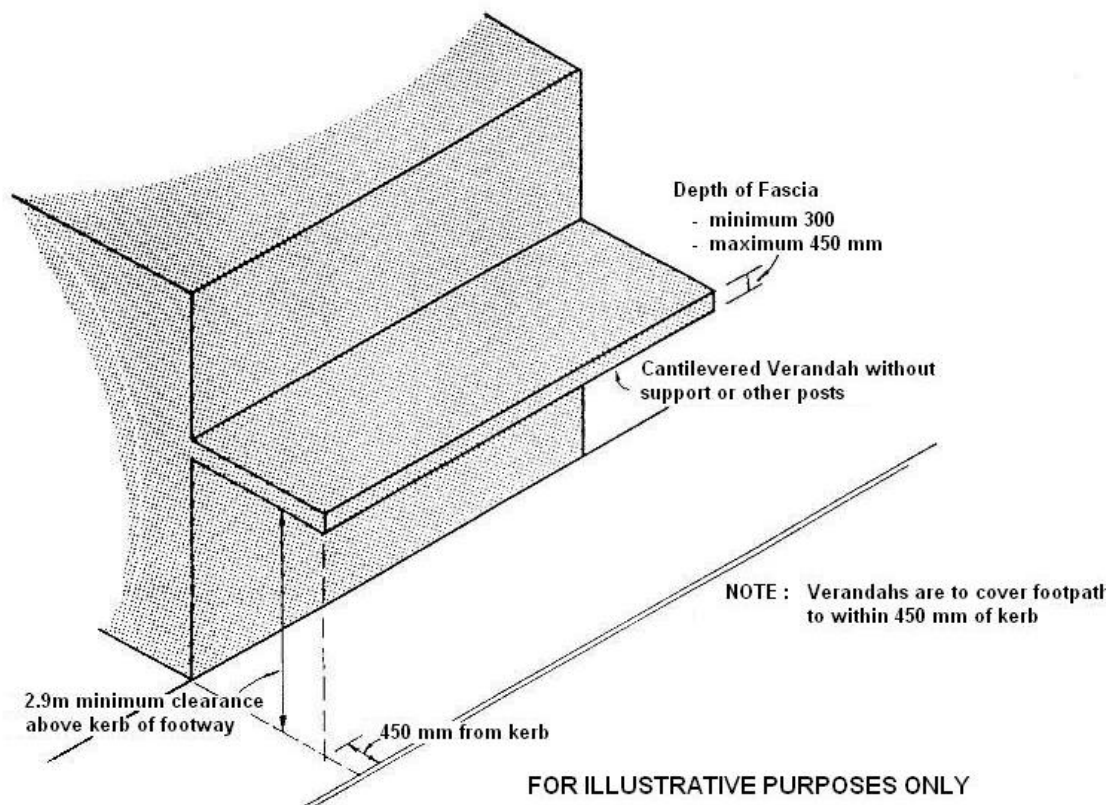


FIGURE 21: SIGNAGE OPTIONS (CONTINUED)



 equals illuminated

FIGURE 22 - VERANDAHS



METHOD URB.2 MONITORING

To assess the effectiveness of these policies and rules Council shall analyse complaints received

REASON

Complaints received are a ready guide as to how effective Council's objectives and policies are in maintaining amenity standards.

METHOD URB.3 NOTIFICATION REQUIREMENTS

Except as otherwise stated, controlled activities and restricted discretionary activities will generally be considered without notification or the need to obtain written approval of affected persons.

METHOD URB.4 MITIGATING THE EFFECTS OF PLANTING TREES

The Council encourages all prospective tree planters to consider the potential adverse effects that trees can have on neighbours (particularly residential neighbours). Trees can shade neighbouring properties, obscure views, cause soil nutrient depletion and soil disturbance due to root encroachment. Failure to recognise these potential problems could be costly as affected parties (including Council) can utilise the following remedies.

(I) COMMON LAW NUISANCE

Common law provides a remedy where private nuisance is involved. If shading, overhanging branches or encroaching roots interrupt reasonable use and enjoyment of the land, they may constitute private nuisance.

If an adverse effect is shown, the Resource Management Act can address these issues through enforcement orders (section 314) or abatement notices (section 322). While only Council may use the abatement notice procedure, any person can use the enforcement order process.

(II) PROPERTY LAW AMENDMENT ACT

Section 129 C of the property law Amendment Act provides for a person to apply to the District Court to remove or trim trees growing or standing on land whether or not they constitute a legal nuisance. This provision provides another remedy when trees cause an undue interference with reasonable enjoyment for residential purposes.

(III) FOREST AND RURAL FIRES ACT 1977

Under the Forest and Rural Fires Act 1977, trees can be declared "forest areas" (section 17). This identifies that the forest is a fire hazard requiring continuous protection, equivalent to a restricted season. In order to be declared a forest area, exotic forest must, amongst other things, be at least 20 hectares in area and have a fire break of 10 metres to external boundaries of the forest. Fire authorities can also require a land owner of any land on which exotic trees are allowed to grow for the purpose of producing timber, to make fire breaks in such positions as the Fire Officer considers necessary for the purpose of fire control (Section 27).

(IV) FENCING ACT 1908

Under section 26A of this Act, the Council has jurisdiction to order the removal or trimming of trees if it can be shown that this is necessary to remove or prevent the recurrence of any undue interference with the reasonable enjoyment of land.

Consideration should also be given to the possibility of wilding tree spread onto vacant sites, areas of open public land, roadsides and riversides. These areas are less intensively managed as a consequence wilding trees can become established. These trees can cause problems for neighbouring property owners. If you have planted trees that have a propensity to spread you should monitor areas of open space for evidence of wilding trees and remove them immediately.

4.3.7. ANTICIPATED ENVIRONMENTAL RESULTS

1. A pleasant environment to live and work in.
2. Minimal adverse effects on neighbouring properties.
3. Safe and efficient transport system.
4. Efficient public services.

4.4. INDUSTRIAL RESOURCE AREA

4.4.1. OVERVIEW

The Industrial Resource Areas of the District have been identified on the basis of their existing amenity values. These areas tend to be dominated by large purpose-built buildings with little visual appeal, the activities within which often create noise, smell, use or store hazardous substances or generate hazardous wastes. Heavy vehicles are normally used to transport materials and products to and from the areas. Consequently, more sensitive activities such as residential or retail activities generally do not locate in these areas.

In the majority of Industrial Resource Areas Council has made provision for the expansion of existing activities. This provides some certainty for existing operations while identifying to the general public those areas where they can expect a lower environmental quality.

4.4.2. THE ISSUES

- **Industrial activities often generate significant adverse environmental impacts that are not compatible with residential or commercial activities.**

Explanation

Many industrial processes even with the most modern technology can create some unpleasant effects, not appreciated by neighbours. The approach in the past has been to separate this type of activity from those which are more sensitive.

- **Industrial buildings are generally purpose built and can adversely affect visual amenity.**

Explanation

Industrial buildings are built for a specific purpose, without a great deal of consideration to their visual appearance. Often, they are large buildings clad with plain sheet material (e.g. cement fibre panels, corrugated or sheet metal panels) with little attempt at screening.

- **Industrial activities normally generate a high level of heavy vehicle traffic which can have an adverse effect on other activities.**

Explanation

Heavy vehicles normally used to transport materials and products to and within industrial areas are not compatible with residential neighbourhoods or activities.

- **Some industrial processes generate a high level of waste, that is often hazardous.**

Explanation

The noxious and hazardous waste of some industrial activities cannot be dealt with by Councils normal waste systems and require alternative and costly, measures for adequate disposal.

4.4.3. OBJECTIVES AND POLICIES

OBJECTIVE IND.1

To manage the industrial resource areas so that industrial activities do not adversely effect the amenity values of adjoining resource areas.

OBJECTIVE IND.2

To manage the Industrial Resource Area so that industrial activities are not constrained or limited by the operation of activities that require a higher level of amenity and environmental quality than industrial activities.

OBJECTIVE IND.3

That development within the Industrial Resource Area (Toko Plains) is efficient, co-ordinated and supported by adequate services; integrates with adjoining infrastructure; does not compromise surrounding land use; and does not compromise the existing drainage systems and the safety and efficiency of the transport system.

POLICY IND.1

To ensure that the adverse effects that industrial activities can have on neighbouring resource areas are avoided, remedied or mitigated.

Explanation

To minimise adverse effects of industrial activities performance standards have been developed, not only for the industrial areas themselves, but also for industrial areas which adjoin residential, commercial and recreational areas.

(Refer Rule IND.3 and 4)

POLICY IND.2

To avoid the noxious or dangerous effects that some industrial activities generate.

Explanation

Council considers that noxious or dangerous effects are generally not compatible with any activity and should therefore be strictly controlled.

(Refer Rule IND.3)

POLICY IND.3

To ensure the mitigation of the adverse effects of signs in industrial areas.

Explanation

Attracting passing traffic is less significant in an industrial area, with the main purpose being for identification purposes. However, signs in the industrial area can still have adverse effects on the amenities by creating an untidy appearance and distracting motorists creating an adverse effect on the immediate environment.

(Refer Rule IND.4(3))

POLICY IND.4

To ensure activities that require a high level of amenity and environmental quality avoid reverse sensitivity effects on industrial activities.

Explanation

Industrial activities can generate adverse effects on the environment because of discharges to air and land, 24-hour operation, noisy processes and heavy traffic generation.

These effects are incompatible with more sensitive activities such as dwellings, accommodation facilities, health and education facilities. Allowing such activities to establish in the industrial zone inevitably leads to an expectation of a higher amenity standard being maintained. This leads to pressure on existing industrial activities and reduces certainty for future developments. Allowing this to occur leads to an inefficient use of natural and physical resources within the zone.

POLICY IND.5

All development within the Industrial Resource Area (Toko Plains) to be undertaken in accordance with the Industrial Resource Area (Toko Plains) Structure Plan in order to establish:

(a) The location of activities taking into account:

- the effects they generate;
- compatibility with neighbouring activities/ Resource Areas;
- the location and efficiency of infrastructure, including transportation infrastructure;
- the location and efficiency of the existing drainage systems within the Structure Plan area.

(b) The provision of the primary roading structure within the Structure Plan area;

(c) The staging of development, having regard to the efficient and co-ordinated provision of services including internal roading;

(d) Safe and efficient connections with adjoining infrastructure, in particular the State highway and the Main South Railway Line.

(e) Appropriate areas of landscaping and open space;

- to mitigate any adverse visual effects of industrial development;
- to protect existing drainage systems within the Structure Plan area or provide an appropriate alternative management response;
- and to provide for an appropriate level of amenity within the Structure Plan area;
- The provision of stormwater management areas, including stormwater detention ponds.

Explanation

The Industrial Resource Area (Toko Plains) comprises a large (approximately 330ha), tract of generally undeveloped rural land on the Tokomairiro Plain that stretches from Milburn in the north down to the outskirts of Milton in the South. The zone is bordered by the Main South railway line to the west and State Highway One to the east. To achieve co-ordinated and integrated development of this site, a Structure Plan is considered necessary.

4.4.4. RULES

RULE IND.1 GENERAL SECTION

All activities shall comply with the rules contained in Section 3 of this Plan.

Note in particular:

3.3 Transportation.

3.7 Subdivision

3.8 Financial and Reserve Requirements

3.11 Other Environmental Issues

3.12 Signs

3.13 Noise

TOKO PLAINS STRUCTURE PLAN

All development occurring on any site not already developed for industrial purposes within the Industrial Resource Area (Toko Plains), shall be undertaken in accordance with the Industrial Resource Area (Toko Plains) Structure Plan (attached at page X), including the associated Staging Plan.

RULE IND.2 PERMITTED ACTIVITIES

- (1) Any activity that conforms with the rules contained in Rule IND.4 Performance Standards (except as provided in Rule IND.3) and where the activity is located in the Industrial Resource Area (Toko Plains) and the Structure Plan for that Resource Area, is a permitted activity.
- (2) On the Stirling Dairy Manufacturing Site located on Pt Lot 1 DP 2254, Lot 2 DP 19577, Lot 3 DP 18037, Pt Section 382R, Lot 1 DO 24460 and Lot 1 DP 301857, noise from operations, including all ancillary equipment, maintenance activities, and operation of all vehicles on site (including those entering and exiting the site), shall not exceed the following limits when measured at or beyond the Noise Control Boundary:

Weekdays and Weekends

7am – 10pm 55dB_{L_{Aeq}} (15 min)

10pm – 7am 45 dB_{L_{Aeq}} (15 min) and 75 LAF_{max}

Non-compliance with this requirement shall be considered as a restricted discretionary activity.

Council shall restrict the exercise of its discretion to the operational requirements of the site, and the effect of noise on adjoining sensitive activities within the Noise Control Boundary.”

REASON

The performance standards of Rule IND.4 are intended to avoid, minimise or mitigate adverse effects of any activity. Development of the Industrial Resource Area (Toko Plains) in general accordance with the Structure Plan will ensure:

- the efficient and integrated development of the land for industrial purposes;
- the provision of a connected, safe, and efficient transportation network;
- the ongoing efficiency of the existing drainage system within the area;
- the provision of water, sewer and stormwater infrastructure on a coordinated basis;
- the mitigation of any adverse effects visual effects of industrial development.

RULE IND.3 DISCRETIONARY ACTIVITIES

The following activities are discretionary activities:

- (a) Any activity that requires a license as an offensive trade within the meaning of the third schedule of the Health Act 1956.
- (b) Residential activities except where ancillary to an industrial activity.
- (c) Commercial service activities.
- (d) Community support activities. For the purpose of this rule, “emergency service facilities as defined in Section 5 of this Plan are not considered community support activities.
- (e) Unless otherwise stated, non-compliance with any standard within Rule IND.4;
- (f) Activities or development that are not in general accordance with the Structure Plan for the Industrial Resource Area (Toko Plains).

Note: For the purposes of Rule (f), the following activities and amendments do not constitute a breach of the Industrial Resource Area (Toko Plains) Structure Plan:

- movement of the central spine road identified within the Industrial Resource Area (Toko Plains) Structure Plan by 25 metres in an eastern or western direction;
- the provisions for breaks in the western boundary landscape strip in order to accommodate entry and egress of rail sidings into and out of the Industrial Resource Area (Toko Plains) or where landscaping is required to be reduced in order to achieve the safe and efficient operation of existing road and rail networks.
- resizing and the provision of additional dry and wet detention ponds;
- access to the State Highway for land to the north of Limeworks Road, which is to be assessed in accordance with Rule TRANS 4(iii)(f).

- (g) Any development within Stage 2 and 3 identified within the Industrial Resource Area (Toko Plains) Staging Plan that occurs before any underlying subdivision of these areas in accordance with Rule SUB.4 D.2. Any development advanced under this rule must be supported with an Integrated Transport Assessment, which considers the transportation effects of the proposed development and shall include but not be limited to the following matters:
- i. The level and type of roading intervention required on the adjoining roading network;
 - ii. Evidence of consultation undertaken with the NZ Transport Agency with respect to any proposed intervention identified in (i) above; and
 - iii. The timing of the proposed intervention identified in (i) and the need for these measures to be implemented before development occurs on site.
- (h) Any development that occurs before implementation of landscaping response required under Rule IND.4.6 Landscaping.
- (i) Any development that does not comply with the design controls required under Rule IND.4.8 Design Controls.

REASON

Council considers that all noxious activities should require a resource consent to ensure that all potential effects are considered. Licenses under the Health Act are more concerned with health and safety aspects as opposed to environmental effects. Requiring a resource consent process for noxious activities enables the environmental effects to be dealt with.

Residential, commercial service and community support activities generally expect a high level of amenity, which is not compatible with the effects generated by industrial activities. Allowing such activities can lead to significant conflict which puts unreasonable pressure on the legitimate operation of existing and future industrial activities within the zone.

RULE IND.4 PERFORMANCE STANDARDS

1. BULK AND LOCATION

- (a) A front yard of 5 metres shall be provided where the site adjoins a State highway or a Regional Arterial Route.
- (b) Rear and side yards of 4.5 metres shall be provided where a site adjoins any Urban, Transitional or Rural Settlement Resource Area without intervention of a road or railway line except that within the Industrial Resource Area (Toko Plains) Structure Plan, where the site of a building adjoins the site of a residential activity that existed at the time that the Industrial Resource Area (Toko Plains) was made operative (20 June 2020), the bulk and location requirements of this building shall provide for the following:
- Be set back a minimum distance of 10 metres from the common boundary with the adjoining residential property;
 - The maximum height shall be determined by an inclined plane which originates from 3.5 metres at any point on the common boundary of the residential property and then slopes upwards at an angle of 25 degrees to the horizontal into the adjoining Industrial Resource Area (Toko Plains) zoned property;

- A landscape buffer zone of 10 metres shall be planted within the 10 metre space identified in (a) in order to screen / soften the visual effects of industrial activities and shall be implemented before occupation of the adjoining industrial building.

This rule shall also apply to the storage of outdoor containers.

For the purpose of this rule chimneys and stacks with a diameter of 2.5 metres or less are exempt from this height restriction.

For the purposes of this rule, where it can be demonstrated that the residential use of the residential property has ceased and the property is no longer being utilised for residential occupation and use, this rule shall not apply.

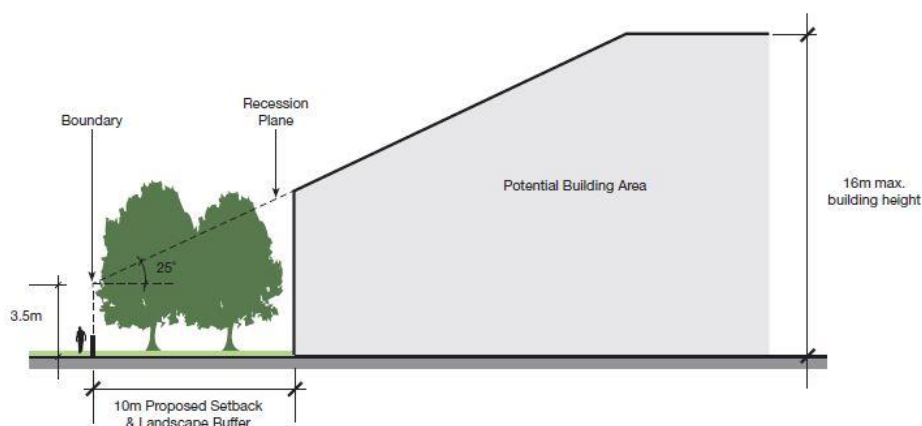


Figure 23 – Height Recession Line and Landscape Buffer to Support Rule IND.4.1(f)

- (c) The maximum height for buildings and structures in the area shall be 12 metres from ground level provided that where the site adjoins an Urban, Transitional or Rural Settlement Resource Area, Rule URB 4(2) shall apply. In the case of the Industrial Resource Area (Toko Plains) maximum building heights shall be in accordance with the structure plan for this zone which provides for a maximum building height of 25 metres from ground level for Large Format Industrial and a maximum building height of 16 metres from ground level for Industrial Resource Area (Toko Plains). For the purpose of this rule, chimneys and stacks with a diameter of 2.5 metres or less are exempt from the height restriction and within the Large Format area contained within the Industrial Resource Area (Toko Plains) Industrial Structure Plan chimneys and stacks with a diameter of 3.5 metres or less are exempt from the height restriction; Fire Station hose drying towers up to a maximum height of 15 metres and maximum width of 1.5 metres; and radio and television aerials up to a maximum of 3.0 metres in height above the building to which it is attached, are exempt from the height restriction.

The maximum building heights shall also apply to outdoor storage activities. For the purposes of this rule, container cranes shall be exempt from this rule.

- (d) Non-compliance with this requirement shall be considered as restricted discretionary activities. Council shall restrict the exercise of its discretion to the operational requirements of the industry concerned, and the effect on adjoining activities and transport corridors.
- (e) The requirements of Rule WAT.3 for the Urban Resource Area - are to be complied with.

REASON

Yards are only required where the site adjoins a major transportation route or a more sensitive environment such as the Urban Resource Area.

Yard requirements in these circumstances will minimise adverse effects on such properties.

Chimneys are exempt from height restrictions because they have minimal effect in terms of shading and privacy etc. The operational requirements of many industries are such that chimneys of adequate height are required to ensure that discharges to air are appropriately dispersed.

2. NOISE

(a) The provisions of Section 3.13 shall apply unless otherwise stated by this Rule.

(b) Corrected noise level, shall not exceed the following limits:

At the boundary of any Residential activity within the Urban, Transitional or Rural Settlement Resource Area

Weekdays and Weekends

7am - 10pm L10 55dBA

10 pm - 7 am L10 45dBA

PROVIDED THAT

where a residential activity or a noise sensitive non-residential activity locates with the Industrial Resource Area, it shall be the responsibility of the developer of the newly located activity to ensure that the buildings associated with that activity are designed in such a manner that the noise levels listed here are met within those buildings.

At the boundary of any site within the Industrial Resource Area, and any non-residential activity within the Urban, Transitional or Rural Settlement Resource Area

At all times L10 65dBA

At the boundary of any site within the Rural Resource Area

- as provided for in Rule RRA.10.

REASON

When industrial activities adjoin more sensitive activities, limits are lower to reduce any adverse effects.

3. SIGNS

Signs shall conform with the following.

(a) One sign per road frontage for industrial buildings or where no buildings exist on the site, one sign per road frontage. In the case of a multi-occupancy building one directory type sign is permitted per road frontage.

- (b) Illuminated signs are permitted provided that no signs are flashing and in the Industrial Resource Area (Toko Plains) all illumination of signage is directed downwards.
- (c) No sign shall exceed the following dimensions:
 - (i) For horizontal signs - the length of the building frontage and a width of 1.2 metres.
 - (ii) In the Industrial Resource Area (Toko Plains) for horizontal signs - the length of the building frontage and a width of 3 metres.
 - (iii) For vertical signs - the height of the building frontage and a width of 1.2 metres.
 - (iv) In the Industrial Resource Area (Toko Plains) for vertical signs - the height of the building frontage and a width of 3 metres.
 - (v) For pole signs - an area of 3m² not exceeding 6 metres in height, with a separation distance of 10 metres between such signs.
 - (vi) In the Industrial Resource Area (Toko Plains) for pole signs - an area of 8m² not exceeding 8 metres in height, with a maximum of 2 per site or 1 per 50 metres of street frontage, whichever is lesser and with a minimum distance of 10 metres between such signs.

Any activity that exceeds these standards shall be considered as a restricted discretionary activity. Council shall restrict the exercise of its discretion to the effect on amenity values and the effect on the safe and efficient operation of the roading network.

REASON

These standards will ensure that signage is presented in a tidy manner and will not constitute a traffic hazard.

4. SERVICING AND FINANCIAL CONTRIBUTIONS

The development of any site and the provision of all network utility services to the boundary of the site is the responsibility of the developer and shall be undertaken in accordance with the relevant provisions of Section 3.7 Subdivision and Section 3.8 Financial and Reserve Contributions.

Unless otherwise agreed in writing by Council, where subdivision and development is implemented within the Industrial Resource Area (Toko Plains) all infrastructure servicing and financial contributions shall be provided for in accordance with the staging plan for the Industrial Resource Area (Toko Plains) and financial contributions are sought at a time when demand is generated on Council infrastructure.

Where any development takes place in an unreticulated area, the site shall be capable of effective disposal of effluent safely within the site

PROVIDED THAT

for sites less than 4,000m² or where the activity on the site will generate quantities of effluent in excess of three household units or the equivalent thereof regardless of area, Council shall require a certificate from Council's Environmental Health Officer or from a person professionally qualified in effluent disposal that effluent can be safely disposed of within the site.

The discharge of contaminants including trade wastes in unreticulated areas must also be in accordance with the requirements of the Otago Regional Council. Consent may be required from the Regional Council regardless of compliance with this rule

REASON

Effluent can have significant environmental effects in terms of odour, contamination of water supplies, and other health hazards. As no minimum site sizes have been set, the size of any sites in unreticulated area will be determined by the sites ability to dispose of effluent effectively.

5. STORAGE

Any area used for or proposed to be used for storage purposes that is not enclosed or partly enclosed by a covered building shall be screened from the view of any public road, reserve, other public land, or any other adjacent site boundary or resource area boundary.

Such screening shall be erected or planted to a suitable height and density so as to mitigate adverse visual effects and dust effects that have the potential to occur and shall not impede visibility on adjacent roads provided that no waste material, including animal waste shall be stored, stockpiled, or disposed of in a manner that attracts or increases habitats for flies, rodents, vermin or insects and birds.

This rule does not apply to the storage of shipping containers within the Industrial Resource Area (Toko Plains) Structure Plan.

REASON

Storage of materials can have adverse effects on adjoining properties particularly in terms of visual amenity values and the attraction of vermin etc.

6. LANDSCAPING

All sites, including within the Industrial Resource Area (Toko Plains), adjoining public roads, reserves or other public land, or adjacent resource areas shall be landscaped to mitigate any adverse visual effects of industrial activities from these places. Such landscaping shall be designed and implemented to a suitable height and density so as to mitigate the visual dominance of future industrial development and the adverse visual and amenity effects that have the potential to occur and shall not impede visibility on adjacent roads. Any such landscaping shall be appropriately maintained.

In the Industrial Resource Area (Toko Plains), all landscaping shall be designed in accordance with the following design principles and outcomes:

- Landscaping and any associated mounding shall seek to mitigate the visual dominance of future industrial development on site when viewed from public places and the wider receiving environment;
- Where adjacent to rural zoned land, integrate the industrial zone with the surrounding rural character;
- Enhance the internal visual amenity of the Industrial Resource Area (Toko Plains) in order to complement future industrial activities;

- Landscaping of a scale and impact to effectively mitigate the built elements and outdoor storage areas shall be provided for;
- The green spaces identified within the Structure Plan are provided for. These shall be substantially unencumbered by services or other constraints that conflict with achieving the landscape mitigation objectives;
- Where appropriate, plantings shall seek to enhance the indigenous biodiversity and natural character of the area, particularly within the riparian and stormwater management areas (where appropriate).
- Plantings and other landscape treatments are to be appropriate to their intended mitigating function and specific situation. Further detail on appropriate landscape approaches plant species and mounding design is provided in the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines (refer Schedule 6.14).
- All development stages shall be underpinned with a landscape plan that is informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guideline and identifies any proposed mounding areas, planted areas detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting;
- A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme) and must provide for replacement and successful establishment of plants that die or fail to thrive.
- All landscaping shall be implemented prior to occupation of the development or where completion of the development occurs outside of a planting season then landscaping shall be undertaken within the first planting season following.
- For the purposes of the 10-metre landscape strip fronting the property legally described as Section 1 SO 465421 and Lot 2 DP 23974 and identified within the Industrial Structure Plan, the landscaping strip shall comprise a minimum landscaping strip of 4.5 metres from the front State Highway boundary with associated naturalised mounding. Note: For the purposes of this rule, mounding may extend outside of this 10-metre landscape strip and naturalised mounding is encouraged along the State Highway frontage.

DOCUMENTATION REQUIREMENTS

- (i) All development stages shall be underpinned with a landscape plan informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines that spatially identifies areas to be planted and/or mounded. Details are required as to plant species, plant sourcing, plant sizes at the time of planting, plant locations, density of planting, and timing of planting; and

A documented programme of establishment and post establishment protection and maintenance is required addressing such matters as site preparation, fertilizing, watering, weed control, control of pest animals, replacement of dead or non-thriving plants and the length of the maintenance period. The proposed maintenance programme must provide for replacement and successful establishment of plants that die or fail to thrive.

7. EARTHWORKS

Earthworks not required for construction of a building for which a building consent has been issued that exceed the following:

- (a) An excavation depth or fill height exceeding 3 metres, or
- (b) the removal or the depositing of material exceeding 250 m³, or
- (c) an area of earthworks exceeding 1000m², or
- (d) involve the use of explosives
- (e) In the case of the Industrial Resource Area (Toko Plains) the following earthworks thresholds apply:
 - (i) An excavation depth or fill height exceeding 3 metres, or
 - (ii) the removal or the depositing of material exceeding 5,000m³, or
 - (iii) an area of earthworks exceeding 30,000m²,Clauses (ii) to (iii) apply in any consecutive 12-month period.

are a restricted discretionary activity.

Council shall restrict the exercise of its discretion to the following matters:

- The effects of noise and dust emission;
- The effects of any blasting required;
- The extent, timing and duration of bare ground;
- The location, timing of construction, design and density of the earthworks;
- The control of run-off;
- The disposal and stabilisation of waste material or fill;
- The effects on waterbodies;
- The effects on slope stability;
- Measures to avoid, remedy or mitigate adverse visual effects;
- The effects of traffic generated by the activity.
- The effects on stormwater flows
- The need to protect survey marks
- The effects on structure supports, including structures on other properties
- The effects on infrastructure and utility services (including stormwater systems, and manhole or service covers) in particular the retention of appropriate cover, the retention of practical access to them and the recognition of loading weights.

This rule does not apply to earthworks associated with the construction of utility services and roads (including works within road reserves for footpaths, drainage systems etc.) authorised by this plan or appropriate resource consents or earthworks associated with subdivision activities within the Industrial Resource Area (Toko Plains).

Any application under this rule will generally not be notified or served. Where any neighbouring property owners are considered to be affected by any application, the notice of the application will be served on them unless all persons who may adversely affected have given their written approval to the application.

REASON

Earthworks in urban areas can have a significant adverse effect on neighbouring properties, stormwater flows, utilities and infrastructure. These effects can include noise, vibration and dust emissions from blasting and traffic generation and potential effects on stability and water quality.

Council has developed a tiered approach to the control of earthworks. Only large-scale earthworks exceeding the limits set out above will require assessment through the resource consent process. Small-scale earthworks involving less than an area of 500m² and 25m³ do not require any authorization. Earthworks of a scale greater than this but less than the levels listed above will require an earthwork permit under Councils Bylaw.

8. DESIGN CONTROLS

All buildings within the Industrial Resource Area (Toko Plains) that exceed 8m in height shall be designed in accordance with the following external design controls:

- (a) Exterior building wall colours: The external materials and colours of buildings, including but not limited to walls, spouting, joinery, doors etc., and water tanks shall be of a recessive colour within the natural tones of grey, green or cool browns with a light reflectivity value (LRV) of no more than 40%.
- (b) Roofing: Rooftop materials shall have a colour which has a reflectivity value of no more than 30% LRV.
- (c) Accessory buildings: to be constructed in similar materials and colours to principal buildings (unless below 8m in height, in which case these design controls do not apply).
- (d) Glazing: mirror glazing not permitted.
- (e) No activities shall result in any light spill onto any adjoining property beyond Industrial Resource Area (Toko Plains) exceeding 10 lux (horizontal and vertical).

Note: For the purposes of compliance with Rule IND.4(8)(b) Design Control (30% LRV for roofing materials):

- (i) untreated zincalume is discouraged as a roofing material;
- (ii) this rule does not apply to solar panels erected on the roof of Industrial Buildings located within the Industrial Resource Area (Toko Plains), however the intention within the Industrial Resource Area (Toko Plains) is that low reflectivity solar panels are selected in order to minimise glare effects.

4.4.5. OTHER METHODS

METHOD IND.1 MONITORING

To assess the effectiveness of these policies and rules Council shall analyse complaints received.

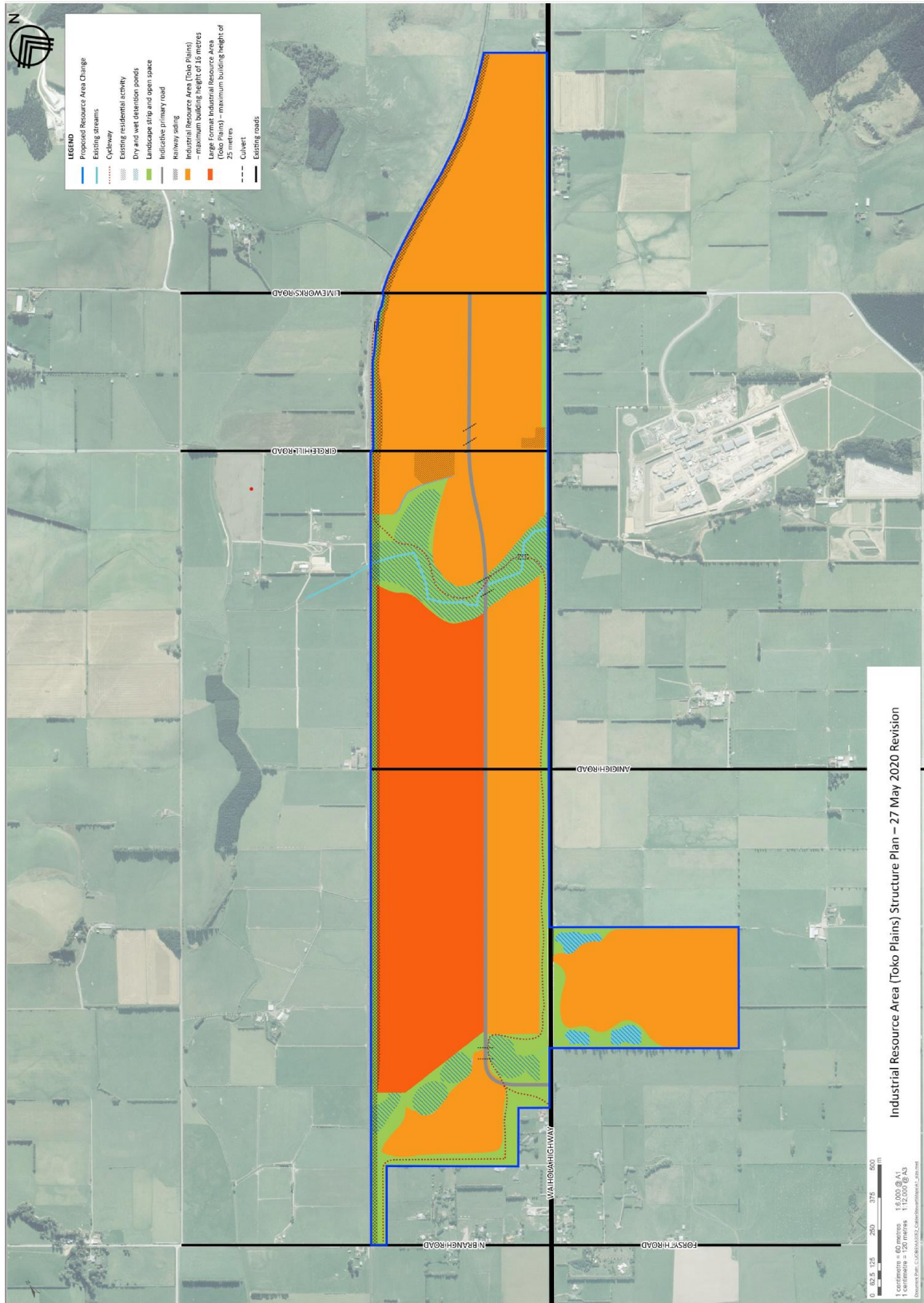
REASONS

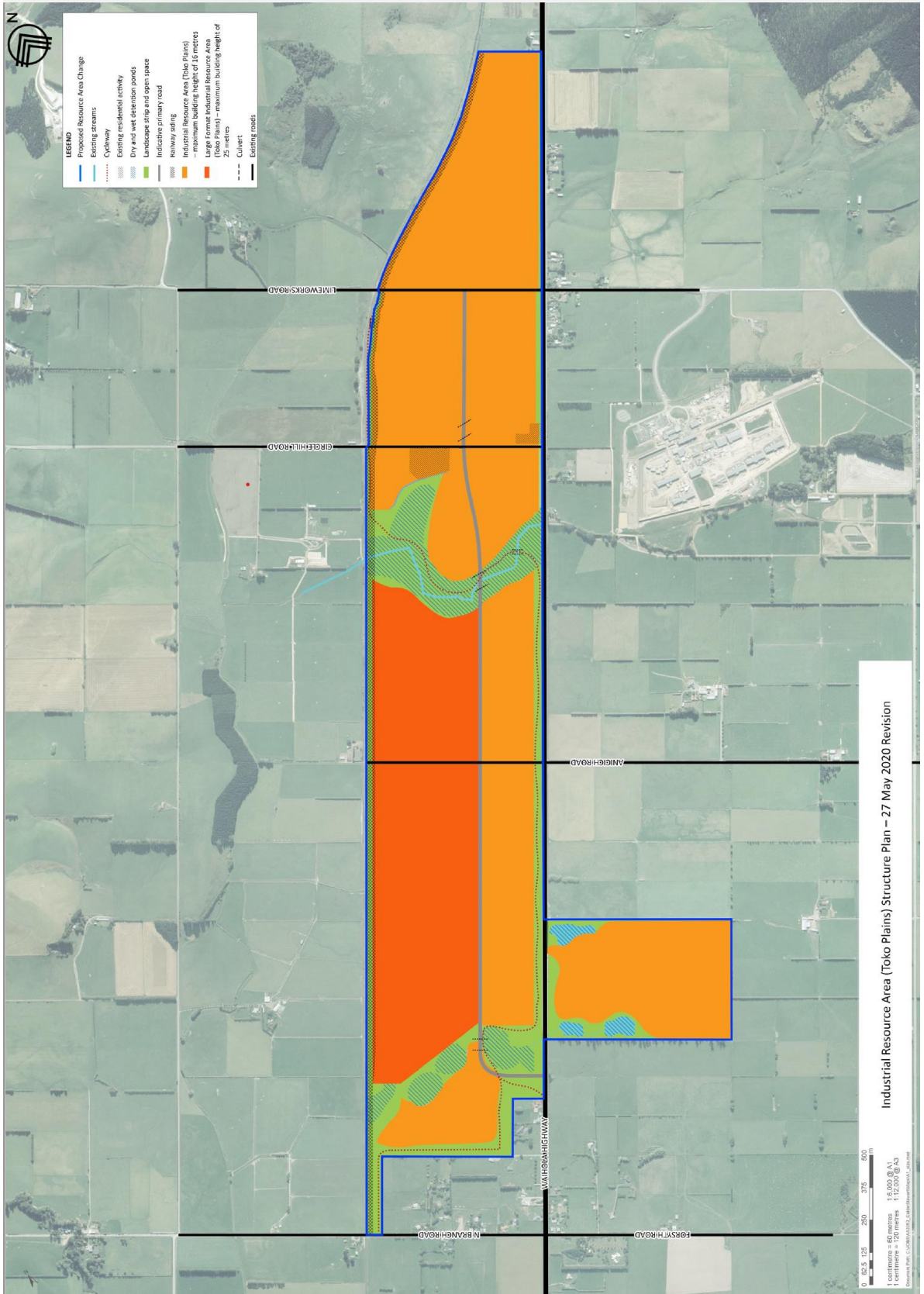
Complaints received are a ready guide as to how effective Council's objectives and policies are in maintaining amenity standards.

4.4.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Adverse effects on properties adjoining Industrial Resource Areas will be reduced.
2. A density of development in unreticulated areas that would avoid or mitigate contamination of groundwater.
3. No conflict is experienced between industrial activities and non-industrial activities within the zone.

4.4.7. TOKO PLAINS INDUSTRIAL RESOURCE AREA STRUCTURE PLAN





4.5. TRANSITIONAL RESOURCE AREA

4.5.1. OVERVIEW

In considering the issues of the District's Rural Resource Areas, Council identified several areas of concern in relation to residential development. Intensive residential development in rural areas compromises the open space amenity values of the District, and adversely affects soil and water quality. The third issue identified - the unsustainable development of public resources as a result of residential development - has dictated the need for stronger controls on residential activity on the fringe of some urban areas. These areas have been identified as Transitional Resource Areas on the Planning Maps.

4.5.2. THE ISSUES

The following are considered to be the significant resource management issues found in the Transitional Resource Area.

- **Residential development adjacent to Urban Resource Areas places pressure on Council to extend public network services creating a situation which promotes unsustainable management of the District's Urban environment.**

Explanation

The sporadic and uncontrolled development of residential activity on the fringes of towns places pressure on Council to extend public services into areas for which current schemes are not designed to reticulate. Succumbing to this pressure leads to the unsustainable development of such services.

- **The cumulative effect of septic tank drainage systems is adversely affecting water quality.**

Explanation

Intensive development utilising septic tank drainage causes problems such as contamination of groundwater, pollution of waterbodies, poor drainage, odour and other health related problems. With these areas being subjected to intensive development pressure stronger controls are justified.

4.5.3. OBJECTIVES AND POLICIES

The Objectives and Policies of the Urban Resource Area will also apply to the Transitional Resource Area unless this section provides otherwise. The following objectives and policies are specific to the Transitional Resource Area.

OBJECTIVE TRA.1

To achieve a density of development which avoids or mitigates adverse effects on water quality and network services.

POLICY TRA.1

To avoid the adverse effects of development on water quality.

Explanation

The cumulative effect of development in these areas leads to a lowering of water quality. The increasing pressure for development these areas are under will compound the problem. Development will be controlled to avoid these problems.

(Refer Rule TRA.2)

POLICY TRA.2

To mitigate the effects of having to extend or upgrade public network services into these areas.

Explanation

Upgrading or extending network utility services to supply areas outside the schemes design capacity has the effect of making that resource unsustainable. Those who receive the benefit should bear the cost without the general ratepayer having to contribute.

(Refer Rule TRA.3)

4.5.4. RULES

RULE TRA.1 OTHER APPLICABLE RULES

Any activity undertaken within the Transitional Resource Area shall take place in accordance with the rules of the Urban Resource Area set out in Section 4.3.5, and the rules of Section 3 of this Plan, unless this Section provides otherwise.

RULE TRA.2 SUBDIVISION AND MINIMUM SITE AREAS

- (i) Any activity (other than network and public utilities) shall require a minimum site area of 4000m².

REASON

Establishment of a minimum site size is seen as the most efficient, cost effective and the most easily understood mechanism to control density of development.

The 4000m² minimum area is recognised by Council as an adequate area to dispose of effluent wholly within the confines of the site. This area also has an historical association with such places as Tokoiti.

The minimum area also ensures a low density of development in these areas which should reduce the cumulative effects on water quality, and ensures that reticulation can be eventually provided on a sustainable basis.

- (ii) Subdivision is a restricted discretionary activity. Council shall restrict the exercise of its discretion to those standards and matters set out in Rule SUB 1(d) and SUB.4.

PROVIDED THAT

subdivision of any site to below the 4000m² minimum area (other than for public utility and network operations) is a prohibited activity until such time as the site is fully reticulated.

REASON

When reticulated waste disposal systems are provided Council will consider resubdivision of minimum site areas as the threat to health and water quality will have been reduced or mitigated against.

RULE TRA.3 NETWORK UTILITY SERVICES

No Council Network Utility Service shall be extended into these areas unless

- the developer is prepared to pay the cost of extending and/or upgrading any such service;

OR

- the extension or any upgrading required can be economically funded by the particular neighbourhood it would serve.

REASON

This rule does not restrict the extension of the network services into these areas but those who benefit from that service must bear the cost.

In terms of Clause 6 Part II of the Second Schedule of the Act, this rule establishes the sequence and timing of providing public works to these areas.

4.5.5. OTHER METHODS

METHOD TRA.1 MONITORING

To assess the effectiveness of these policies and rules Council shall:

- analyse the number of building consents granted for these Resource Areas;
- where deemed appropriate, survey ground water quality;
- monitor the need for full reticulation.

REASON

Monitoring will establish the trend of development in these areas and will indicate to Council full reticulation systems are necessary.

4.5.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. A density of development that will avoid or mitigate contamination of groundwater.
2. No unsustainable extension of public services.

4.6. RURAL SETTLEMENTS

4.6.1. OVERVIEW

Rural settlements are settlements with an historical subdivision pattern where development has occurred although has not occurred to a degree that was anticipated when the survey was originally undertaken. Consequently, there is often a large number of small sites available for development. In determining where development should be permitted to continue, Council considered what development already existed and what level of community facilities were present. Thus, where there was a reasonable amount of residential development together with a public facility such as a hall, Council considered it appropriate that development be allowed to continue there. However, where the historical subdivision comprises only a small number of dwellings or none at all, Council reasoned that these areas could not be considered rural settlements and consequently the rules for development in rural areas would apply.

Within the Rural Settlement Resource Area there are also a number of coastal settlements including a number of which have developed without appropriate subdivision and development consents. Council initially considered differentiating between inland and coastal settlements based on the special status given the coast by the Act. However, it was considered that for the most part the issues for each type of settlement were similar, given the fact that the natural character of the coast is not a significant issue in a developed coastal area. Coastal settlements are subject to some unique issues, however, such as the effects of sea level rise, coastal erosion and sand dune migration.

4.6.2. THE ISSUES

The following are considered to be the significant resource management issues facing the rural settlements in the District.

- **The loss of population and services in these settlements has created a situation where development is often unsustainable.**

Explanation

The last decade or so has seen the gradual erosion of public services to rural settlements and a steady decline in population. These trends have adversely affected the viability of these communities and have created a situation whereby maintaining and developing existing resources becomes unsustainable.

- **The quiet amenity values of these settlements can be adversely affected by some rural activities and by rapid and uncontrolled population growth.**

Explanation

The quiet, peaceful lifestyle of rural settlements has always been a major attraction and is becoming more appealing to a greater number of people. Activities generating noise, dust etc have the potential to detract from this. Activities that create a rapid and uncontrolled growth in population also detract from these values.

- **Intensive development of these settlements leads to effluent drainage problems.**

Explanation

Intensive development of small rural settlements can have an adverse effect in terms of drainage and other servicing problems.

- **The effects of dynamic coastal processes including sea level rise on low lying rural settlements.**

Explanation

As noted in Section 4.2 Coastal Resource Area, sea level is rising in New Zealand. A number of settlements in the Clutha District are threatened such as Toko Mouth, Jacks Bay, Newhaven and Willsher Bay. A number of settlements are also affected by other dynamic coastal processes such as erosion, sand dune migration etc.

4.6.3. OBJECTIVES AND POLICIES

OBJECTIVE RST.1

To maintain the low density and quiet amenity values of rural settlements.

OBJECTIVE RST.2

To promote the sustainable management of public services developed in rural settlements.

OBJECTIVE RST.3

To take into account the fact that some natural features may migrate inland as the result of dynamic coastal processes when considering subdivision, use and development of rural settlements located in the coastal environment.

POLICY RST.1

To restrict rural settlement development to within the existing historical subdivision pattern unless unique circumstances or a change in circumstances necessitates otherwise.

Explanation

Development of these settlements has occurred on the existing subdivision pattern and to protect the surrounding rural amenity values and to reduce the effects of sporadic development in the rural area it was felt that development should continue to be limited to existing sites.

(Refer to Planning Maps)

POLICY RST 2

To ensure that the subdivision, use and development of the Rural Settlements of the District promotes the sustainable management of reticulation and roading services.

Explanation

Development of rural settlements should not take place at the expense of the general ratepayer. By maintaining a low-density settlement, the need for unsustainable public reticulation systems will be reduced.

(Refer to Rule RST.2, 4, 6 and 8)

POLICY RST 3

To avoid, remedy or mitigate the adverse effects that activities can have on the amenity values of rural settlements.

Explanation

The attraction of these small rural settlements to many people is the quiet peaceful lifestyle. Maintaining the low density of these settlements will continue to protect these values.

(Refer to Rule RST.1 to 9)

POLICY RST 4

To manage new subdivision, use, and development to ensure that it is located and designed so that the need for hazard protection works is avoided.

Explanation

Dynamic coastal processes (including sea level rise) can cause the inland migration of natural features. New subdivision use and development must recognise and provide for such a possibility. This policy reflects Policies 3.4.4. and 3.4.5 of the New Zealand Coastal Policy Statement.

(Refer Rule RST.2 and 6)

4.6.4. RULES

RULE RST.1 GENERAL SECTION

Any activity must conform with the provisions of Section 3 of this Plan.

Note in particular:

3.3 Transportation

3.5 Heritage

3.9 Natural Hazards

3.11 Other Environmental Issues

3.12 Signs

3.13 Noise

RULE RST.2 RESIDENTIAL ACTIVITIES

Except as provided for by Rule RST.5(b), any residential activity is a permitted activity provided that:

- (i) the minimum site area is not less than 1600m² and the criteria of Rule RST.8 can be met.

PROVIDED THAT

the minimum site area does not apply to existing urban sites in Pounaweia and Papatowai

- (ii) A potable supply of water can be provided to each residential unit.
- (iii) Adequate vehicular access is provided, and that where such access is not on legal roadline, or is on unformed or non-maintained roadline, the construction and maintenance of that access shall be the sole responsibility of the owner and must be in accordance with the relevant Council standards as set out in Section 3.2 of this Plan in particular, Rule TRAN.1 and Rule TRAN.4

PROVIDED THAT

where access is to be directly onto a State highway, the provision of access shall be considered as a restricted discretionary activity. Discretion shall be restricted to the effect of the design and location of the access point on the safe and efficient operation of the State highway.

- (iv) The requirements of Rule URB.4 are met; and
- (v) That in respect of Newhaven, evidence is submitted to Council which clearly establishes that the threat of erosion, slippage or subsidence has been avoided.

REASON

In permitting residential development in these settlements, Council's aim is to maintain low density settlements, reflecting existing amenity values, and to ensure that effluent can be disposed of adequately within the site boundary. Developers are also to provide other services (such as roading and water supply where no supply exists), which will minimise the impact on public expenditure on these services. Newhaven is subject to coastal erosion and this must be recognised before any development takes place.

RULE RST.3 PAPAKAIKA HOUSING

Multi-unit Papakaika housing is a controlled activity, and shall be assessed in accordance with the standards, terms and controls set out in Rule MAO.4.

RULE RST.4 NON-RESIDENTIAL ACTIVITIES

Any non-residential activity, other than those activities listed in Rule RST 5 where:

- Access to public roads is provided in accordance with Rule TRAN.4
- Loading facilities are provided in accordance with Rule TRAN. 5
- Parking is provided in accordance with Rule TRAN.6
- The requirements of Rule RST. 7 and 8 are complied with
- An adequate supply of potable water is supplied for the needs of the occupier

is a controlled activity.

PROVIDED THAT

where access is to be directly onto a State highway, the provision of access shall be considered as a restricted discretionary activity. Discretion shall be restricted to the effect of the location and design of the access point on the safe and efficient operation of the State highway.

Council shall exercise its control in respect of:

- (i) the size, design and location of signs and their effect on visual amenities.
- (ii) the effect on amenity values.
- (iii) bulk and location of buildings.

Any activity that does not comply with these standards shall be considered as a discretionary activity.

REASON

It is not envisaged that such settlements will ever attract large scale retail, commercial or industrial activities. The effects of small-scale developments can be mitigated by conditions of consent. It shall be noted that temporary military training activities are not considered non-residential activities (see definition of Non-Residential Activities in Section 5).

RULE RST.5 DISCRETIONARY ACTIVITIES
--

- (a) Any activity that has the effect of generating, or the potential to generate,
 - (i) noxious, hazardous or objectionable wastes,
 - (ii) volumes of heavy traffic,
 - (iii) excessive or nuisance noise types, or
 - (iv) uses or stores hazardous substancesshall be considered as a discretionary activity

REASON

These types of effects are generally incompatible with the predominantly residential nature of these settlements. These effects have the potential to adversely effect the quiet amenity of these areas.

- (b) The addition to or construction of buildings and structures within 20 metres each side of the centre line of high voltage transmission lines designed to operate at or over 110 kv is a discretionary activity.

PROVIDED THAT

This rule does not apply to fences or buildings not occupied by human or animals for whatever purpose.

REASON

This rule will ensure that the public is reasonably protected from live transmission lines in the event of an emergency which results in a line failure. It will also enable ease of operational access by the network utility operator for maintenance and upgrading purposes.

Fences and buildings that are not occupied or used by humans or animals are not subject to this restriction.

(c) The planting of production forestry shall be a discretionary activity.

REASON

Production forestry in an area that has a significant residential component can have significant adverse effects on the amenity values of neighbouring properties. Such adverse effects can include shading, obscuring of view, and a potential fire risk.

RULE RST.6 SUBDIVISION

(i) Further subdivision in the following settlements is a non-complying activity;

- Bull Creek
- Toko Mouth
- Willsher Bay
- Newhaven

REASON

Toko Mouth, Willsher Bay and Newhaven are all located in a coastal hazard area. There is room for further development within the existing subdivision pattern. In light of the risk from natural hazards to these sites, Council considers it prudent to restrict further subdivision. Bull Creek is a unique settlement in that none of the existing dwellings have individual title. Furthermore, the area is identified as an area of natural character. Council considers it appropriate that no further development be permitted here until such time as the issue of land tenure is resolved.

Effluent disposal is also seen as a potential problem in some areas of Bull Creek and Toko Mouth.

(ii) Subdivision in the remaining Rural Settlements Resource Areas is a restricted discretionary activity provided the following standards are complied with:

- the site has a minimum area of not less than 1600m², provided that this does not apply to network and public utilities, and
- the site is capable of the adequate and safe disposal of effluent in terms of Rule RST.8
- the standards set out in Rule SUB.4 are met.

Council shall restrict the exercise of its discretion to those matters set out in Rule SUB. 1(d).

REASON

Provided subdivision recognises the site requirements in relation to effluent disposal in these settlements, the other effects of subdivision, such as access, can be adequately dealt with by conditions attached to any consent. The 1600ml minimum will retain the low density of these settlements.

RULE RST.7 NOISE PERFORMANCE STANDARD

- (i) The provisions of Section 3.13 shall apply unless otherwise stated by this rule.
- (ii) No activity shall generate a corrected noise level that exceeds the following noise limits:

Weekdays and Weekends

7am-10pm	L10	55dBA
10pm-7am	L10	45dBA

REASON

Noise can have a great effect on amenity values. Council's 1993 Noise Study of the District established these levels as appropriate for Rural Settlement Areas.

RULE RST.8 SITE PERFORMANCE STANDARD

All sites shall be capable of the effective disposal of effluent safely within the site

PROVIDED THAT

for any site below 4000m² Council shall require a certificate from Council's Environmental Health Officer or from a person professionally qualified in effluent disposal that effluent can be safely disposed of within the site

Where a site:

- (i) Cannot adequately or safely dispose of effluent, or
- (ii) the cumulative effect of disposing of that effluent in the manner selected is or could potentially have an adverse effect on the environment,

the activity generating the effluent on that site shall be considered a non-complying activity.

REASON

Rural settlements are unreticulated and consequently intensive development can have a significant effect on the environment, particularly in terms of amenity values and water quality. Council therefore considers that any activity that generates unsafe effluent loads shall be considered as non-complying activities.

RULE RST.9 KEEPING OF ANIMALS

The keeping and/or grazing of animals, excluding intensive farming activities, is a permitted activity provided adverse effects on adjoining properties and the margins of rivers, lakes and coast are avoided or mitigated.

REASON

The grazing of horses, sheep and the keeping of poultry are generally accepted practices in these settlements. Provided animals are not "factory farmed" for commercial purposes, adverse effects are minimal.

4.6.5. OTHER METHODS

METHOD RST.1 MONITORING

To assess the effectiveness of these policies and rules Council shall analyse complaints received

REASON

Complaints received are a ready guide as to how effective Council's objectives and policies are in maintaining amenity standards.

METHOD RST.2 NOTIFICATION REQUIREMENTS

Except as otherwise stated, controlled activities and restricted discretionary activities will generally be considered without notification or the need to obtain written approval of affected persons.

4.6.6. ANTICIPATED ENVIRONMENTAL RESULT

1. Maintenance of low-density development.
2. Maintenance of quiet rural-residential environment.
3. Stabilisation of rural population.
4. Maintenance of environmental quality.



5. DEFINITIONS AND PLANNING MAPS

Any term or expression not defined in this Plan but which is defined by the Act shall have the meaning given to it by the Act.

In this District Plan, unless the context otherwise requires:

'THE ACT' means the Resource Management Act 1991.

'ACCESSORY BUILDING' in relation to any site means a subordinate detached building or structure (and includes a car port, garage, sleep-out or Granny flat) if

- (a) The use is clearly incidental to the site or the principal building on the land, or to any permitted use of the land if not built upon, and
- (b) The use is customary in connection with the principal building or permitted use of the land, and
- (c) The use is located on the same site as the principal building.

An accessory building includes a freestanding garage, but not a garage which is structurally part of or attached to the principal building on a site.

'ACCESS LOT' in relation to a rear site means an area of land whether part of the site or not extending from the street frontage to that site, of a minimum specified width for the permanent and legal use of that site for ingress and egress only.

'ADVANCE WARNING/DIRECTIONAL SIGN' means a sign, whose sole purpose is to alert the road user of a place ahead, to allow sufficient time for an appropriate driver response or a sign whose sole purpose is to provide direction to a facility or place off a main route.

'AMENITY PLANTING' shall include trees or shrubs designed to achieve substantial screening of the equipment, site or activity.

'ARCHAEOLOGICAL SITE' means any place in the District that:

- (a) Either:
 - i. was associated with human activity that occurred before 1900; or
 - ii. is a site of the wreck of any vessel where that wreck occurred before 1900 and
- (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.

'BEST PRACTICABLE METHOD' means the best method for preventing or minimising adverse effects on the environment having regard, among other things, to -

- (a) the nature of the activity, and the sensitivity of the receiving environment to adverse effects; and
- (b) the financial implications, and the effects on the environment, of that option when compared with other options; and

- (c) the current state of technical knowledge and the likelihood that the option can be successfully applied; and
- (d) the long-term effect of continuing the chosen option when compared with other options.

'BUILDING' shall have the same meaning as that contained in Section 3 of the Building Act 1991.

'BUILDING LINE RESTRICTION' means a restriction imposed on a site to ensure that when new buildings are erected, or existing buildings relocated, altered or substantially rebuilt no part of any such building shall stand within the area specified.

'BUILDINGS THAT ACCOMMODATE PEOPLE' means any dwelling; commercial residential building; places of assembly; buildings that accommodate service, commercial, industrial, hospitality, tourist, recreation, education and health service activities.

'COMMERCIAL SERVICE ACTIVITIES' include but are not limited to tourist, hospitality, accommodation and motorist service activities.

'COMMUNITY SUPPORT ACTIVITIES' means activities whose primary purpose is supporting the health, safety, welfare, education, cultural and spiritual well-being of the community.

'COUNCIL' means the Clutha District Council or any committee, subcommittee, or person to whom the Council's powers, duties, and discretions under the Act have lawfully been delegated.

'CRUSH ZONE' means an area or location where rock has been broken and pulverised through past movement. Some fault zones may be crush zones.

'CUT-OFF' means a constructed collection or diversion channel for the purposes of carrying surface run-off water away from bare ground and towards stable areas or into rivers.

'DEVELOPMENT' means development or redevelopment by:

- (a) Constructing, erecting, or altering any one or more buildings or associated works for the purpose of providing 3 or more new, or 2 or more additional, household units; or
- (b) Constructing, erecting, or altering any one or more buildings, fixed plant and machinery, or associated works intended to be used solely or principally for administrative, commercial, or industrial purposes or any combination of those purposes.

For the purposes of this definition, the construction, erection, or alteration of any buildings, fixed plant and machinery, or associated works shall include –

- (i) The fencing, draining, excavation, filling, or reclamation of land, or the making of retaining walls or associated works relating to that fencing, draining, excavation, filling, or reclamation; and
- (ii) The grading or levelling of land or the removal of rocks, stone, sand, or soil from land; and
- (iii) The removal or destruction of vegetation; and
- (iv) The arresting or elimination of erosion or flooding; and
- (v) The construction of any tramway, railway, road, transmission lines and pipelines

relating to any such construction, erection, or alteration.

Where it is proposed to construct, erect, or alter one or more buildings, fixed plant and machinery, or associated works in stages and the total proposed construction, erection, or alteration would, if carried out otherwise than in stages, constitute a development as defined in the foregoing provisions of this definition, the total construction, erection, or alteration shall constitute one development for the purposes of this Plan.

‘DISTRIBUTION NETWORK’ means a distributor’s lines and associated equipment used for the conveyance of electricity on lines other than lines that are part of the national grid.

‘DISTRIBUTOR’ means a business engaged in distribution of electricity.

‘DISTRICT’ means the Clutha District

‘DWELLING HOUSE’ (as defined by the Act) shall include Dwelling Unit and Dwelling and are considered residential activities.

‘EARTHWORKS’ means any modification to the shape of the ground surface by movement or removal of soil and includes excavation, infilling and construction of any road, track, or drainage channel but does not include cultivation or the planting of crops.

‘ECOSYSTEM’ means a community of living organisms together with its physical and chemical environment.

‘EMERGENCY SERVICE FACILITIES’ means those facilities of authorities which are responsible for the safety and welfare of the people and property in the community and includes fire stations, ambulance stations and police stations.

‘ENCROACHMENT PLANE’ shall have the same meaning as ‘Recession Plane’.

‘END HAULING’ means a technique of track, road or landing construction that requires the transport of spoil to a disposal area away from the site of construction.

‘ELECTRICITY GENERATION FACILITY’ means a facility, operation or activity which utilises or converts natural resources into electricity or transforms one energy type into electricity, and includes hydroelectric, thermal and geothermal power stations, wind turbines, solar, biomass, wave and ocean current generation etc. but excludes co-generational plants constructed as part of an industrial activity. This includes the system of electricity conveyance (including substations) required to convey electricity to the distribution network and/or the national grid but excludes the distribution network and/or the national grid.

‘ENVIRONMENTAL COMPENSATION’ means any action (work, services, financial contribution or restrictive covenants) to compensate for the environmental effects of activities that cannot be avoided, remedied or mitigated. It provides positive measures to correct, balance or otherwise atone for the loss of the resource or value affected.

‘ERECTION’ in relation to any building, includes the re-erection or structural alteration of, or the making of any addition to the building, or the placing of the building on a site, or the placing of the building from a position on a site to another position on the same site; and **‘erect’** and **‘erected’** have corresponding meanings.

‘EXCAVATION’ means the removal of any soil, earth or rock from any point of any site.

‘EXISTING’ in relation to buildings and uses, means lawfully established before this Plan was notified as a proposed Plan and lawfully continuing in existence the effects of which are the same in character, intensity and scale to those existing prior to this Plan being notified as a proposed Plan.

‘EXPLORATION’ means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of one or more minerals; and includes any drilling, dredging, or excavation (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence.

'FAMILY FLAT' means an independent and self-contained one bedroom residential building located on the same site as a dwelling and occupied by a person dependant on the household that lives in the dwelling.

'FLOOR SPACE' means the sum of the total areas of several floors of a building or buildings (including any void area in those floors such as service shafts or lift or stair wells) measured from the exterior faces of exterior walls or from the centre lines of walls separating two buildings. For assessing parking requirement it excludes the floor space allocated to car parking or vehicular access to car parking.

'GARAGE' means a building or land used for the housing or care of self-propelled vehicles but does not include a garage in which self-propelled vehicles not belonging to the occupier of that land or building are stored, serviced, overhauled or repaired, or in which three or more self-propelled vehicles used for any administrative, commercial, or business purpose are housed or cared for.

'GROUND LEVEL' shall be deemed to be the lowest of the following levels as are appropriate to the site in question:

- (i) the natural level of the ground or the finished level of the ground as a result of an approved subdivision
- (ii) the finished level of the ground as a result of excavation for building construction works.
- (iii) or the finished level of the ground as a result of any subsequent works.

'HEIGHT PLANE' in relation to a building is a plane parallel to ground level through which a building may not project except as may be prescribed in this Plan.

'HOARDING' means any building, wall, fence, structure, or erection or part thereof which is erected or used for the purposes of exhibiting or displaying any advertisement, placard or inscription; and also any building, wall, fence, structure, erection upon or against which any advertisement, placard or inscription is displayed, and includes any sign used to advertise anything not sold on the premises where the sign is situated provided this does not apply to any signs associated with the sponsorship of sporting or recreational activities and located within the grounds used for that activity (although excluding signs on roof tops) or any such sign otherwise permitted by this Plan.

'HOME OCCUPATION' means an occupation, craft or profession which:

- (a) Is carried on by a member of the family residing in the dwelling on the site; and
- (b) Is clearly accessory and secondary to the use of the dwelling for residential purposes; and
- (c) Conforms to the following:
 - (i) the occupation, craft or profession shall be carried out either wholly within a principal building or within an accessory building erected or modified for the purposes; and
 - (ii) no more than two persons outside the family shall be employed in the home occupation; and
 - (iii) there shall be no exterior display, no exterior sign (except as permitted under the relevant rules for the District Plan Resource Area), no exterior storage of materials, no other exterior indication of the home occupation or variation from the residential character of the principal building or the neighbourhood.

'HOUSEHOLD UNIT' means the self-contained house or residence of a single household.

'INDIGENOUS' in relation to a species of flora or fauna means a species that occurs naturally in New Zealand, resident or migratory, or arrived in New Zealand without human assistance.

‘INDIGENOUS VEGETATION’ means plant communities dominated by species that are indigenous to New Zealand and includes forest, scrub, shrubland, grassland and wetland vegetation; while the **clearance, modification or removal of ‘Indigenous Vegetation’** means the felling, clearing or modification of any indigenous vegetation by cutting, crushing, mulching, cultivation (including direct drilling), spraying (including effluent or water containing contaminant), burning, grazing or the planting of exotics within. Note: this does not apply to indigenous vegetation that has been deliberately planted for the purpose of harvest.

‘INFRASTRUCTURE’ for the purposes of this plan means:

- (d) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy:
- (e) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001:
- (f) a network for the purpose of radio communication as defined in section 2(1) of the Radiocommunications Act 1989:
- (g) lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity and associated equipment including distribution substations(excluding lines and associated structures and equipment that are associated with facilities for the generation of electricity:
- (h) a water supply distribution system, including a system for irrigation:
- (i) a drainage or sewerage system:
- (j) structures for transport on land by cycleways, rail, roads, walkways, or any other means:
- (k) facilities for the loading or unloading of cargo or passengers transported on land by any means:
- (l) an airport as defined in section 2 of the Airport Authorities Act 1966:
- (m) a navigation installation as defined in section 2 of the Civil Aviation Act 1990 and other navigation and safety devices:
- (n) 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:
- (o) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166

Note: that the definition in the Resource Management Act 1991 includes facilities for the generation of electricity. These facilities are dealt with separately in this Plan.

‘INTENSIVE FARMING’ means:

- the use of land and/or building for the production of commercial livestock where the regular feed source for such livestock is substantially provided other than from grazing the site concerned, or
- intensive pig farming, or
- boarding of animals, or
- mushroom farming, or
- the disposal of effluent as part of any intensive farming activity,

‘INTENSIVE PIG FARMING’ means keeping in excess of 5 pigs beyond weaner age, mainly within buildings or outdoors at a stocking density which precludes the maintenance of ground cover.

‘LANDING’ means an area constructed for the purpose of log assembly or log making.

‘LANDSCAPED’ means laid out and maintained with features such as trees, shrubs, lawns, paving, walls and screens so as to enhance the amenities of the site and surrounding area.

'LOADING' in relation to a vehicle includes the fuelling and unloading of it, and the adjustment or covering or tying of its load and the loading or adjustment of any part of its load; and 'load' in relation to a vehicle, has a corresponding meaning.

'LOADING SPACE' means that part of a site used by vehicles to move from the vehicle crossing to any parking space or loading space and includes all driveways and aisles and may be part of an access strips.

'MANOEUVRE AREA' means that part of a site used by vehicles to move from the vehicle crossing to any parking space or loading space and includes all driveways and aisles and may be part of an access strip.

'METEOROLOGICAL ACTIVITIES' means the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links associated with such activities.

'MINING' shall have the same meaning as in Crown Owned Minerals Act 1991.

'MULTI-UNIT RESIDENTIAL DEVELOPMENT' means a residential activity comprising of two or more household units on one site (whether contained in one building or not) but does not include camping grounds, licensed premises or travellers accommodation.

'NATIONAL GRID' means the lines and associated equipment used or owned by Transpower to convey electricity (including any associated sub-stations).

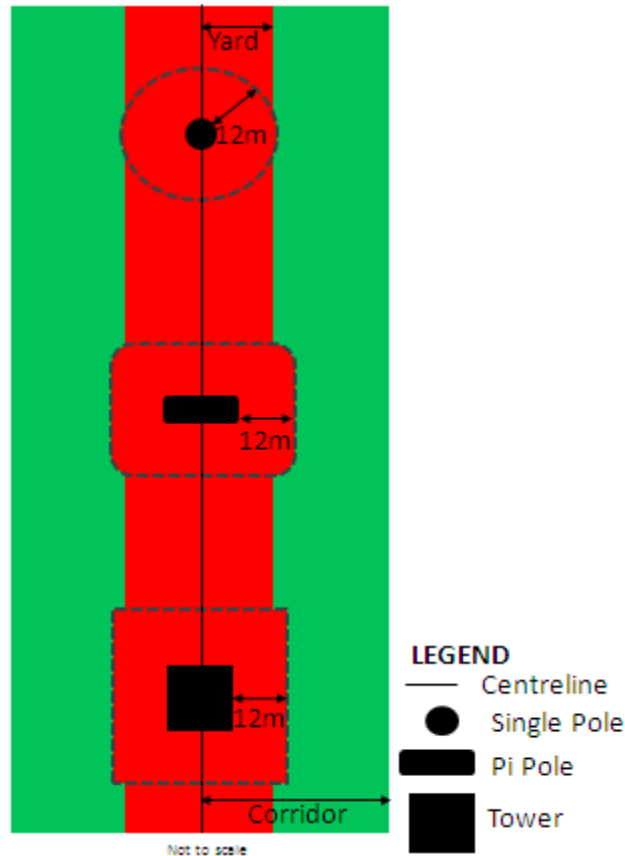
'NATIONAL GRID SUBDIVISION CORRIDOR' means the area measured either side of the centreline of above ground national grid line as follows:

- 16m for the 110kv lines on pi poles
- 32m for 110kv lines on towers
- 37m for the 220kv transmission lines

Note: the national grid subdivision corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.

'NATIONAL GRID YARD' (shown in red in diagram below) means:

- the area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- the area located 12 metres either side of the centreline of any overhead National Grid line;



Note: The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

‘NET SITE AREA’ means the difference in area between the area of the site and the area of its access leg, and for a front, corner, or through site means the total area of the site.

‘NETWORK UTILITY’ is to have the same meaning as that of "network utility operation" as set out in Section 166 of the Resource Management Act 1991 and for the purposes of this Plan also includes lighthouses, navigation and survey aids and beacons, and meteorological activities.

‘NON-NOTIFIED APPLICATION’ means any application which may be made without public notice pursuant to the Act, and any Rule of this Plan.

‘NON-RESIDENTIAL ACTIVITY’ means all activities, other than Residential Activities, excluding the keeping of animals and temporary military training activities.

‘OFFSETTING ADVERSE EFFECTS’ for the purposes of this plan is a form of mitigation of an adverse effect directly caused by a development.

‘PARKING’ in relation to any vehicle includes the stopping or standing of the vehicle in approximately the same place, whether the driver is with the vehicle or not, whether the engine is running or not, and whether the vehicle is capable of moving under its own power or not.

‘PARKING AREA’ means that part of a site within which vehicle parking spaces are accommodated, and includes all parking spaces and manoeuvre areas.

‘PARKING SPACE’ means an area of land formed and set aside exclusively for the parking of a motor vehicle.

‘PLACES OF ASSEMBLY’ means any building used primarily for worship, recreation, education or deliberation and includes any church, church hall, funeral director's chapel, clubrooms, gymnasium, pavilion, indoor sports facility, community centre, or marae buildings.

‘PRIVATE HOTEL’ means a residential building in which board and lodging is provided or is intended to be provided for no more than 5 boarders or lodgers, other than members of the family of the occupier, or person in charge and control of the building, for reward or payment; and includes a boarding house, but does not include a building forming part of a camping ground, licensed premises or travellers accommodation (as defined).

‘PROPERTY’ means land held by one person in one or more adjacent certificates of title, and includes land held by one person that is traversed by a road, whether unformed or formed.

‘PROSPECTING’ means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes:

- Geological, geo-chemical and geophysical survey; and
- The taking of samples by hand or handheld methods; and
- Aerial surveys

‘UNDERLYING RESOURCE AREA’ means the Resource Area which would apply to land if the existing designation or reservation over the land was removed.

‘RADIOCOMMUNICATION’ has the same meaning as in Section 2(1) of the Telecommunication Act 1987.

‘RECESSION PLANE’ in relation to a building means a plane inclined at an angle to the horizontal and extending from points above each site boundary over the whole site through which a building may not project except as may be prescribed in this Plan. ‘Encroachment Plane’ shall have the same meaning.

‘RECONTOURING’ means any earthworks that result in the reshaping of the surface of a more or less continuous area of ground and for the purposes of this Plan excludes road construction, drainage works, and the infilling and levelling of paddocks.

‘RECREATIONAL ACTIVITY’ shall mean any indoor or outdoor passive or active sports or games or recreational pursuits for participants and/or spectators whether or not they are undertaken for profit or reward or for which no charge is made and shall include such activities on or in water, land or in the air.

‘REMOVAL OF TOPSOIL’ means removal of topsoil from the site.

‘RENEWABLE ELECTRICITY GENERATION’ means generation of electricity from solar, wind, hydro, geothermal, biomass, tidal, wave, or ocean currents resources.

‘RENEWABLE ELECTRICITY GENERATION ACTIVITIES’ means the construction, operation and maintenance of structures associated with the generation of renewable electricity. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electric storage technologies associated with renewable electricity.

‘RESIDENTIAL ACTIVITY’ means a use of land and buildings by people for the purpose of living accommodation in a household unit and includes a dwelling house. It includes accessory buildings,

leisure activities associated with needs generated principally from living on the site; home occupation as defined; private hotel as defined, and family flat as defined.

'RESIDENTIAL BUILDING' means any building or part of a building used or intended to be used for human habitation as a residential activity.

'RESIDENTIAL SITE' means a site occupied by one or more dwellings.

'RIPARIAN VEGETATION' means the vegetation on areas of land immediately adjacent to any river, lake, wetland, or along the coast.

'ROAD' includes **'STREET'** and means an area of land dedicated as road in accordance with the provisions of the Local Government Act 1974. (*Refer to Roading Hierarchy*)

'SCHEDULED FOOTPRINT (FOR ELECTRICITY GENERATION FACILITIES)' is the area that has been consented or otherwise authorised for activity as defined in the District Plan. It also includes the maximum consented/authorised height of any structure associated with the facility; the consented/authorised maximum operating water level of any water body used in the generation of electricity; and the transmission lines to the national or local grid and electricity substations and associated infrastructure that may not be located within the mapped area. **'EXISTING ENVELOPE'** has the same meaning for any lawfully established electricity generation facility except that it will not be defined in the District Plan.

'SENSITIVE ACTIVITY' means any use of land and/or buildings which is likely to be susceptible to the effects emitted from nearby land uses in the course of their legitimate operation and functioning; and for the purposes of this plan this includes the following activities (or similar):

- Residential building.
- The accommodation or care of people, including hospitals, retirement homes, and travellers accommodation.
- Early childhood, primary, intermediate, secondary schools and tertiary education facilities

'SERVICE LANE' means land dedicated as service lane used from time to time for the vehicular servicing of adjacent properties.

'SIDECASTING' means a technique of road, track, or landing construction that requires the placing of spoil immediately to the side of the site of construction.

'SIGN' shall mean any name, figure, character, outline, spectacle, display, delineation, announcement, poster, handbill, advertising device or appliance, or any other thing of a similar nature to attract attention which is visible from some public place and shall include

- All parts, portions, units, and materials composing same, together with the frame, background, structure and support or anchorage thereof, as the case may be, and shall also include any of the foregoing things when displayed on a hoarding.

'SITE' means an area of land permitted by this Plan and by general law to be used as a separate site of one or more specified or ascertainable uses and includes all related buildings and curtilages.

Any land required to be dedicated for road or road widening shall be excluded as a part of any site for the purposes of this Plan

Where any land held in one Certificate of Title is crossed by any Resource Area boundary that Resource Area boundary shall be deemed to be a site boundary and there shall be deemed to be more than one site.

'SITE AREA' means the total area of the site, excluding any part of the site subject to any proposed road widening, or any designation for a public work, and also excluding the area of any access strip or right of way.

'SITE BOUNDARY' means any boundary of a site and includes any rear boundary, road boundary, side boundary, or Resource Area boundary which crosses within the site.

'SMALL AND COMMUNITY-SCALE DISTRIBUTED RENEWABLE ELECTRICITY GENERATION' means renewable electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network. This includes the system of electricity conveyance required to convey electricity to the local electricity distribution network and/or the national grid.

'SOIL' includes any weathered or disaggregated rock.

'SOIL DISTURBANCE' means the disturbance of soil other than by modification of the shape of the ground surface and includes cultivation, deep ripping, root raking, blading, and compaction.

'STREET' means 'Road'.

'SUBSTATION' means those parts of works or electrical installations, being a building, structure or enclosure, incorporating fittings that are used for the purposes of the control of the transformation, transmission or distribution of electricity and for the purpose of this Plan;

'ZONE SUBSTATION' means any substation exceeding 22kv that generally transforms 33kv electricity to 11 kv, while;

'DISTRIBUTION SUBSTATION' means any substation less than 22kv that generally transforms 11kv to 400v/230v.

'TELECOMMUNICATION' has the same meaning as in Section 2(l) of the Telecommunication Act 1987.

'TELECOMMUNICATION LINE' means a line as defined in Section 2(l) of the Telecommunication Act 1987 except that for the purpose of the Plan, line does not include any supporting structure.

'TELECOMMUNICATION LINK' has the same meaning as in Section 2(l) of the Telecommunication Act 1987.

'TEMPORARY MILITARY TRAINING ACTIVITIES' means activities undertaken for defence purposes as provided for by the Defence Act 1990 and shall:

- (i) require that the written consent of the owner of the property is obtained;
- (ii) be limited to a period not exceeding 31 days;
- (iii) not include the construction of permanent structures;
- (iv) not include earthworks or excavation by mechanical means or of a permanent nature, unless provided for elsewhere in this or any other appropriate plan;
- (v) not include live firing of artillery, dropping of high explosive bombs, firing of air to ground high explosive rockets or machine cannon gunnery from strike aircraft; and
- (vi) comply with civil aviation regulations.

'TOPSOIL' means the topmost layer of the undisturbed soil profile.

'TOURIST INFORMATION SIGN' means a sign erected for the sole purpose to display information to the public regarding a tourist attraction or point of interest as opposed to a facility providing a

service to tourists but for the purpose of this Plan excludes 'Heritage Trail' fingerboard signs as described in the document 'Heritage Trail Signs Manual'.

'TRACK' means any constructed pathway or trail where the formation construction is at least to a standard that is capable of carrying a crawler or wheel tractor or other vehicle, and can include any road.

'TRAVELLERS ACCOMMODATION' means land and buildings used for the accommodation of travellers on a daily tariff basis and includes those premises commonly described as motels, holiday and tourist flats and includes ancillary services or amenities provided on the site such as a retail kiosk, bath house, swimming pool or children's playground which are to be used exclusively by the persons using such accommodation, but does not include a private hotel, hostel or camping ground.

'UTILITY SERVICE LINE' means any land disturbance required for or in connection with the installation of any pipe, cable, drain, channel, or race for utility purposes.

'VEGETATION' includes trees, shrubs, plants, or grasses.

'WATER BODY' means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

'WETLAND' shall have the same meaning as in the Resource Management Act 1991, being, *"includes permanently or intermittently wet areas, shallow water and land/water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions"*.

'YARD' means a part of a site which is required by this Plan to be unoccupied and unobstructed by buildings from the ground upwards, (except as otherwise provided by this Plan) and includes the following;

'FRONT YARD' means a yard between the legal roadline and a line parallel thereto and extending across the full width of the site. Provided also that in the case of a site fronting a road that is proposed to be deviated or widened, this proposed roadline shall be substituted for the existing roadline for the purpose of determining the depth of the front yard.

'REAR YARD' means a yard between the rear boundary of the site and a line parallel thereto extending across the full width of the site. Provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as a centre and a radius of 9 metres.

'SIDE YARD' means a yard between each side boundary of the site a line parallel thereto extending the full length of the site, but excluding there from any part of the site that is included in a front or rear yard.



6. SCHEDULES

SCHEDULE 6.1 RESERVE AND CONSERVATION LAND

The reserves and areas of conservation land listed here are held under either the Conservation Act, the Reserves Act or some other Act for conservation purposes and are identified (rather than designated) as green on the Planning Maps. Section 3.5 Heritage and Rule RRA.13 applies to these areas. Where reserve or conservation area status is revoked the underlying Resource Area noted in the schedule applies.

The schedule attempts to identify conservation areas and all reserves and the status of those reserves within the District as existed at the 1 December 1995. Not all of the Districts reserves may be shown on the planning maps.

Note: Land described as "Conservation Park", "Stewardship" "Covenant" or "State Forest Park" is land held for conservation purposes under the Conservation Act 1987 or some other similar Act concerned with the conservation of natural and physical resources.

"Stewardship" area is defined by the Conservation Act 1987 as follows;

"means a conservation area that is not:

- (a) A marginal strip; or
- (b) A watercourse area; or
- (c) Land held under the Conservation Act for one or more of the purposes described in section 18(1) of the Conservation Act; or
- (d) Land in respect of which an interest is held under this Act for one or more of the purposes described in section 18(1) of the Conservation Act.

"Conservation Area" means any land or foreshore that is:

- (a) Land or foreshore for the time being held under the Conservation Act for conservation purposes; or
- (b) Land in respect of which an interest is held under Conservation Act for conservation purposes.

(Note: Section 18(1) of the Conservation Act provides for land or an interest in land held for conservation purposes to be held for the purpose of a conservation park, an ecological area, a sanctuary area or a wilderness area, or a combination of these by notice in the Gazette).

Site No.	Description	Map No.	Location	Legal Description and Controlling Authority	Underlying Resource Area
R1	Popotunoa Hill Scenic Reserve	G45C and G45D	Popotunoa Estate Road, Clinton	Section 106 Block IX, Pomahaka S.D. DOC	Rural

R2	Bull Creek Scenic Reserve	U11	Bull Creek	Lots 1 and 2, DP 17139. DOC	Coastal
R3	Taieri River Scenic Reserve	U49	Riverside Road Taieri Mouth	Section 12, Block XXIV, Waihola SD and Section 48, Block XI, Clarendon SD DOC	Coastal
R4	Taieri River Scenic Reserve	U49	York Street, Taieri Mouth	Sections 2, 3, Block V, Section 9, Block VI, Section 7, Block VII, Town of Hull, DOC	Rural
R5	Catlins River Scenic Reserve	G46D	Adjacent Catlins Valley Road	Section 25, Block IV, Woodland SD. DOC	Rural
R6	Table Hill Scenic Reserve	G47B	Table Hill	Section 27, Block V, Sections 27, 28, 30, 31, 35, Part Sections 2, 3, 22, Block VI, Woodland S.D., and Lot 1 DP 9851. DOC	Rural
R7	Purakaunui Falls (pt) Scenic Reserve	G47B	Waitangi Stream Road.	Section 37, Block X, Woodland S.D. DOC	Rural
R8	Tahakopa Bay Scenic Reserve	G47B	Papatowai	Lot 2, Part Lot 1, DP 12055, Section 40-48, 37, 34, 35, Part Section 1, 8 and 36, Block IX, Woodland S.D. DOC	Coastal
R9	Tahakopa River Scenic Reserve	G47A	Harrington Mill Road, Tahakopa River	Part Section 13, 14, Block II, Tautuku S.D. and Section 17, Resumed Road adjacent Sections 12, 20, 22, Block I, Tautuku S.D. (SO 22093) DOC	Rural
R10	Warepa Scenic Reserve	H46C	Wilson Road Romahapa	Sections 19, 20, 21, Part Sections 2 of 9, 24, Block I, Glenomaru S.D. Lot 1 DP 20352 and Lots 1 and 2 DP 20681. DOC	Rural
R11	Glenomaru Valley Scenic Reserve	G46D H46C	Glenomaru Road	Section 34, Section 37 Block X, Warepa S.D., Sections 40, 41, Block X Glenomaru S.D. Section 14, Part Section 15, Block III, Catlins S.D. Lots 1 to 4, DP 21120. DOC	Rural

R12	Tirohanga Scenic Reserve	H46C	Nuggets Road Tirohanga	Lot 6, DP 9366. DOC	Coastal
R13	Barr Falls Scenic Reserve	G46D	Barrs Falls Road	Lot 1, DP 11562, Block VIII, Glenomaru S.D. DOC	Rural
R14	Pounawea Scenic Reserve	H47A, U44	Pounawea	Sections 32, 94 and 95, 25 and Pt 1492R Block VI Glenomaru S.D. DOC	Coastal
R15	Hinahina Island Scenic Reserve	H47A	Pounawea	Section 31, Block I, Woodland S.D. DOC	Coastal
R17	Surat Bay Scenic Reserve	H47A, U40	Surat Bay	Section 109, Block VI, Glenomaru S.D. DOC	Coastal
R18	Scenic Reserve	H47A	Tuhawaiki Island	Section 18, 34 and 46, Block 1, Woodland Reserve. DOC	Coastal
R19	Tunnel Rocks Scenic Reserve	H47A, U22	Tunnel Rocks	Part Section 14, Block II and Part Section 1494R, Block I, Woodland SD. DOC	Coastal
R20	Willsher Bay Scenic Reserve	H46C, U66	Willsher Bay	Section 1 to 4 SO 22413, Glenomaru SD. DOC	Coastal Rural
R21	Hinahina Cove Scenic Reserve	H47A	Hinahina Cove	Sections 7, 9, 10, 19, 20, 21 Block VIII and Section 13, Block II Woodland S.D. and Sections 1, 2 S.O. 22380. Lot 1 and 2, DP 20329 and Lot 1, DP 18442. DOC	Coastal
R22	Papatowai Scenic Reserve	G47B U43	Papatowai	Section 41, Section 42, Block IV, Tautuku S.D. Section 162, 158, 160, Town of Papatowai. Lot 26 DP 9564. DOC	Coastal
R23	Part Papatowai Camping Ground Recreation Reserve	U43	The Esplanade Papatowai	Sections 61, 90, 90A, 100, Town of Papatowai. DOC	Coastal
R24	William King Scenic Reserve	G47B	Balclutha to Invercargill Road Tautuku Bay Chaslands Highway	Section 32, Part Section 31, Block IV and Sections 3-7, 15-18, 40, Block VIII, Tautuku S.D. DOC	Rural
R25	Tautuku Bay	G47A,	Papatowai -	Sections 10, 12, 19, 20,	Coastal

	Scenic Reserve	G47B	Niagara Road, Tautuku Bay Chaslands Highway	22, 24, 27, 29, 31-37 and Pt 25, Block III, Section 1A, 1, Block IX, Sections 1A, 3A, 3B, 7, 8, 20, 27, 28, 30, 31, Part Sections 15, 19, 21, 23A and 39, Block X, Tautuku SD and Lots 2 to 4 DP 5490. DOC	
R26	Waipati Beach Scenic Reserve	G47C	Potiki Road Chaslands Mistake	Sections 8, 10, Block XIII, Tautuku S.D. DOC	Coastal
R27	Waipati Beach Scenic Reserve	G47C	Waipati River	Section 9, Block XIII, Tautuku S.D. DOC	Coastal
R28	Long Beach Scenic Reserve	G47C	Potiki Road, Longbeach Creek	Section 11, Block XIII, Tautuku S.D. DOC	Coastal
R29	Part Samson Hill Scenic Reserve	G47A	Balclutha- Invercargill Road, Chaslands Highway and Waipati Road	Section 49, Block XII, Tautuku S.D. DOC	Rural
R30	Chaslands Scenic Reserve	G47A, G47C	Balclutha- Invercargill Road Chaslands Highway	Sections 44, 45, Part Sections 15, 16 and 17; Block XII, Sections 1, 17,18, Block XIII, Tautuku S.D and Sections 1, 3-7, 14, Part Sections 9-13, Block XV, Sections 21-26, 37-39, 48, Pt Sections 27- 32, Block XVII, Waikawa S.D. and Sections 1 and 2, S.O. 22535. DOC	Rural
R31	Scenic Reserve	U28	Between Tarata and Totara Streets, Kaka Point	Lot 87, 88, 89, DP 1207	Urban
R32	Kaka Point Scenic Reserve	U28	Adjacent Miro and Totara Streets, Kaka Point	Lot 1, DP 18175	Rural
R33	Kaka Point Scenic Reserve	U28	Miro Street, Kaka Point	Lot 2, DP 18539	Urban
R35	Douglas and Trevor Murray Memorial	U28	Miro Street, Kaka Point	Lot 86, DP 1207	Urban

	Scenic Reserve				
R36	Jacks Bay Scenic Reserve	U22	Jacks Bay	Lot 4, DP 18951 DOC	Coastal
R38	Leithen Bush Scenic Reserve	F44D F44B	Adjacent Switzers Road	Section 28 and 39, Block XII, Greenvale S.D. DOC	Rural
R39	Purakaunui Bay Scenic Reserve	G47B, H47A	Purakaunui Bay	Section 39, Block VII, Sections 9, 16, 20, 21, 22, and 23, Part Sections 1, 2, 3, 8 and 17, Block XI, Woodland S.D., Lot 2, DP 18909, Lot 1, DP 18204, Lot 1, DP 18205. Lot DP 18343, Lot 1 DP 18260. DOC	Coastal
R40	Purakaunui Falls Scenic Reserve	H47A	Purakaunui	Sections 33, 34, 37, 45, 52-54, 59 to 63, 1429R, Block VII, Part Section 28, Block X, Woodland S.D. Lot 1 DP 7278. DOC.	Rural
R41	Catlins River Scenic Reserve	G47B	Papatowai Highway	Section 24, Block IV, Woodland S.D. DOC	Rural
R42	Catlins Lake Scenic Reserve	G47B and H47A	Edge of Catlins Lake	Section 30, 31, 32, 33, Block III, Woodland S.D. DOC	Coastal
R43	Helena Falls Scenic Reserve	G47B	Long Point Road	Section 19, Block XI, Woodland S.D. DOC	Coastal
R44	Waipati Beach Scenic Reserve	G47D	Pratt Road, Tautuku	Section 9, Block X, Tautuku S.D. DOC	Coastal
R45	Waipati Beach Scenic Reserve	G47C and G47D	Chaslands Mistake	Sections 1, 4 and 5, Block XIV, Sections 3D, 5 and 6, Block X, Tautuku S.D. DOC	Coastal Rural
R46	Glenburnie Scenic Reserve	G45A	Rankleburn Road	Section 100, Block XI, Glenkenich S.D. Lot 1, DP 16645. DOC	Rural
R47	Devils Gorge Conservation Covenant	F44B	Devils Gorge, Pomahaka River	Part Run 253, Block XVI, Wart Hill SD shown marked A on SO 23326 DOC	Rural

R48	Land held for conservation purposes	G44C	Pomahaka River, Kelso	Pt Section 34 and Crown land in Block III, Greenvale SD. DOC	Rural
R49	Land held for conservation purposes	G44C, G44D	Gorge Road, Crookston	Crown land adjoining Lot B DP 1845 and Section 3 Block XIV Crookston SD DOC	Rural
R50	VJC and GM Potts Conservation Covenant	G45A	Rankleburn Tapanui Road, Glenkenich	Part Sections 61 and 62, Block XIV, Glenkenich SD shown marked A and B on SO 21534. DOC	Rural
R51					
R52	Land held for conservation purposes	G45B	Rongahere	Sections 28, 29, 33, Block VI, Rankleburn SD. DOC	Rural
R53	Land held for conservation purposes	G45D	Clutha River, north of Clydevale	Section 99 Block II Pomahaka SD. DOC	Rural
R54	Land held for conservation purposes	G45D	Ross Road, Popotunoa, Pomahaka River	Crown land adjacent to Part Section 3S, Rockford Settlement, situated in Block XII, Pomahaka SD DOC	Rural
R55					
R56	Land held for conservation purposes	G45A	Rankleburn Tapanui Road, Pomahaka	Part Sections 37 and 85 and Closed Road adjoining Part Sections 36, 37, 85 and 88, Block XI, Glenkenich SD DOC	Rural
R57	Pomahaka River Recreation Reserve	G45C	Pomahaka River	Section 14, Block XII, Glenkenich SD.	Rural
R60	Recreation Reserve	U60	Glenshee Road, Waikoikoi	Section 48, Block X, Glenkenich S.D. Lot 2, DP 7349	Rural
R61	Wairuna Recreation Reserve	G45C	Wairuna School Road, Wairuna	Section 56 Block XI Pomahaka SD	Rural
R62	Tuamata Recreation Reserve	G45D	Taumata Road, Taumata	Section 45, Block VI, Pomahaka S.D. Vest - CDC.	Rural
R63	Recreation Reserve	H45D	Remote Road, School Road.	Part Section 12, Block XXXVIII Tokomairiro S.D. Vest - CDC	Rural

R64	Recreation Reserve	H45C	Coe Road	Section 18, Block XIII, Hillend S.D.	Rural
R65					
R66					
R67	Recreation Reserve	U35	Union Street, Milton	Section 125 and Part Section 104, Block XII, Tokomairiro S.D. Control - CDC	Rural
R68	Taylor Park Recreation Reserve	U35	Union Street, Milton	Part Sections 103 and 104, Block XII, Tokomairiro S.D. Control - CDC	Urban
R69	Recreation Reserve	H45D U35	Park Road, Milton	Part Sections 103 and 104, Block XII, Tokomairiro S.D. Control - CDC	Rural
R70	Recreation Reserve	U46	Baker Street, Stirling	Lot 43 and Part Lot 44, DP 250	Urban
R71	Recreation Reserve	U2	Cherry Lane, Balclutha	Lot 17 DP 9635 Vest - CDC	Rural
R72	Recreation Reserve	U54	Toko Mouth Township	Sections 12 and 27, Block XV, Coast S.D. Vest - CDC	Coastal
R73	Recreation Reserve	U58	Greenwich Street, Waihola	Section 25, Block V, Town of Waihola Vest - CDC	Urban
R74	Recreation Reserve	U58 U59	Lake Waihola, North Foreland Street, Waihola	Sections 1,2,3,4,5,13,14,16 and 17 Sections 1,2,3,4,5,6,7,17,18,19 and 20, Block III, Sections 1,2,3,4,5,6,7,8,18, 19,20,21,22 and 23, Block IV, Sections 1,2,3,4,21,24, 26 and 27. Block V, and Sections 1 and 2, Block XXVI, Town of Waihola, Section 1, S.O. 21493 and Lot 1, DP 9888. Manage - CDC	Urban
R75	Recreation Reserve	U49	Tees Street, Hanning Place, Taieri Mouth	Block X and Sections 8-11, Block IV, Town of Hull. Vest - CDC	Rural
R76	Recreation Reserve	U49	Moturata Road,	Section 9 and Part Sections 6, 11 and	Coastal

		U50	Burma Road, Taieri Mouth	1123R, Block XXIV, Waihola, S.D. Lot 1, DP 9586, Lot 1 DP 5240 and Lots 2 and 3, DP 3157, Sections 12 and Pt 13 Block IV, Town of Hull. Vest - CDC	
R77	Recreation Reserve	U51	Palmer Place, Taieri Mouth	Lot 17, DP 7139, Lot 18, DP 8223 and Lot 33, DP 7425. DOC	Urban
R78	Catlins Head Recreation Reserve	H47A, U40	Catlins Heads	Sections 1, 2, S.O. 22558 DOC	Coastal
R79	White Head Scenic Reserve	H47A	White head	Section 14, Block II, Woodland S.D. DOC	Coastal
R80	Recreation Reserve	G47B	Skeleton Point, Tautuku Bay	Section 10, Block IV, Tautuku S.D. DOC	Coastal
R81	Recreation Reserve	U66	The Nuggets Road, Willsher Bay	Sections 1 and 4, SO 22413	Coastal
R82	Recreation Reserve	U14	Corner State Main Road (SH1) and Halsey Street, Clinton	Section 13, Block X, Town of Clinton	Urban
R83	Recreation Reserve	U14	Adjacent Main South Railway and Hillfoot Roads, Clinton	Section 1, Block 26, Town of Clinton	Rural
R84	Recreation Reserve	U61	Railway Terrace Waipahi	Sections 13, 14, Block 16 Town of Waipahi	Rural Settlement
R85	Recreation Reserve	U61	Waipahi Highway (SH1), Waipahi	Sections 82 and 86, Block VII, Waipahi S.D	Rural
R86	Recreation Reserve	U61	Adjacent Waipahi Highway (SH1) Waipahi	Section 95, Block VII, Waipahi S.D.	Rural Settlement
R87	Recreation Reserve	U6	Keithmore Road, Balclutha	Lot 40, DP 9548 Vest - CDC	Rural
R89	Recreation	U43	Papatowai	Lot 26, DP 9564, S158	Coastal

	Reserve			Town of Papatowai	
R90					
R91	Recreation Reserve	U66	Karoro Creek Road, Willsher Bay	Section 3 of 16, Block VII South Molyneux S.D. DOC	Coastal
R92	Recreation Reserve	U66	Karoro Creek and Nuggets Road, Willsher Bay	Section 4 of 16, Block VII, South Molyneux S.D. DOC	Coastal
R93	Recreation Reserve	U66	Karoro Creek Road, Willsher Bay	1 or 16, Block VII South Molyneux S.D. DOC	Coastal
R94	Recreation Reserve	U44	Wilson Road, Pounawea	Section 102, Block VI Glenomaru S.D. Control - CDC	Coastal
R95	Part Pounawea Domain	U44	Ocean Grove, Pounawea	Section 93, Block VI, Glenomaru S.D. Control - CDC	Rural Settlement
R96	Part Pounawea Domain	U44	Pounawea Road, Pounawea	Lot 1, 4, DP 6377, Section 59-61, 66, 67, Block VI, Glenomaru S.D. Control - CDC	Rural Settlement
R97	Part Pounawea Domain	U44	Noble Street, Pounawea	Sections 31, 53, 54, 55, 58, 96 and 1491 R, Block VI, Glenomaru S.D. Control - CDC	Coastal
R98	Recreation Reserve	U25	Corner Exmouth and Salcomb Streets, Kaitangata	Sections 12, 13, Block V, Town of Kaitangata	Urban
R99	Castlehill Recreation Reserve	U23	Between Stoddard and Hislop Sts and Adjacent Eddystone Street, Kaitangata	Sections 1-22, Block LV, Town of Kaitangata Vest - CDC	Rural
R100	Recreation Reserve	U53	Northumberland Street, Tapanui	Sections 8, 9, Block VIII Town of Tapanui	Urban
R101	Recreation Reserve	U53	Bushyhill Street, Tapanui	Sections 9, 10, 12, 13, 14, Block IX, Town of Tapanui.	Urban
R102	Recreation	U31	Corner Hastings	Part Section 10, Block	Rural

	Reserve		St and Beaumont Highway (SH8), Lawrence	LXV, Town of Lawrence, and Part Sections 7, 8, Block XX, Tuapeka East S.D. Vest - CDC	
R103	Tuapeka Recreation Reserve	H44C U32	Steep Street, Lawrence	Sections 2-6, 8-11, Block LIV, Town of Lawrence, Sections 26, 180, 187, 197 and 214 and Part Section 181, Block XIX, Tuapeka East S.D. Vest - CDC	Rural
R104	Recreation Reserve	U31	Harrington Street, Lawrence	Sections 1-20, Block XVI, Town of Lawrence. Vest - CDC	Rural
R105	Simpson Park Motor Camp	U31	Harrington and Peel Streets, Lawrence	Sections 1-20, 1535R, Block XV, Section 21, Block XII. Sections 1-8, 10, 13-16, Block XIV, Town of Lawrence. Vest - CDC	Rural
R106	Simpson Park Recreation Reserve	U33	Harrington Street, Lawrence	Sections 1-20, 1564R, Block XVIII, Sections 1- 13, 16-23, Part Sections 14, 15, Block XIX Sections 6, 7, Block LIII, Tuapeka East S.D. Vest - CDC	Rural
R107	Recreation Reserve	U33	Thurso Street, Lawrence	Section 20, Block XXXIV Town of Lawrence. Vest - CDC	Rural
R108	Recreation Reserve	U33	Harrington Street, Lawrence	Section 19, Block XXXIV Town of Lawrence. Vest - CDC	Rural
R109	Recreation Reserve	U33	Harrington Street, Lawrence	Sections 1-6,17,18, Block XXXIV Sections 1-7, 20, Block XVII Section 9-16, Block XXXV, Town of Lawrence Vest - CDC	Rural
R110	Covenant (Thornicroft)	H44C	Mahinerangi Road, Lake Mahinerangi	Part Section 3, S.O. 23490 and Part Section 10, Block I, Tuapeka East S.D. DOC	Rural
R111	Tapanui Domain	G45A	Tapanui Raes Junction Highway (SH 90)	Sections 65, 69, 70, Block XIII Glenkenich S.D.	Rural
R112	Black Gully	G44C	Black Gully	Section 5 and 7, Block X,	Rural

	Recreation Reserve		Road East	Crookston S.D.	
R113	Park Hill Recreation Reserve	F44D	Switzers Road	Section 1, Block XVI, Greenvale S.D.	Rural
R114	Rifle Range Recreation Reserve	G45A	Whisky Gully Road	Part Section 31, 32, Block IV, Glenkenich S.D. and Part Sections 18, 19, Block IX, Rankleburn S.D.	Rural
R115	Coronation Park Recreation Reserve	U4 U5	Coronation Park Balclutha	Section 21, Block XVI, Section 1, Block XXVII, Town of Balclutha. Vest - CDC	Rural
R116	Koau Recreation Reserve	U4	Coronation Park Balclutha	Lot 1, DP 9611. Vest - CDC	Rural
R117	Balclutha Sports Ground	U4	Coronation Park, Balclutha	Section 25, Block XXXV Clutha S.D. Vest - CDC	Rural
R119	Christie Park Recreation Reserve	U6	Christie Road, Balclutha	Lots 29 and 30, DP 4791. Vest - CDC	Urban
R120	Naish Park Recreation Reserve	U4	Charlotte Street, Balclutha	Part Lots 6, 7, 8, 9, DP 743, Lot 14, DP 488 Vest - CDC	Urban
R122	Centennial Pk Recreation Reserve	U3	Centennial Avenue, Balclutha	Lot 1, DP 12048 Vest - CDC	Urban
R123	Recreation Reserve	U4	Pearson Lane, Balclutha	Lot 6, DP 22613 Vest - CDC	Urban
R124	Recreation Reserve	U6	Malcolm Terrace, Balclutha	Lots 6, 7, DP 9188 Vest - CDC	Urban
R125	Recreation Reserve	U5	Lincoln Terrace, Balclutha	Lot 19, DP 10333	Urban
R126	Playground Recreation Reserve	U1 U2	Gormack Street, Balclutha	Lot 25, DP 10383 and Lot 3 DP 7127 Vest - CDC	Urban
R127	Long Point Recreation Reserve	G47B	Long Point	Section 41, Block XI, Woodland S.D. DOC	Coastal
R128	False Inlet Recreation Reserve	H47A	False Inlet	Part Section 38, Block V, Glenomaru S.D.. DOC	Coastal
R129	Recreation	U16	Dunrobin	Section 70, Block	Rural

	Reserve			VIII, Crookston S.D.	
R130	Recreation Reserve	U56	Tuapeka Mouth	Section 204 and Part Section 170, 195, Block I, Waitahuna West S.D. Vest - CDC	Rural Settlement
R131	Recreation Reserve	H45B	Titri Road, Waihola	Section 1, S.O. 23252. DOC	Rural
R132	Recreation Reserve	U52	Kent Street, Tapanui	Section 63, Blk XIII, Glenkenich	Rural
R140	Local Purpose Reserve Site for Aerodrome	U4	Coronation Park, Balclutha	Lot 1, DP 9962 Vest - CDC	Rural
R141	Local Purpose Reserve Hall	H46A	Te Houka Road, Te Houka	Sections 14 and 15, Block LIV, Clutha S.D. Vest - CDC	Rural
R143	Soil Conservation and River Control. Local Purpose Reserve	H46A U17, U18	Koau Branch, Clutha River	Section 18, Block XXXVI and Section 16 Block XXXV Clutha S.D., Section 24, Block XXXIII, Clutha S.D., Neals Island, Section 13, Block XI, Inch Clutha S.D., Dabinetess Island, Block IX, Inch Clutha, S.D. Sections 14, 15, Block XIII, Shaws Island, Section 9, Block IX, Clutha S.D., Section 11, 12, Block V, Inch Clutha S.D., Section 17, Block III, Clutha S.D. Mahoneys Island, Block I, Inch Clutha S.D. Control - ORC	Rural
R146	Local Purpose Reserve Forestry	H45D and H46B	Wangaloa Stream	Sections 3, 6, 8 and 1 of 10, Block III, Kaitangata S.D.	Rural
R147	Local Purpose Reserve Tree Planting	U39	Lowery Street, State Highway 1, Milton	Part Lots 2 and 3, DP 1865 and Part Section 133, Block XVII, Tokomariro	Industrial
R148	Local Purpose Reserve Hall	U59	Greenwich Street, North Foreland Street, Waihola	Section 10, Block 1 Town of Waihola Vest - CDC	Urban
R149	Local Purpose	U50	Moturata Road	Lot 17, DP 3138	Rural

	Reserve		Taieri Mouth	DOC	
R150	Local Purpose Reserve Accessway	U50	Moturata Road Taieri Mouth	Lot 7, DP 6701 Vest - CDC	Coastal Urban
R151	Local Purpose Reserve Hall	H46A	Settlement Road Paretai	Section 31A, Block VIII Otanomomo Settlement	Rural
R152	Local Purpose Reserve Civil Defence	U3	Clyde Street Balclutha	Lot 9, DP 8506 Vest - CDC	Rural
R153	Local Purpose Reserve	H46A, U3	Adjacent Clutha River, Balclutha	Section 16, Block XXXV Section 18, Block XXXVI Clutha S.D. Control - ORC	Rural
R154	Local Purpose Reserve War Memorial	U15	Clydevale Road, and Anzac Place, Clydevale	Section 62 and Part Section 46, Block I, Pomahaka S.D. Vest - CDC	Rural Settlement
R155	Local Purpose Reserve Playcentre	U41	Ovenden Street, Owaka	Section 129, Block VIII, Glenomaru S.D.	Urban
R156	Local Purpose Reserve Community Centre	U41	Ovenden Street, Owaka	Sections 126, 128, Block VIII, Glenomaru S.D.	Urban
R157	Local Purpose Reserve Cemetery	U41	Owaka Highway	Part Sections 31, 29, Block VIII, Glenomaru S.D.	Rural
R159	Drainage Reserve (Kaitangata Contour Channel)	U23	Kaitangata Domain	Part Water, Hurst, Cowes, Bembridge, Catherine Streets, and Part Section 5, Block XLVI, Town of Kaitangata	Rural
R160	Reservoir Local Purpose Reserve	G45A	Whisky Gully Rd	Section 10, Block IV, Glenkenich SD	Rural
R161	Local Purpose Reserve (Community Centre)	U20	Esk Street, Heriot	Section 8, Block II, Town of Heriot	Urban
R162	Local Purpose Reserve Beautification	U4	Corner Clyde and James Streets, Balclutha	Part Lots 8, 9, 10, DP 8281	Urban
R163	Balclutha Plantation	U5	Yarmouth and Orwell Streets,	Section 6, 7, Block XXIV, Town of Balclutha. Vest -	Rural

	Reserve		Balclutha	CDC	
R164	Local Purpose Reserve Hall	U60	Waikoikoi	Section 58, Block X, Glenkenich S.D.	Rural
R165	Quarry Purposes Public Works Act	U8, U9	Allenhead Street, Beaumont	Sections 1,2,3,4,7,8, Part Section 1468R, Block XVIII	Rural
R166	Local Purpose Reserve Scout Hall	U19	Greenfield	Section 64A, Block III, Waitahuna S.D. Control - Scouts	Rural Settlement
R167	Education Reserve set apart Gaz 1993 p 3378 (Public Works Act)	G46D	Puerua Valley Road	Section 33, Block X, Warepa S.D.	Rural
R181	Government Purpose Reserve Wildlife Management	H45B	Lake Waihola	Lot 2 DP 22834 - DOC	Rural
R182	Government Purpose Reserve Wildlife Management	H46A	Chicory Road, Inch Clutha	Section 17, Block XIII, Inch Clutha S.D. Internal Affairs/DOC	Rural
R183	Government Purpose Reserve Wildlife Management	H46C U27	Mouth of Clutha River	Adjacent Block I, Clutha S.D. Town of Molyneux, Block I, South Molyneux S.D. Internal Affairs/DOC	Coastal
R184	Government Purpose Reserve Lighthouse	H46C	Nugget Point, Lighthouse	Section 10, Block V, Glenomaru S.D. DOC	Coastal
R185					
R200	Otanomomo Scientific Reserve	H46A	Kaka Point Road, Otanomomo	Part Lot 1, DP 8380 DOC	Rural
R210	Public Open Space - Municipal Reserve	U25	Reid Street, Kaitangata	Section 23, Block LXVII, Sections 1, 4, Part Sections 2, 3, Block LXXXIII, Sections 1-7, Block LXXXII, Kaitangata	Rural
R211	Public Open Space - Municipal Reserve	U25	Between Weymouth and Wyre Streets, Kaitangata	Section 9, 10, Block LXXX, Town of Kaitangata	Rural

R212	Public Open Space - Municipal Reserve	U25	Adjacent both sides of Wyre and Exmouth Streets, Kaitangata	Part Section 3, Section 1, 2, 4, 5, Block LXXV, Sections 15-19, Block LXXVI, Sections 18-25, Block LXXVII, Sections 1-6, Block LXXIX, Sections 9, 10, Block LXXX, Town of Kaitangata.	Rural
R213	Victoria Park	U25	Eddystone, Branksea and St Albans Streets, Kaitangata	Sections 1-15, Block XXVI Town of Kaitangata Vest - CDC	Rural
R214	Kaitangata Domain	U23	between Water and Davidson Streets Kaitangata	Section 5, Block XLVI, Part Stoddart, Hislop, Hurst, Cowes, Bembridge St, Catherine and McKinnon Streets, Town of Kaitangata Vest - CDC	Rural
R215	Heriot Domain	U20	Roxburgh Street, Heriot	Sections 2, 3, 4, 5, 6 and 9 Block I, Town of Heriot	Rural
R216	Waitahuna Domain	U63	Waitahuna Gully Road, Waitahuna	Section 26, Block XVI Town of Havelock. Vest - CDC	Rural
R217	Tapanui Commonage	G45A	Tapanui Raes Junction Highway (SH 90)	Lots 1, 2, 3, 4, 5, 6, 7, DP 2480 and Part Section 62, Part 1060R Block XIII, Glenkenich S.D.	Rural
R218	Part Tapanui Domain	G45A	Whisky Gully Road	Part Section 1, Block X, Rankleburn S.D.	Rural
R219	Lenz Private Scenic (Royal Forest and Bird Society)	G47B	Chaslands Highway	Sections 1, 2, 11, 13 and 38, Block VIII, Tautuku S.D. Lot 1 and 5 DP 5490. DOC	Rural
R220	Awakiki Bush Scenic Reserve	H46A	Puerua	Lot 1 DP 22437 DOC	Rural
R230	Proposed Recreation Reserve	U54	Coast Road	Part Section 9, Block XV Coast S.D.	Coastal
R231	Proposed Recreation Reserve	U54	Coast Road	Part Lot 1, DP 11825 and Section 13 and Part Section 9, 10, Block XV, Coast S.D.	Coastal

R232	Proposed Recreation Reserve	U54	Toko Mouth Township	Part Lot 1, DP 11698	Coastal
R233	Proposed Recreation Reserve	U54	Toko Mouth Township	Part Lot 1 DP 11698, and Part Sections 25, 26, Block XV, Coast S.D.	Coastal
R234	Proposed Recreation Reserve	U54	Toko Mouth Township	Part Sections 10, 14, 24 and 26 Block XV, Coast S.D. and Part Lot 1, DP 11698	Coastal
R235 D54	Proposed Scenic Reserve	G47B	Tautuku Bay	Section 28, Block VIII, Tautuku S.D. DOC Designation	Coastal
R236	Scenic Reserve	U43	Papatowai	Section 160, Town of Papatowai. DOC	Coastal
R239	Proposed Tree Planting Reserve	U10	Benhar Road Benhar	Part Section 7, Block I, Hillend S.D.	Rural
R240	Proposed Recreation Reserve	U12	Chrystalls Beach Road	Lots 5, 6, Part Lots 2, 3, DP 753 and Part Section 54, Block V, Akatore S.D.	Coastal
R241	Proposed Recreation Reserve	U11	Bull Creek	Part Lot 3, DP 17037	Coastal
R242	Proposed Recreation Reserve	U22	Jacks Bay	Part Lots 1,2,3, DP 18951, Part Beach Road, Block I, Woodland S.D.	Coastal
R243	Proposed Public Open Space	U25	Wyre and Reid Streets, Kaitangata	Sections 11, 12, 13, 14, Block LXXIII, Town of Kaitangata	Rural
R246	Proposed Reserve	U53	Warwick Street, Tapanui	Part Lot 2, DP 2034	Urban
R247	Proposed Aerodrome Reserve	U4, U5, H46A	Coronation Park Balclutha	Sections 1-6, 15-20, Part Sec 7, 14, Block XIV, Secs 1-5, 14-18, Part Secs 5, 6, 13, Block XV Part Reserve No. 4, No. 10 Greenoch, Dumbarton and Helensburgh Street, Town of Balclutha	Rural
R248	Proposed Recreation Reserve	U4	Sports Ground, Glasgow Street, Balclutha	Part Lot A, DP 1063	Rural
R249	Proposed Recreation	U4	Showground, Glasgow Street,	Part Section 2, Block	Rural

	Reserve		Balclutha	XXXV Clutha S.D. Lot 1, DP 1256	
R250	Proposed Recreation Reserve	U4	Between Aerodrome and River, Balclutha	Crown Land (No Title) and Part Section 2, Deeds Index 795	Rural
R251	Proposed Recreation Reserve	U4	Rutherglen Street, Balclutha	Section 9, Block XVI, Town of Balclutha	Rural
R252	Proposed Recreation Reserve	U4	Between Aerodrome and Coronation Park, (Closed landfill)	Part Lot 2, DP 1063	Rural
R253	Proposed Recreation Reserve	U4	Glasgow Street, Balclutha (adjacent to Clutha River	Part Section 2 Block XXXV, Clutha SD (shown M on SO 339)	Rural
R254	Proposed Recreation Reserve	U4	Clyde and Lanark Streets, Balclutha	Section 12, Part Sections 9, 10, 11, Block VII, Town of Balclutha	Urban
R255	Proposed Recreation Reserve	U4	Charlotte Street, Balclutha	Lots 3, 45 and Part Lot 1, 2, DP 743, Lot 1 DP 7749, Lot 22, Part Lots 20, 21 DP 2062	Urban
R260	Nature Reserve Sanctuary for Game	F44D	Switzers Road	Section 5, Block XII, Greenvale S.D. DOC	Rural
R270	Conservation Park	G44D, G44C, G45A, G45B	Blue Mountains (Ex-Beaumont and Rankleburn State Forest)	Section 27 and Pt Sec. 2, Blk IV. Pt Section 3, Blk VII, Part Runs 140A, 140B, 503, 17.9, 16.3A, Blocks 3-5, 7-10, Rankleburn SD and Part Runs 163, 163A, 179, 709, Crookston SD. DOC	Rural
R271	Stewardship	G44D	Halwyn Station, Graigellachie	Section 10, Blk II, Beaumont SD DOC	Rural
R272	Stewardship	G44D	Young Rd, Bowers Creek	Pt Sec 75, Blk III, Tuapeka West SD DOC	Rural
R273	Stewardship	G44D	Tuapeka River	Part Section 100, Blk XVIII, Tuapeka East SD	Rural
R274	Stewardship	G44D	Tuapeka River, Evans Flat	Part Blk 3, Tuapeka West, Pt Block XIX, Tuapeka East SD	Rural

R275	Covenant ex Glendhu State Forest	G44D H44C	Tuapeka River	Part Lot 1 DP 21428 shown A, B, C DP 21659	Rural
R276	Municipal Endowment (Clutha District Council)	G45B	Tuapeka Mouth	Part Sec 9 and 16 and Section 11-15, Blk VIII and Sections 1 and 2, Part Sec 3, Blk X, Tuapeka West SD CDC	Rural
R277	Stewardship	G45B	Adjacent Clutha River, Rongahere Gorge	Crown land Blk VII, Tuapeka West SD DOC	Rural
R278	Stewardship	G45B	Tuapeka River	Crown land adjacent Sec 15, Blk IX, Tuapeka West SD. DOC	Rural
R279	Stewardship	G45B	Crookburn Rd	Section 20, Blk XI, Waitahuna West SD. DOC	Rural
R280	Stewardship	G45B	Tuapeka Flat	Crown land adjacent Sec. 67 and 99, Blk VI, Tuapeka West SD. DOC	Rural
R281	Stewardship	G45B	Adj. Crook Burn	Section 19, Blk XI, Waitahuna West SD DOC	Rural
R282	Stewardship	G45B	Tuapeka Flat	Section 19, Blk X, Waitahuna West SD. DOC	Rural
R283	Stewardship, ex Glendhu State Forest	G44B G44D H44A H44C	Gardiners Track	Part Run 527, Blk I, Hedgehope SD and Blk XVII, Tuapeka East SD and Part Sections 5 and 6, Block XVII, Tuapeka East SD DOC	Rural
R284	Stewardship, ex Glendhu State Forest	H44C	Former Glendhu State Forest	Part Lot 1 DP 21428	Rural
R285	Covenant, ex Glendhu State Forest	H44C	Gardiners Track	Part Lots 1 and 3 DP 21428 shown A and B, DP 21657	Rural
R286	Stewardship, ex Glendhu State Forest	H44C	Gabriels Gully	Part Sections 109 and 110, Block XVIII, Tuapeka East SD DOC	Rural
R287	Gabriels Gully Historic Reserve	H44C	Gabriels Gully	Sections 111, 114, 116 and Section 1 SO 23173, Blk XVIII, Tuapeka East	Rural

				SD. DOC	
R288	Stewardship, ex Glendhu State Forest	H44C	Gabriels Gully	Part Sections 109 and 110, Blk XVIII, Tuapeka East SD DOC	Rural
R289	Covenant	H44C	Malones Dam, Lawrence	Part Lot 5 DP 21428 on DP 21618, Blk X, Tuapeka East DOC	Rural
R290	Stewardship	G44C	Edievale	Part Section 8, Blk XII, Crookston SD. DOC	Rural
R291	Ex State Forest	G45A	Pomahaka	Part Section C and Part Section 3, Blk XII, Glenkenich SD. DOC	Rural
R292	Stewardship	H44C	Bungtown	Section 13, Blk IX, Tuapeka East SD. DOC	Rural
R293	Stewardship	H44C	Waipori Rd	Section 13, SO 23534 DOC	Rural
R294	Stewardship	H44C	Forsyth	Crown land adjacent to Section 76, Blk V, Tuapeka East SD. DOC	Rural
R295	Stewardship	H44C	Lawrence	Section 209, Blk II, Tuapeka East SD. DOC	Rural
R296	Stony Stream Scenic Reserve	H44C	Lake Mahinerangi	Sections 1 and 2, SO 22396, Block XV, Tuapeka SD. DOC	Rural
R297	Stewardship	H44C H44A	Nardoo Stream	Sections 2, 6, 7, Part Section 2 SO 22378 DOC	Rural
R298	Nardoo Conservation Covenant pursuant to s77 of the Reserves Act	H44C	Nardoo Stream	Part Section 5 shown F and Part Section 7 shown G, SO 23526 (no title issued) Landcorp	Rural
R299	Pioneer Stream Covenant	H44C	Waipori Rd, Lake Mahinerangi	Part Section 4, shown as B, and Part Section 7 shown as A SO 23534 DOC	Rural
R300	Pioneer Stream Historic Reserve	H44C	Waipori Rd, Lake Mahinerangi	Section 1, Blk I, Tuapeka East SD (SO 22545) DOC	Rural
R301	Stewardship	H44C	Waipori Road, Lake Mahinerangi	Part Section 13 and Part Run 51, Blk XI, Tuapeka East SD and Part Section 33 and 99, Blk VI, Waipori SD	Rural
R302	Stewardship	H44C	Bungtown	Part Section 2 and legal	Rural

	(Bungtown Stream Beech)		Stream	road Blk VIII, Tuapeka East SD	
R303	Kaihiku Reserve (Conservation Park)	G46B	Lochindorb	Part Section 10, DP 21066, Block VII, Warepa SD. DOC	Rural
R304	Stewardship	G46B	Waiwera River	Sec 12, Blk IX, Kuriwao SD	Rural
R306 R307	Catlins State Forest Park	G46D, G46C G47A G47B	Catlins	DOC	Rural
R308	Grant Conservation Covenant	G46D	Barrs Falls Road	Part Section 65, Blk I, Catlins SD DOC	Rural
R309	Owaka Valley/Purekire ki Scenic Reserve	G46D	Owaka Valley Road, Purekireki	Section 1, SO 22839 and Section 14 Block VIII, Warepa SD. DOC	Rural
R310	Stewardship (Maclennan Forest)	G46D G46C	Wisp Hill	Part Section 1 and 2, Blk III, Rimu SD DOC	Rural
R311	Stewardship/ Conservation Park	G46C	Tahakopa River	Section 1, Blk IV, Section 1 Blk VII, (Conservation Park) Rimu SD and S 12 Blk IX, Kuriwao SD. DOC	Rural
R312	Stewardship (Pt Tautuku and Maclennan Forests and Part to be added to Tahakopa River Scenic Reserve	G47A	Tahakopa Valley	Sections 16, 17, 19, 21, 22, Blk X, Rimu SD and Sections 21 and 24, Blk I, Tautuku SD DOC	Rural
R313	McGregor Conservation Covenant	G47A	Tahakopa Farm Settlement	Section 5, Blk X, Rimu SD, SO 19644 DOC	Rural
R314	Stewardship	G47B	Tahakopa	Section 22, Blk XIV, Rimu SD. DOC	Rural
R315	Stewardship	U48	Tahakopa	Crown land Blk XIV, Rimu SD. DOC	Rural
R316	Stewardship	G47B	Papatowai Highway.	Section 26, Blk VI, Woodland SD (Quarry Res) DOC	Rural
R317	Stewardship	G47B	Papatowai Highway	DOC	Rural
R318	Stewardship	G47B	Puketiro Rd	Section 26, Blk V, Woodland SD	Rural

				(Quarry Reserve) DOC	
R319	Stewardship	G47B	Puketiro Tawanui Road, Puketiro	Section 25, Block V, Woodland SD	Rural
R320	Maclennan River Scenic Reserve	G47B	Maclennan River	Sections 27 and 28, Block IX, Woodland SD and Sections 20, 39, 41 and Pt Sections 18 and 19, Block XV, Rimu SD. DOC.	Coastal Rural
R321	Stewardship	G47B	Houipapa	Section 28, Blk IV, Woodlands SD. DOC	Rural
R322	Stewardship	G47B	Houipapa	Section 8, Blk VIII, Catlins SD (Quarry Res) DOC	Rural
R323	Stewardship	G47B	Houipapa	Section 26 Blk IV, Woodlands SD (Quarry Reserve) DOC	Rural
R324	Stewardship	G47B	Maitland Road	Section 16, Block VIII Woodland SD (Quarry Reserve) DOC	Rural
R325	Stewardship	G47B	Houipapa	Section 30, Blk IV, Woodland SD. DOC	Rural
R326	Stewardship	G47B	Puaho Road, Purakaiti	Section 23, Blk IX, Woodland SD (Quarry Res) DOC	Rural
R327	Stewardship	G47B	Pillans Head	Section 30, Blk X, Woodland SD. DOC	Coastal
R328	Stewardship	G47B	Long Point Rd	Section 27, Block XI, Woodlands SD. DOC	Coastal
R329	Stewardship	G47B	Adjacent Chasm Island	Section 15, Blk XI, Woodland SD DOC	Coastal
R330	Stewardship	G47B	Purakaunui Bay	Crown land adjacent Part Section 3 shown A on SO 20115, Blk XI and Crown land adjacent Section 12 and 13, Blk VIII, Woodland SD. DOC	Coastal
R331	Stewardship	G47B	Papatowai	Sec 11, Blk IV, Tautuku SD. DOC	Coastal
R332	Wildlife Reserve	G47B	Rainbow Islands	Islands off Section 10, Block IV Tautuku SD. DOC	Coastal
R333	Stewardship	G47B	Takakopu	Section 16, Block II, Tautuku SD	Rural
R334	Stewardship	G47C	Longbeach	Section 13, Blk XVI,	Rural

			Creek	Waikawa SD	
R335	Stewardship	G47C	Progress Valley Rd	Section 7, Blk XVI, Waikawa SD	Rural
R336	Stewardship	G47C	Falls Creek Rd	Section 11, Blk XVI, Waikawa SD, DOC	Rural
R337	Stewardship (Shades Beach Boat Landing Res)	G47C	Shades Beach	Section 4, Blk XVI, Waikawa SD DOC	Coastal
R338	Stewardship	G47A G47C	Hukihuki Rd	Crown land adjacent Sections 11 and 16, Blk XI, Tautuku SD. (Road Res) Section 29, Blk X, Tautuku SD. DOC	Rural
R339	Stewardship	G47C G47D	Waipati Estuary	Section 5, Blk XIV, Tautuku SD DOC	Coastal Marine Area
R340	Dummy's Beach Conservation Covenant	G47C	Dummy's Beach	Part Section 3, Blk XVI, Waikawa SD DOC	Coastal
R341	Te Rere Reserve - Freehold land owned by Royal Forest and Bird Society	G47C	Falls Creek Road, Catlins	Lots 1 and 2, DP 12242, Blk XVI, Waikawa SD Royal Forest and Bird Society.	Coastal
R342	Stewardship	G47A	Greenfield Road	Section 42, Blk XII, Tautuku SD DOC	Rural
R343	Blackrock Scientific Reserve	H44A	Adjacent to Eldorado Track	Section 20, 21, Block IV, Hedgehope SD DOC	Rural
R344	Stewardship	H44B	Lee Flat	Section 11, Blk III, Waipori SD (Gravel Res)	Rural
R345	Stewardship	H44D	Lake Mahinerangi	Section 98, Blk IV, Waipori SD	Rural
R346	Stewardship	H44D	Waipori Falls	Section 11, Blk VIII, Waipori SD (Quarry Res) Area adjacent Section 61, Blk VIII, Part Section 6, Blk X, Waipori SD	Rural
R347	Waipori Falls Scenic Reserve	H44D	Waipori	Part Section 7, 10 Sec 18 and Part Run 51A Block X, Waipori SD and Section 55, 56 and Pt Sec 54 Blk XV, Maungatua	Rural

				SD DOC	
R348	Stewardship	H44D	Mahinerangi Rd	Section 12, Blk III, Waipori SD (Quarry Res) DOC	Rural
R349	Waipori Water Conservation Reserve - Dunedin City Council	H44D	Lake Mahinerangi	Section 23, Blk V, Sec 55 Blk VIII, Waipori SD DCC	Rural
R350	Timber Reserve - Dunedin City Council	H44D	Lake Mahinerangi	Part Section 51, Block VIII and Part Section 8, Blk X, Waipori SD DOC	Rural
R351		F44B F44D	Leithen Bush	Section 39, Blk XII, Greenvale SD DOC	Rural
R352	Stewardship	H46A H46B	Wangaloa Road	Part Sections 31 and 33, Blk IX, Kaitangata SD DOC	Rural
R353	Wangaloa Rec Reserve	H46B	Wangaloa	Section 16, Block VII, Coast SD	Coastal Rural
R354	Tasman Accord Conservation Covenant	H46A	Riverside	Sections 18,21,22 and Part Section 17, and Closed Rd, Blk IX, Kaitangata and Part Section 4, Blk III, North Molyneux SD DOC	Rural
R355	Stewardship	H46A	Wangaloa Road	Section 1 and Part Sections 2-4, Blk IV, Coast SD. DOC	Rural
R356	Stewardship	H46A, 13	Riverside	Sections 5-11, 18, 19, Blk III Town of Riverside and Part DP 4896, Blk II, Nth Molyneux SD. DOC	Rural
R357	Stewardship (Waitepeka Wildlife Management Reserve)	H46A, H46C	Puerua River	Section 1, SO 23030, Blk VI and Sections 1 and 2, SO 22882, Blk X and XI Clutha SD. DOC	Rural
R339	Stewardship	G47C G47D	Waipati Estuary	Section 5, Blk XIV, Tautuku SD DOC	Coastal Marine Area
R340	Dummy's Beach Conservation Covenant	G47C	Dummy's Beach	Part Section 3, Blk XVI, Waikawa SD DOC	Coastal

R341	Te Rere Reserve - Freehold land owned by Royal Forest and Bird Society	G47C	Falls Creek Road, Catlins	Lots 1 and 2, DP 12242, Blk XVI, Waikawa SD Royal Forest and Bird Society.	Coastal
R342	Stewardship	G47A	Greenfield Road	Section 42, Blk XII, Tautuku SD DOC	Rural
R343	Blackrock Scientific Reserve	H44A	Adjacent to Eldorado Track	Section 20, 21, Block IV, Hedgehope SD DOC	Rural
R344	Stewardship	H44B	Lee Flat	Section 11, Blk III, Waipori SD (Gravel Res)	Rural
R345	Stewardship	H44D	Lake Mahinerangi	Section 98, Blk IV, Waipori SD	Rural
R346	Stewardship	H44D	Waipori Falls	Section 11, Blk VIII, Waipori SD (Quarry Res) Area adjacent Section 61, Blk VIII, Part Section 6, Blk X, Waipori SD	Rural
R347	Waipori Falls Scenic Reserve	H44D	Waipori	Part Section 7, 10 Sec 18 and Part Run 51A Block X, Waipori SD and Section 55, 56 and Pt Sec 54 Blk XV, Maungatua SD DOC	Rural
R348	Stewardship	H44D	Mahinerangi Rd	Section 12, Blk III, Waipori SD (Quarry Res) DOC	Rural
R349	Waipori Water Conservation Reserve - Dunedin City Council	H44D	Lake Mahinerangi	Section 23, Blk V, Sec 55 Blk VIII, Waipori SD DCC	Rural
R350	Timber Reserve - Dunedin City Council	H44D	Lake Mahinerangi	Part Section 51, Block VIII and Part Section 8, Blk X, Waipori SD DOC	Rural
R351		F44B F44D	Leithen Bush	Section 39, Blk XII, Greenvale SD DOC	Rural
R352	Stewardship	H46A H46B	Wangaloa Road	Part Sections 31 and 33, Blk IX, Kaitangata SD DOC	Rural
R353	Wangaloa Rec Reserve	H46B	Wangaloa	Section 16, Block VII, Coast SD	Coastal Rural

R354	Tasman Accord Conservation Covenant	H46A	Riverside	Sections 18,21,22 and Part Section 17, and Closed Rd, Blk IX, Kaitangata and Part Section 4, Blk III, North Molyneux SD DOC	Rural
R355	Stewardship	H46A	Wangaloa Road	Section 1 and Part Sections 2-4, Blk IV, Coast SD. DOC	Rural
R356	Stewardship	H46A, 13	Riverside	Sections 5-11, 18, 19, Blk III Town of Riverside and Part DP 4896, Blk II, Nth Molyneux SD. DOC	Rural
R357	Stewardship (Waitepeka Wildlife Management Reserve)	H46A, H46C	Puerua River	Section 1, SO 23030, Blk VI and Sections 1 and 2, SO 22882, Blk X and XI Clutha SD. DOC	Rural
R359	Chrystalls Beach, Scenic Reserve	H46B, U12, H45D, U54	Chrystalls Beach	Section 50, Blk V, Akatore SD DOC	Coastal
R360	Stewardship (Waitepeka Wildlife Management Reserve)	H46A	Owaka Highway	Part Sections 12 and 19, Blk XV and Part Sections 2, 4, 15, Blk XVI Clutha SD	Rural
R361	Stewardship (Puerua Wildlife Management Res)	H46C	Clutha River Mouth (Koau branch)	Crown land adjacent Section 1, Blk XVII, Coast SD	Coastal
R362	Covenant (Waitepeka Bush Remnants)	H46A, H46C	Gott Road, Romahapa	A on SO 22883 and A on SO 22881, Blck XVI, Clutha SD	Rural
R363	McLay Covenant	H46C	Campbell Point	Part Section 8 (DP 2928) Part Section 6 and 7, Blk VII, South Molyneux SD	Coastal
R364	Stewardship	H45A	Forsyth	Crown land adjacent Section 76 and Part Section 72, Blk V, Tuapeka East SD. DOC	Rural
R365	Stewardship	H45A	Forsyth	Crown land adjacent Section 50, Blk V, Tuapeka East SD. DOC	Rural
R366	Stewardship	H45A	Waitahuna	Part Section 41, Blk V,	Rural

				Tuapeka East SD DOC	
R367	Stewardship	H45A	Waitahuna Gully	Crown land adjacent Sections 16, 30, 58 and 72, Blk X, Waitahuna East SD. DOC	Rural
R368	Stewardship	H45A	Waitahuna Gully	Part Section 85, Blk V, Waitahuna East SD. DOC	Rural
R369	Stewardship	H45A	Round Hill Rd	Section 63, Blk V, Waitahuna East SD. DOC	Rural
R370	Stewardship	H45A	Cowan Road, Waitahuna	Section 62, Blk V, Waitahuna East SD. DOC	Rural
R371	Stewardship	H45A	Clarks Flat Road	Section 27, Blk VI, Waitahuna West SD (Quarry Res). DOC	Rural
R372	Stewardship	H45A	Round Hill Manuka Gorge Highway (SH8)	Crown land adjacent Sections 40 and Part Section 8, Blk IV, Waitahuna West SD. DOC	Rural
R373	Stewardship	H45A	Nugget Stream Rd	Part Section 71, Blk IV, Table Hill SD. DOC	Rural
R374	Stewardship	H45A H45C	Manuka Gorge	Crown land adjacent Sections 25, 84 and 100 and Part Sections 39, 40, and 46, Blk IV, Table Hill SD, and Crown land adjacent to Section 3 and 17, Blk IX, Hillend SD. DOC	Rural
R375	Stewardship (Manuka Gorge Scenic Res)	H45A H45C	Manuka Gorge	Section 50 and Part Sections 25 of 34, Blk III, Table Hill SD. DOC	Rural
R376	Manuka Gorge Scenic Reserve	H45A H45C	Manuka Gorge, SH No. 8	Lot 1 and 2, Block III and IV, Table Hill SD (DP 20268). DOC	Rural
R377	Mount Stuart Recreation Reserve	H45C	Mount Stuart, State Highway 8	Part Lot 2, DP 3336	Rural
R378	Lovells Flat Recreation Reserve	H45C	Lovells Flat	Sections 9 and 10, Block V, North Tuakitoto SD. Vest CDC	Rural
R379	Stewardship	H45C	Glenore	Part Sections 223 and 288R, Blk XXVII and land adjacent Part Section 223, 288R, Toko River,	Rural

				Railway land, Blk XXVII, Tokomiriro SD	
R380	Popham Covenant	H45B	Ferry Hill	Part Section 40, 1 of 41 and 2 of 41, Blk I, Clarendon SD	Rural
R381	Morrison's Covenant	H45B	Waihola Taieri Mouth Road	Part Section 342, Blk I, Clarendon SD	Rural
R382	Taieri River Scenic Reserve	H45B I45A	Taieri River Gorge	Lots 1 and 2 DP 21516, Lot 2 DP 18721, Sections 28, 69, 74-78, Block I and Section 40 Block XI, Clarendon SD and Section 30, Block C, Taieri Maori Reserve	Rural
R383	Waihola Hill Conservation Covenant	H45B	Waihola Hill	Part Section 6, SO 21249, Blk 411, Waihola SD DOC	Rural
R384	Nature Reserve	H45B	Lake Waihola	Section 7, Blk XII, Waihola SD Otago Fish and Game Council.	Rural
R385	Stewardship	H45B	Wilkinson Rd	Part Section 41, Blk II, Clarendon SD DOC	Rural
R386	Covenant - Akatore Gold Block	H45D I45C	Akatore Creek	Part Sections 1-3 shown A, B, C and D on SO 23491, Blk VI, Clarendon SD DOC	Rural
R387	Stewardship	H45D	Big Bush Rd, Ridley Rd, Akatore	Sections 39, 41, 50, 52, 53, 55-57, 60-62, 65, 78, Part Section 51 and 58, Blk VIII, Akatore SD. DOC	Rural
R388	Stewardship	H45D	Glenledi Road	Section 84, and Section 61, Blk I, Akatore SD. DOC	Rural
R389	Stewardship	H45D	Sallys Gully Road, Toko River	Section 1579R, Blk I, Section 1578R, Blk IV, Kaitangata SD. DOC	Rural
R390	Flett Conservation Covenant	H45D	Mt Misery	Part Section 7, Blk I, Part Sections 28 and 29, Blk III, Kaitangata SD. DOC	Rural
R391	Esplanade Reserve	H45D	Toko River Mouth	Lot 4 DP 22641, Blk V, Akatore SD Vest - CDC	Coastal
R392	Covenant	I45A	Taieri River Gorge	Part Lot 1 DP 21247 shown marked A on DP	Coastal

				21580	
R393	Covenant	I45A	Taieri Beach	Part Section 4, Blk XXV, Waihola SD. DOC	Rural
R394	Stewardship	I45C	Akatore Creek	Section 58 and Part Sections 56, 57, 14, 15, 18, 2 of 17, Blk III, Akatore SD. DOC	Coastal
R395	Taieri Island Scenic Reserve	I45A	Taieri Island	Section 10 Block XXIV, Waihola SD. DOC	Coastal
R396	Stewardship	H46C	Ahuriri Flat Road, Ahuriri	Section 64, Blk III, Glenomaru SD (Quarry Res). DOC	Rural
R397	Stewardship	H46C	Burnt Scrub Stream	Section 46 Blk IV, Glenomaru SD (Quarry Res). DOC	Rural
R398	Stewardship	H46C	Hunt Road, Katea	Section 64, Blk IX, Glenomaru SD (Quarry Res). DOC	Rural
R399	H A Jones Farms Conservation Covenant	H46C	Little Omaru Rd	Part Section 61 shown A SO 20212 Blk IX, Glenomaru SD. DOC	Rural
R400	Tunnel Hill Historic Reserve	H46C	Tunnel Hill, Owaka Highway.	Section 70 and Lot 1 DP 18722 Blk VII, Glenomaru SD DOC	Rural
R401	Stewardship	H46C	Roaring Bay	Sections 20 and 23, Blk V, Glenomaru SD. DOC	Coastal
R402	Stewardship	H46C	Nugget Point Islands	Section 52 SO 22076, Blk V, Glenomaru SD. DOC	Coastal
R403	Stewardship	H46C	Mundie Road	Section 20, Blk VI, Glenomaru SD (Quarry Res) DOC	Rural
R404	Stewardship	H46C	Cannibal Bay Rd	Section 31, Blk V, Glenomaru SD (Quarry Res) DOC	Rural
R405	Stewardship	H46C	Sweetwater Creek Rd	Part Section 45, Blk VI, Glenomaru SD (Quarry Res) DOC	Rural
R407	Owaka Golf Course - Local Purpose Reserve	H46C	Pounaweia Rd	Lot 7 to 13, Part Lot 6, DP 282, Block VI, Glenomaru SD DOC	Rural
R408	Craig Covenant	H47A	Catlins Lake	Section 30 and Part Sections 5, 14, 1102R shown A on SO 22463,	Coastal

				Blk I, Woodland SD	
R409	Stewardship	H47A	Mill Creek Road	Part Sections 1 and 2, Blk II, Woodland SD DOC	Rural
R410	Hina Hina State Forest Park	H47A	Mill Creek Road	Section 3, Part Sections 1 and 2, Blk II and Part Section 8, Blk VIII, Woodland SD. DOC	Rural
R411	Stewardship	H47A	Surat Bay	DOC	Coastal
R412	Stewardship	H47A	Surat Bay	DOC	Coastal
R413	Stewardship - Jacks Blowhole Access	U22	Jacks Bay	Section 40, Blk I, Woodland SD DOC	Coastal
R414	Stewardship	H47A	Purakaunui	Crown land adjacent to Sections 12, 13, shown B and C on SO 20120, Blk VIII, Woodland SD. DOC	Coastal
R415	Stewardship	G46D	Morris Saddle Road, Catlins River	Section 23, Blk V, Woodland SD DOC	Rural
R416	Stewardship	G46D	Tahatika	Section 57, Blk IV, Catlins SD (Quarry Res) DOC	Rural
R417	Stewardship	G46D	Morris Saddle Road	Sections 72 and 73, Blk I, Catlins SD. DOC	Rural
R418	Stewardship (Beech remnants)	H44C	Waipori River Tributary	Section 2, SO 23526, Blk XV XVI, Tuapeka SD. DOC	Rural
R420	Stewardship	H44C	Gabriels Gully	Sections 163-167, 218 and Part Section 162, Block XIX and Sections 94-96, Block XVIII and Crown Land between Gabriels Gully Road and Section 174, Block XIX, Tuapeka East SD DOC	Rural
R421	Stewardship	G47A	Greenfield Rd	Section 41, Blk XII, Tautuku SD DOC	Rural
R422	Stewardship	G47A	Waipati Road.	Section 43, Blk XII, Tautuku SD (Quarry Reserve) DOC	Rural
R426	Stewardship	H46A	Puerua Valley Road.	Part Section 10, Blk XII, Warepu SD (Quarry Reserve) DOC	Rural
R427	Stewardship	H46A	Puerua Valley Road.	Section 9, Blk XII, Warepa SD (Quarry Reserve) DOC	Rural

R428	Stewardship	U63	Waitahuna	Section 3 and Part Section 2, Blk XXXIII, Town of Havelock	Rural
R429	Stewardship	H45B	Henley Road, Taieri River	Section 1608R, Block I Clarendon SD	Rural
R430	Stewardship	H45C H45D	Elliotvale Road	Sections 40, 41, Blk II, Kaitangata SD. DOC	Rural
R431	Stewardship (Access to Toko River)	H45D	Toko Mouth Road	Section 19, Blk XV, Coast SD. DOC	Coastal
R432	Esplanade Reserve	U49	Taieri Mouth	Lots 27, 28, DP 8213, Lot 10 DP 9991 Vest - CDC	Coastal
R433	Recreation Reserve	U49	Taieri Mouth	Lot 25, and 26, DP 8213. Vest - CDC	Coastal
R434	Wildlife Refuge	H47A	Cosgrove Island	DOC	Coastal
R435	Hina Hina Yacht Club Recreation Reserve	H47A	Hina Hina Yacht Club	Lot 1 DP 2981 DOC	Coastal
R436	Proposed Scenic Reserve	H47A G47B	Purakaunui Bay	Section 1 SO 24105 Sections 1 to 3, SO 24108	Coastal
R437	Conservation Purposes	U17	Finegand, Clutha River	Section 24, Blk XXXIII, Clutha SD	Rural
R438	Owaka Recreation Reserve	U41 U42	Hugh Street, Waikawa Road, Owaka	Section 155, Block VIII, Glenomaru SD	Rural
R439	Stewardship	H44C	Wetherstons	Sections 35, 37, 38, 41 and 42, Block X, Tuapeka East SD DOC	Rural
R440	Local Purpose Reserve (Golf Course)	H44C	Waipori Road Lawrence	Section 215, Block XIX, Tuapeka East SD CDC	Rural
R441	Local Purpose Reserve (Plantation)	H44C	Wetherstons Creek Lawrence	Sections 30, 178, 179, 182, 213, 216, 217 and 219, Block XIX, Tuapeka East SD	Rural
R442	Gabriel Road Memorial Reserve	H44C	Gabriels Gully Road	Lot 1 DP 11383	Rural
R443	Recreation Reserve	H44C	Gabriels Gully Road	Section 199, Block XIX, Tuapeka East SD	Rural
R444	Local Purpose Reserve (Reservoir Site)	H44C	Steep Street Lawrence	Section 196, Block XIX, Tuapeka East SD	Rural

R445	Covenant ex Glendu State Forest	H44C	Gardiners Track	Part Lot 1 DP 21428 shown A DP 21658 DOC	Rural
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SCHEDULE 6.2 DESIGNATIONS AND REQUIREMENTS

REFER TO PLANNING MAPS AND SECTION 176 OF THE RESOURCE MANAGEMENT ACT 1991

REQUIRING AUTHORITY: MINISTER OF EDUCATION

NOTATION - "EDUCATION PURPOSES"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D1	Balclutha Primary School (Urban)	U4	Lanark St, Balclutha	Sections 1-4, 13-20, Block VIII, Town of Balclutha
D2	Benhar Primary School (Rural Settlement)	U10	Benhar Road, Benhar	Part Section 7, Block 1, Hillend SD
D3	Blue Mountain College (Rural)	U52	Tapanui Raes Junction Highway (SH 90)	Part Sections 16, 17 Block XII, Glenkenich SD
D4	Catlins Area School (Urban)	U41 U42	1 Stuart St, Owaka	Sections 116, Part Section 1, Block VIII, Glenomaru Survey District and Lots 1-2, and Part Lot 3, DP 238 and Part Lots 26-30, DP 241
D5	Clinton Primary School (Urban)	U14	Halsey St, Clinton	Sections 5-20, Block II, Town of Clinton
D6	Clutha Valley Primary School (Rural Settlement)	U19	Balclutha Lawrence Rd, Greenfield	Section 58A, Greenfield Settlement situated in Block III, Waitahuna SD
D8	Heriot Primary School (Rural)	U20	Tweed St, Heriot	Part Section 1, Block I, Town of Heriot

D9	Kaitangata Play Centre (Urban)	U25	Eddystone St, Kaitangata	Section 13, Block XIX, Town of Kaitangata
D10	Kaitangata Primary School (Urban)	U25	Salcombe Street, Kaitangata	Section 2 SO 42165
D12	Lawrence Area School (Urban)	U33	Harrington St, Lawrence	Part Sections 14-15, Block XIX, Sections 1-17, Block XX, Sections 1, 3-20 and Part Sections 2, Block XXI and closed road, Town of Lawrence
D14	Milton Primary School (Urban)	U35	Coronation Court, Milton	Lots 28-30 and Part Lots 25-27, DP 7609 and Part Lot 1, DP 7101
D16	Port Molyneux Primary School (Coastal)	U27	Clutha Terrace, Port Molyneux	Sections 18-20, 22, Part 21, Block X, Town of Molyneux
D17	Romahapa Primary School (Rural)	U45	School Road, Romahapa	Section 2 of 4, Block II, Glenomaru SD and Part Lot C, DP 2000
D18	Rosebank Kindergarten (Urban)	U6	14 Naish St, Balclutha	Lot 12, DP 4575
D19	Rosebank Primary School (Urban)	U6	Frances St, Balclutha	Lot 14, DP 2587 and Pt Lot 21 DP 397
D20	South Otago High School (Urban)	U4 U6	Frances St, Balclutha	Sections 25, Part 1336R, Block XXXIII, Clutha SD and Part Lots 22-24, 26 DP 397, Lots 1-12 DP 4092 and Lots 5-8, DP 6840.
D21	Stirling Primary School (Urban)	U47	Baker St, Stirling	Sections 12-13, Block XIII, North Molyneux SD and Lots 2-8, DP 250 and Lot 8 DP 15192
D22	Tahakopa Primary School (Rural)	U48	Tahakopa Valley Road	DP 3037, being Part Section 21, Block XIII Rimu SD

	Settlement)			
D23	Taieri Beach Primary School (Rural)	U51	Moturatata Road, Taieri Mouth	Part Section 2, Block XXV, Waihola SD
D24	Tapanui Primary School (Urban)	U52	Sussex St, Tapanui	Part Section 17, Block XIII, Glenkenich SD
D25	Tokoiti Primary School (Transitional)	U55	Killingholme Street, Tokoiti	Block XIII, Town of Fairfax
D26	Tokomairiro High School (Urban)	U35	Union Street, Milton	Sections 117, 122,124, Part Section 103, Block XII Tokomairiro SD and Lots 33, Part 16-19, DP 126 and closed roads, and Part Lot 1 DP 7101 and Part Lot 1 DP 8323
D27	Waihola Primary School (Urban)	U58 U59	Kilgour St, Waihola	Sections 14-16, Part Section 18 and closed road, Block VI, Town of Waihola
D28	Waikoikoi Primary School (Rural)	U60	Koi Flat Road, Waikoikoi	Lot 1, DP 7349
D29	Waitahuna Primary School (Rural Settlement)	U63	Sunderland Street, Waitahuna	Sections 1-9, 17-19, Block XX, Town of Havelock
D30	Waiwera South Primary School (Rural Settlement)	U65	Railway Terrace, Waiwera South	Section 50, Block IV, Warepa SD and Lots 26-30, Block I, DP 299
D31	Warepa Primary School (Rural)	G46B	Te Houka Road, Warepa	Lot 2, DP 5675

REQUIRING AUTHORITY: MINISTER OF JUSTICE

NOTATION - "COURT HOUSE" AND "CORRECTION FACILITY"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D32A	Otago Regional Corrections Facility	U34 H45D	62 Narrowdale Road	Secs 3-4 Blk 1, Secs 9-10 14 16, Pts 11, 13, 15, Blk II, Tokomairiro SD

REQUIRING AUTHORITY: NEW ZEALAND POLICE

NOTATION - "POLICE STATION"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D33	Balclutha Police Station (Urban)	U4	Renfrew Street, Balclutha	Sections 14 and 15, Block VI, Town of Balclutha
D34	Clinton Police Station (Urban)	U13	Gorge Road, Clinton	Lot 5 and Part Lot 4, Block 1, DP 210
D35	Milton Police Station (Urban)	U37	Spencer Street, Milton	Sections 56 and 57, Block VII, DP 6 being part Block VII, Tokomairiro SD
D37	Tapanui Police Station (Urban)	U52	Corner Kent Street and Northumberland Street, Tapanui	Section 76, Block XIII, Glenkenich SD

NOTATION - "COMMUNITY POLICING CENTRE"

Desig. No.	Description and Underlying Resource	Map	Location	Legal Description
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Area				
D36	Owaka Community Police Centre Police Station (Urban)	U41	Corner of Waikawa Road and Stuart Street, Owaka	Lot 1 and Part Lot 2 DP 15396 and part Section 154, Blk VIII, Glenomaru SD
D37A	Lawrence Community Policing Centre (Urban)	U31	Corner of SH 8, and Kilmarnock Street, Lawrence	Section 1 Block XLIV, Town of Lawrence

REQUIRING AUTHORITY: NEW ZEALAND RAIL LIMITED

NOTATION - "RAILWAY PURPOSES"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D38	Main South Railway (adjacent Resource Area)	Various	From Dunedin City boundary to Gore District boundary	Various
D38A	Balclutha-Finegand Branch line (Industrial)	U17 U18	Balclutha to Finegand	Various

NOTATION - "TELECOMMUNICATION AND RADIO COMMUNICATION AND ANCILLARY PURPOSES"

Desig. No.	Designation and Underlying Resource Area	Map	Location	Legal Description
D39	Clinton Exchange (Urban)	U13	Gorge Road, Clinton	Section 13 Block XXV Town of Clinton
D40	Clydevale Exchange (Rural Settlement)	U15	Corner Clydevale and Rongahere Roads	Part Sections 1, Block I, Pomahaka SD
D41	Dunrobin Exchange (Rural)	U16	Moa Flat School Road	Part Section 31, Block VIII, Crookston SD
D42	Heriot Exchange (Urban)	U21	Roxburgh Street	Part Lot 3, DP 11079 and being Part Section 30 Block IV Greenvale SD
D43	Kaitangata Exchange (Urban)	U25	44 Eddystone Street, Kaitangata	Part Section 1 Block XIX, Town of Kaitangata DP 5598
D44	Kaka Point Exchange (Rural)	H46C	Kaka Point Road, Port Molyneux	Part Section 9, Block XIV, Town of Molyneux
D45	Milton Exchange (Urban)	U37	Spenser St, Milton	Lot 49, Block VII, DP 6 and being Part Section 134 Block XVII, Tokomairiro SD
D46	Owaka Exchange (Urban)	U41	Waikawa Road	Section 136, Block VIII, Glenomaru SD
D47	Taieri Mouth Exchange (Urban)	U50	Moturata Road	Part Section 2, Block XXIV, Waiholā SD
D48	Waipahi PCM Hut (Rural Settlement)	U50	Waipahi Highway (SH 1)	Section 80, Block VII, Waipahi SD
D49	Waipori Exchange (Rural)	U62	Waipori Falls Road	Part Common Property UP 23599

	Settlement)			
D111	Balclutha Exchange (Urban)	U4	Cnr John and James Streets, Balclutha	Lot 2 DP 20911 CT 12C/426
D112	Blue Mountains Microwave Station (Rural)	G44D	Former Beaumont State Forest	Included in Section 1, Block XX, Crookston SD, Grid Ref S162/228706
D113	Hina Hina Hill, SMA and VHF Station (Rural)	H47A	Hina Hina Hill No. 2	Section 4, Block III, Woodland SD, Grid Ref NZMS 260, H47509
D114	Kaka Point Microwave Station (Coastal)	U27	Port Molyneux	Area shown as "C" being an easement over Lot 2, Block XI, Town of Molyneux
D115	Lawrence Exchange (Urban)	U31	12 Beaumont Road Lawrence	Section 23, Block XLIV, Town of Lawrence
D116	Mt Stuart, land mobile VHF station (Rural)	H45C	Burma Road	Section 1, SO 12826
D117	Stoney Creek telepaging and cell site (Rural)	H45C	Cameron Road, Balclutha	Section 14, Block VI, Hillend SD, grid ref H45, 82419
D118	Tapanui Exchange (Urban)	U52	Suffolk Street, Tapanui	Sec 1, SO 22908, Block III, Tapanui Town

REQUIRING AUTHORITY: BROADCAST COMMUNICATIONS LIMITED AND TELECOM CORPORATION OF NEW ZEALAND LIMITED

NOTATION - "BROADCASTING, TELECOMMUNICATION AND RADIO COMMUNICATION AND ANCILLARY PURPOSES"

Desig No.	Description and Underlying Resource Area	Map	Location	Legal Description
D50	Kuriwao Transmitter (Rural)	G46A, G46B	Old Coach Road	Sections 31, 32, Block I and Section 31 Block IV, Kuriwao SD

REQUIRING AUTHORITY: TRANS POWER NEW ZEALAND LIMITED

NOTATION - "ELECTRICITY SUBSTATION"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D51	Balclutha Substation (Rural)	U2	Milton Highway (SH 1)	Lots 1 and 2, DP 19469 and Part Section 42, Block I, Hillend SD

REQUIRING AUTHORITY: MINISTER OF CONSERVATION

NOTATION - "PROPOSED RESERVE FOR GOVERNMENT PURPOSE (WILDLIFE MANAGEMENT)"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D52	Waipori/Waihola Wetland Complex (Rural)	H45B	Lakes Waihola and Waipori	Sections 2-5 and Part Sections 1 and 6 Block XVI, Sections 1-6, 8, Block XXIII, Sections 6 and Part Sections 4 and 5 Block XXII and Part Sections 2 and 3, Block XXI, Waihola SD and Part Sections 3 and 34, Block VII and Part Section 83, Block VI, Clarendon SD and Part Beds

				of Lakes Waihola and Waipori
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NOTATION - "PROPOSED SCENIC RESERVE"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D54	Tautuku Bay Scenic Reserve (Coastal)	G47B	State Highway 92, Tautuku Bay, Catlins	Section 28, Block VIII, Tautuku SD

REQUIRING AUTHORITY: POWER COMPANY LIMITED

NOTATION - "NETWORK UTILITY - ELECTRICITY SUBSTATION"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D55	Conical Hill Substation (Rural)	G45A	Pomahaka Road	Part Lot C DP 1910 and Part Section 2 SD 22411
D56	Kelso Substation (Rural)	G45A	Cross and Swamp Road, Kelso	Part Section 64, Block III, Glenkenich SD

REQUIRING AUTHORITY: AIRWAYS CORPORATION OF NEW ZEALAND

NOTATION - "AIR NAVIGATION AID"

Desig. No.	Description and Underlying Resource Area	Map	Location	Legal Description
D57	Berridale Non-Directional beacon	H45B	Circle Hill Road, Circle Hill	Section 1 SO 20171

	(Rural)			
D58	Clarendon O3 ILS Outer Marker (Rural)	H45B	Berwick Rd Lake Waihola	Sections 1 and 2 SO 20244

REQUIRING AUTHORITY: CLUTHA DISTRICT COUNCIL

NOTATION - "QUARRY"

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D60	(Rural)	G45B	Rongahere, Clutha River Road	Part Section 17, Block VI, Rankleburn SD
D61	(Rural)	G46A	Old Coach Road, Clinton	Part Lot 1, DP 6447
D62	(Rural)	H45A	Black Swamp Road	Lot 1, DP 16383
D63	(Rural)	H45B	Fort Hill Road	Part Sections 23,24,31,41,44, Block I, Table Hill SD
D64				
D65	(Rural)	H45D	Bush Gully Road	Section 41, Block I, Akatore SD
D66	(Rural)	I45C	Akatore Road	Lot 1, DP 9088
D67	(Rural)	H46A	Clutha Valley Road	Section 48, Block II, Hillend SD
D68	(Rural)	H45D	Coal Gully Road	Part Section 23, Block I, Akatore SD
D69	(Rural)	G47B	Warnock Road	Part Section 22, Block VII, Woodland SD
D70	(Rural)	G47B	Florence Hill, Papatowai	Part Section 30, Block IV, Tautuku SD
D71	(Rural)	U29	Adjacent to Main South Railway, Kakapuaka	Lot 87, Deeds Plan 170, Block XXXIII, Clutha SD
D72	(Rural)	U23	Needles Street Kaitangata	Sections 12, 13, Block LXV Town of Kaitangata
D73	(Rural)	U23	Between Needles and Christchurch Streets, Kaitangata	Sections 11,12,13,14,15 Block LXVI Town of Kaitangata
D74	LP Reserve (Rural)	G47B	Adjacent Owaka- Papatowai Road	Section 26, Block IV, Woodland SD
D75	LP Gravel	G47B	Purakauiti School Road	Section 35, Block X, Woodland

	Reserve (Rural)			SD
D76	(Rural)	H45D	Tokomairiro River, Morgan Road	Block 1, Akatore SD

NOTATION - "PROPOSED REFUSE TRANSFER STATION (INCLUDES GREEN WASTE COMPOSTING AND LANDFILL ACTIVITIES)"

Desig No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D90	Lawrence Transfer Station (Rural)	H44C	Irvine Street, Lawrence	Lots 3, 4 and 5 DP 173
D190	Milton Transfer Station (Rural)	U37	Milton	Lots 45-48, 50-56 and Part Lot 49, Block IX Deeds Plan 104 and Part Lot 3 DP 1018

NOTATION - "TRANSFER STATION"

Desig No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D91	Tapanui Transfer Station (Rural)	G45A	Whisky Gully Road, Tapanui	Section 26 Block VIII Glenkenich SD

NOTATION - "LANDFILL"

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D110	Bush Gully Landfill (Rural)	H45D	Bush Gully Road	Part Lot 5 DP 4419

NOTATION - "REFUSE DISPOSAL"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D120	Mt Cooe	U5	Kaitangata Highway,	Lots 1 and 2, DP 12203 and

	Landfill (Rural)	and H46A	Balclutha	Part Sections 4 and 5, Blk XIV, North Molyneux SD
D121				
D122				
D123				
D124				
D125				
D126				
D127				
D128				

NOTATION - "LANDFILL"

These sites are shown on the Planning Maps as "LF" and are designated for "Refuse Disposal" purposes. Implementation of Council's Solid Waste Management Plan may eventually see the closure of these sites for refuse disposal purposes. Where these sites are closed, the "LF" notation will remain on the Planning Maps for information purposes only. The underlying Resource Area for each Landfill shall be the adjacent Resource Area.

NOTATION - "RURAL WATER SUPPLY SCHEME"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D130	Clydevale Rural Reservoir (Rural)	G45B	Manuka Road, Back Creek	Part Section 11, Block VI, Rankleburn SD
D131	Clydevale Rural Intake and Pumping Station (Rural)	G45B	Manuka Road, Back Creek	Part Section 12, Block VI Rankleburn SD
D132	Glenkenich Rural Reservoir (Rural)	F44D	Middle Road East	Part Lot 5, DP 1142
D133	Glenkenich Rural Pumping Station and Treatment Plant (Rural)	G44C	Telegraph Road, Pomahaka River	Part Section 14, Block VIII Greenvale SD
D134	Pomahaka Rural Reservoir	G45D	Clydevale Road, Popotunoa	Part Section 74, Block XI, Pomahaka SD

	(Rural)			
D135	Pomahaka Rural Intake and Treatment (Rural)	G45D	Clydevale Road Popotunoa	Part Lot 56, DP 1963 L
D136	North Richardson Rural Intake and Treatment (Rural)	H45C	Whitelea Road Clutha River	Part Section 2, Block LXXI Clutha SD
D137	North Richardson Rural Reservoir (Rural)	H46A	Moffat Road, Te Houka	Part DP 934 Block LXI and Part DP 1688, Block LX, Clutha SD
D138	North Bruce Rural Reservoir (Rural)	H45B	Fletts Road	Part Section 25, Block VI, Table Hill SD
D139	North Bruce Rural Reservoir and Treatment Plant (Rural)	H45B	Opposite Corner of South Boundary Road and West Boundary Road	Part Section 34, Block VI Table Hill SD
D140	North Bruce Rural Reservoir (Rural)	H45B	Finlayson Road	Part Section 48, Block I Clarendon SD
D141	North Bruce Rural Reservoir (Rural)	H45D	Gorge Hill, (Wilkinson Road)	Part Section 14, Block III, Clarendon SD
D142	North Bruce Rural Reservoir (Rural)	H45D	Bush Gully Road	Part Section 1 to 11 Block 1, Akatore SD
D143	Balmoral One Reservoir (Rural)	H45A	Cairn Road	Section 1A, Greenfield Settlement situated in Block VII, Waitahuna West SD
D144	Balmoral 2 Reservoir (Rural)	H45C	Mount Stuart Road	Part Lot 8 DP 1938
D145	Balmoral 2 Reservoir (Rural)	H45C	Tongue Road	Part Lot 10, DP 1940

D146	Waitahuna Treatment Plant (Rural)	H45A	McCulloch Road Waitahuna River	Part Section 9, Block VIII Waitahuna East SD
D147	South Bruce Reservoir (Rural)	H46A	Benhar Road	Part Section 13, Block 1, Hillend SD
D148	North Bruce Reservoir (Rural)	H45D	Mt Misery	Part Section 24, Block 1, Kaitangata SD
D149	Stirling Treatment Plant and Intake (Rural)	H46A	Kaitangata Highway	Part Section 8, Block XII North Molyneux SD

NOTATION - "RURAL WATER SUPPLY SCHEME"

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D150	Wangaloa Reservoir (Rural)	H46A	State Forest Near Wangaloa Road	Part Section 9, Block IX Kaitangata SD
D151	Waihola Reservoir (Rural)	U59	Sheerness Street, Waihola	Situated within Sheerness Street adjacent to Section 14, Block XV, Town of Waihola
D152	South Richardson Rural Reservoir (Rural)	H46A	Puerua	Part Section 5, Block I South Molyneux SD
D153	South Richardson Rural Intake Treatment Plant (Rural)	H46A	Puerua Valley Road	Part Lot 2, DP 18033
D155	Stirling Reservoir (Rural)	H46A	Stirling Road	Lot 1 DP 16503, Blk XIV, Molyneux SD
D156	Lawrence Treatment Plant and Reservoir (Rural)	H44C	Munro Road	Section 93, Blk X, Tuapeka East SD

D157	Moa Flat Treatment Plant (Rural)	G44A	Aitchison Runs Road	Section 3, Blk XVIII, Wart Hill SD
D158A	Heriot Reservoir (Rural)	G44C	Dunrobin Road	Part 14, Blk VII, Crookston SD
D158	Tapanui Treatment Plant and Reservoir (Rural)	G45A		Section 33, Blk VIII, Glenkenich SD
D159	Tuapeka West Treatment Plant (Rural)	G44D	Munro Road	Part of Pt LG 163 Crown Land, Blk III, Tuapeka West SD
D160	Tuapeka West Reservoir (Rural)	G44D	Cockleshell Road	Section 17, Block VI, Tuapeka West SD
D162				
D163				
D164				
D165				
D166				
D167				
D168				
D169				

NOTATION - "WATER SUPPLY"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D170	Clinton Reservoir (Rural)	G45D	Popotunoa Hill, Clinton	Part Lot 13, DP 1132L
D171	Milton Water Treatment Works (Rural)	H45D	North Branch Road	Part Section 42, Block V, Tokomairiro SD
D172	Milton	H45D	Scott Road	Part Section 119, Block XIII,

	Reservoir (Rural)			Tokomairiro SD
D173	Benhar Reservoir - (Rural)	H46A	Benhar Road	DP 12264
D174	Kaka Point Reservoir (Rural)	H46C	Tinico Road, Kaka Point	Part Section 12, Block II South Molyneux SD

NOTATION - "WATER SUPPLY"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D175	Owaka Reservoir (Rural)	H46C	Owaka	Part Lot 1, DP 3331
D176	Clinton No. 2 Reservoir (Rural)	U13	Gorge Road, Clinton	Part Section 18, Block XI Town of Clinton
D177	Owaka Water Pumping Station (Urban)	U41	Corner Reid and Inn Streets, Owaka	Lot 32, Deeds Plan 241
D178				
D179				
D180				
D181				
D182				
D183				
D184				
D185				

NOTATION - "SEWAGE TREATMENT"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D190	Milton Sewage Treatment Works (Rural)	U37	Bruce Street, Milton	Lots 41-48, 50-56 and Parts Lot 49, Block IX, Deeds Plan 104, Sec 143 Block XVII, Tokomairiro Survey District, and Parts Lot 3, DP 1018
D191	Owaka	H46C	Owaka	Part Section 3, Sections 4 and

	Oxidation Ponds (Rural)			5, SO 22858
D192	Clinton Oxidation Ponds (Rural)	U14	Hawthorn Street, Clinton	Section 2, Part Section 1, Block XXVII, Town of Clinton, Part Section 17 Block 1, Kuriwao SD
D193	Kaitangata Oxidation Ponds (Rural)	U26	Bush Road, Adjacent Clutha River, Kaitangata	Lot 1, DP 17583
D194	Lawrence Oxidation Pond - (Rural)	U33	Adjacent Stranaer and Burrow Streets, Lawrence	Sections 1 - 20, Block XXXV Town of Lawrence
D195	Tapanui Oxidation Pond (Rural)	G45A	Tapanui	Lot 1 DP 16120
D196	Heriot Oxidation Pond (Rural)	G44C	Ardmore Road	Part Section 11, Block IV, Greenvale SD
D197				
D198				
D199	Balclutha Pumping Station (Industrial)	U4	Adjacent Main South Railway	Lot 1, DP 11542
D200	Kaka Point Oxidation Ponds (Rural)	U28	Kaka Point	Part Section 2, Block II South Molyneux SD
D201	Stirling Oxidation Ponds (Rural)	H46A	Anderson Road, Stirling	Lot 1 DP 20309
D202	Waihola Oxidation Pond (Rural)	H45B	Titri Road, Waihola	
D203	Oxidation Ponds and associated Sewage Treatment	U17	Owaka Highway, Finegand	Pt Sec's 17 and 18, DP 3656, Blk XXXIII Clutha SD

	facilities			
D204				

NOTATION - "SERVICE LANE"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D220	Proposed Service Lane and car park (Urban)	U4	Between Elizabeth, Charlotte and George Streets, Balclutha	Part Lots 3,5,6,7,30,31,36, Block I, DP 19 Lot 2, DP 18394, Lot 2, DP 17465, Part Lot 1, DP 9547, Part DP 1467, Part Lots 1, 2, DP 9791, Part Lots 1, 2, DP 8712, Part Lot 2, DP 4593, Part Lot 1, 3, DP 5336, Part Lot 2, DP 4639
D221	Proposed Service Lane (Urban)	U4	Gordon and James Street, Balclutha	Part Lots 9, 11, 14, 17, Block IV, Deeds Plan 82, Lot 1 DP 16435
D222	Proposed Service Lane	U4	James Street, Balclutha	Part Lot 2, DP 6092, Part Lot 2, DP 10602, Part Lots 7, 9, Block III, Deeds Plan 74, Part Lot 2, DP 20911
D223	Proposed Service Lane (Urban)	U52	From Essex Street between Sussex and Northumberland Streets, Tapanui	Part Sections 6, 7, 9, 10, 11, Block II Town of Tapanui and Part Lot 9, DP 9136
D224	Existing Service Lane (Urban)	U4	James Street, Balclutha	Service Lane, James Street, Balclutha (Gaz. 1975 p.1860)

NOTATION - "DEPOT"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D230	Milton Depot (Urban)	U37	Ajax Street, Milton	Part Lot 32, Block II, Deeds Plan 87
D231				
D232	Clinton Depot (Urban)	U13	Nelson and Skerry Streets, Clinton	Lot 5, DP 10440

D23 3	Balclutha Depot (Urban)	H46A	McKay Road, Balclutha	Lot 1, DP 9528
D23 4	Owaka Depot (Rural)	U41	Corner Reid and Saunders Streets, Owaka	Lot 1, DP 16894
D23 5	Balclutha Depot (Urban)	U4	Crown Street	Lot 1, DP 6347 Part Sections 12, 14, 18 Block III, Clutha SD
D23 7	Tapanui Depot (Rural)	U52	Sussex Street, Tapanui	Part Lot 2, DP 16024
D23 8				
D90	Lawrence Depot (Urban)	H44C	Irvine Street, Lawrence	Sections 208,209, Blk 214, Tuapeka East SD
D24 0				
D24 2				
D24 3				
D24 4				
D24 5				
D24 6				
D24 7				
D24 8				
D24 9				

NOTATION - "FLOOD CONTROL"

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D250	(Rural)	U3	Adjacent Hospital Road, Balclutha	Part Lots 1, 2, DP 21722 Part Lots 1,2, DP 5458 Part Lot 23, Deeds Plan 325
D251	(Rural)	U3	Hospital Road, Balclutha	Part Sections 1,12,13 Block XXXV, Clutha SD.

NOTATION - "DRAINAGE CHANNEL"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D260	(Urban)	U3 U4	From Clyde Street to Main South Railway and adjacent Francis Street; from Clyde Street to Centennial Avenue to Hospital Road, Balclutha	Part Lots 6, 7, 8 DP 725, Part Lot 1 and 3, DP 4318 and Part Lot 1, DP 4317, Part Lot 2, DP 9223, Part Lot 9 and 11, DP 7249

NOTATION - "CLUTHA DISTRICT SERVICE CENTRES"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D275	Milton (Urban)	U37	Ajax and Union Street	Lot 21, 22- and 23, Part Lot 23, Block II, Deeds Plan 87
D276	Tapanui (Urban)	U52	Suffolk Street	Section 5, Block II, Tapanui Town
D277	Kaitangata (Urban)	U25	Eddystone Street,	Section 2, Block XXXI Town of Kaitangata
D278	Lawrence (Urban)	U31	Peel Street	DP 820

NOTATION - "CLUTHA DISTRICT COUNCIL OFFICE"

Desig No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D290	Main Office (Urban)	U6	52 Wilson Road, Balclutha	Lot 1, DP 17739

NOTATION - "HALLS AND COMMUNITY CENTRES"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D300	Hall (Urban)	U25	Corner Eddystone and Wyre Streets, Kaitangata	Part Section 4, Block XVIII, Town of Kaitangata
D303	Hall (Rural Settlement)	U63	Boyldon Street, Waitahuna	Section 7, Block XIV Town of Havelock
D301	Local purpose (Urban)	U4	Clyde Street, Balclutha	Section 17, Block VI, Town of Balclutha
D302	Hall (Urban)	U37	Union Street, Milton	Lot 17, Block VII, Deeds Plan 6.

NOTATION - "CAR PARK"

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D320	Car Parking (Urban)	U4	James Street, Balclutha	Part Lot 1, DP 10519

NOTATION - "PLAYGROUND"

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D330	Kaka Point Playground (Urban)	U28	Esplanade, Kaka Point	Part Lot 18, DP 1183
D331	Owaka Playground (Urban)	U41	Waikawa Road, Owaka	Part Section 130, Block VIII, Glenomaru SD
D332	Balclutha (Urban)	U1	Lowestoft Street, Balclutha	Part Section 14, Blk XXV, Balclutha
D333	Balclutha (Urban)	U2	Yarmouth Street, Balclutha	Lots 1-3, DP 9035
D337	Kaitangata (Urban)	U25	Corner Torquay and Salcolme Streets, Kaitangata	Sections 14 and 15, Block V, Town of Kaitangata
D342	Moore Park (Urban)	U37	Spencer Street, Milton	Lots 12-14, 36-43, and Part Lots 11, 15, 35 and 44, Block X, Deeds Plan 3
D343	Playground/Carpark (Urban)	U4	Lanark Street, Clyde Street, Balclutha	Section 12, and Part Sections 9, 10, 11, Block VII, Town of Balclutha
D344	Balclutha (Urban)	U1	Moir Street	Lot 1 DP 16133
D345	Balclutha (Urban)	U1	Gormack Street	Lot 22 DP 16133

NOTATION - "SWIMMING POOL"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
D350	Lawrence Swimming Pool (Urban)	U32	Corner of Whitehaven and Rea Streets, Lawrence	Section 14, Block XII, Town of Lawrence

NOTATION - "LIBRARY"

Desig. No.	Description and Underlying Resource Area	Map No.	Location	Legal Description
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D371	Balclutha (Urban)	U4	Douglas Street and corner of John and Stewart Street Balclutha	Section 26, Block XXXV, Clutha S.D. Part Lots 1 and 2, Block XIII, DP 148.
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NOTATION - "CEMETERIES"

Note: these are not designations in terms of the Resource Management Act 1991, but merely identify cemeteries that are either held under the Reserves Act 1977 and/or are protected and managed under the Burial and Cremations Act 1964.

Desig. No.	Description and Underlying Resource Areas	Map No.	Location	Legal Description
D390	Waikoikoi (Rural)	G45A	Cemetery Hill Road Waikoikoi	Section 47 and Part Section 43A, Block X, Glenkenich SD
D391	Clinton (Rural)	G46A	Waipahi Highway (SH 1)	Cemetery Reserve, Block XI Town of Clinton
D392	Romahapa (Rural)	H46C	Romahapa	Section 12, Block II, Glenomaru SD
D393	Port Molyneux (Rural)	H46C	Molyneux	Cemetery Reserve adjacent Ives Street, Block LIV, Town of Molyneux
D394	Tapanui (Rural)	G45A	Dover Street, Tapanui	Section 2, 11, Block IV, Glenkenich SD
D395	Beaumont (Rural)	U49	Weardale Street Beaumont	Section 32, Block III, Beaumont SD
D396	Tuapeka Mouth (Rural)	U56, U57	Cemetery Road Tuapeka Mouth	Section 96, Block I Waitahuna SD
D397	Waipahi (Rural)	U61 and G45C	West Otago Road Meath Street, Waipahi	Section 76, Block VII, Waipahi SD
D398	Warepa (Rural)	G46B	Hillfoot Road, Warepa	Part Section 12, Block C1, Clutha SD
D399	Clarendon (Rural)	H45B	Berwick Road	Section 43B, Block VII, Waihola SD
D400	Taieri Beach (Rural)	I45C	Finlayson Road	Section 72, Block VI, Clarendon SD
D401	Balclutha (Rural)	U2	Milton Highway (SH 1)	Part Section 24, Block XVII, Clutha SD
D402	Kaitangata (Rural)	H46A	Lakeside Road	Pat Sections 1 and 2, Block II, South Tuakitoto SD

D403	Fairfax (Rural)	U55	Knoll Street, Tokoiti	Sections 1-15 and closed Road, Block IV, Sections 1-9 and Closed Road, Block IX, Town of Fairfax
D404	Fairfax - Proposed Cemetry Purposes (Rural)	U55	Knoll Street, Tokoiti	Part Lemman Street - Legal Road
D405	Waihola (Rural)	U59	Beacon Street, Waihola	Section 43, Block II, Clarendon SD
D406	Taieri Mouth (Rural)	U49	York Street, Taieri Mouth	Section 39, Block XI, Clarendon SD
D407	Purekireki (Rural)	G46D	Adjacent Owaka River, Purekireki	Section 13, Block VIII, Warepa SD
D408	Tahakopa (Rural)	G47B	Tahakopa Valley Road	Section 33, Block IV, Tautuku SD
D409				
D410	Papatowai (Coastal)	G47B	Picnic Point, Papatowai	Section 153, Town of Papatowai
D411	Lawrence (Rural)	U31	Gabriel Street, Lawrence	Section 1, Block LXVIII Town of Lawrence
D412	Waipori (Rural)	H44C	Lake Mahinerangi	Section 4, Block I, Waipori SD
D413	Old Balclutha Cemetry (Urban)	U2	Norfolk Street, Balclutha	Part Cemetery reserve Block XVII Town of Balclutha
D414	Glenore (Rural)	H45C	Glenore Cemetery Road	Part Section 7, Block L Tokomairiro
D415	Mathesons Corner (Rural)	G44C	Mathesons Corner Road	Section 24, Block VII, Crookston S.D.
D436	Waitahuna (Rural)	U64	Waitahuna	Section 10, Blk XXVIII, Town of Havelock
D432				
D437	Ratanui (Rural)	G47B	Ratanui - Tahakopa Beach Road	Sections 67 and 68, Block VII Woodland SD

REQUIRING AUTHORITY: DUNEDIN AIRPORT LIMITED

NOTATION - "TAKE OFF SURFACES AND LAND USE CONTROLS"

Desig. No.	Description and Underlying	Map	Location	Legal Description
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Resource Area				
D438	Take Off Surface (Rural)	H45B	An area of land to the north of Lake Waihola	Various

The designation is subject to the following conditions:

1. Written consent of Dunedin International Airport Limited is to be obtained prior to any resource consent or building consent application made to the Clutha District Council or prior to the carrying out of any works involving the construction of any structure including any buildings, aerial, antennae or other object which in any way penetrates any of the surfaces illustrated on the Drawings entitled Take Off and Approach Surfaces provided that this does not apply to the maintenance and minor upgrading of the Gore – Halfway Bush A 110kV and North Makarewa – Three Mile Hill A 220kV lines where that works does not increase the height of these structures. For clarity, this restriction also applies to forestry activities.
2. Any proposal to build a structure that will penetrate any of the approach and take off fan surface will be subject to detailed assessment by Dunedin International Airport Limited. Any such proposal must clearly and accurately indicate the vertical and horizontal extent of any proposed surface penetration and be accompanied by an explanation of the need for the penetration. The assessment by Dunedin International Airport Limited will be confined to the possible effects on aircraft and aerodrome operations.

REQUIRING AUTHORITY: NZ TRANSPORT AGENCY

NOTATION - "STATE HIGHWAY PURPOSES"

This designation applies to all State highways in the District, namely State Highway 1, 8 and 90 (see Rooding Hierarchy in Schedule 6.9). The designation provides for the NZ Transport Agency, either itself or through its agents, to control, manage and improve the State highway network which includes all planning, design, research, construction and maintenance relating to the land within the designation. Such activities may also involve, but are not necessarily limited to, realignment works, altering physical configurations, culverts, bridges and associated protection works. Road signs and markings are also covered by the designation. State highways are shown in orange on the Planning Maps.

NOTATION - "LIMITED ACCESS ROAD"

The following details the limited access roading network in the Clutha District:

SH	Length (km)	Section	Map No
1	0.60	Waihola	U58, U59
1	6.65	Waihola - Milburn	H45B
1	5.77	Milburn - Milton	H45D, U34, U35, U36
1	2.51	Milton - Clarksville	H45D, U37, U39

1	9.60	Tokomairiro-Lovells Flat Road	H45D, H45C
1	7.43	Lovells Flat Road - Smaills Road	H45C, H46A
1	2.88	Smaills Road-Balclutha	H46A
1	1.54	Balclutha-Hillcrest Road	U2, H46A
1	2.73	Te Houka Road-Rest Area	H46A
1	3.1	District Road - Clinton	G46B
8	1.54	Tuapeka Creek - Lawrence	H44C, U32, U33
8	1.07	Waitahuna Bypass	Maps U63, U64

The objective of this control is to protect and maintain the safety and high level of traffic service on these important routes which may otherwise be adversely affected by traffic generation from adjacent properties. Existing legislation controls conditions relating to access to and from land adjoining Limited Access Roads. The effect is to prevent the proliferation of new access points and to reduce the number of accesses and volumes of traffic using them.

SCHEDULE 6.3. SCHEDULE OF FACILITIES

This schedule and the corresponding notations on the Planning Maps cross references to Rule AME.8.

Facility No.	Map No.	Description
F.1	G45A	Church, Crossans Corner
F.2	U16	Hall, Dunrobin
F.3	U16	Church, Dunrobin
F.4	U60	Church, Waikoikoi
F.5	G45B	Church, Ford Road
F.6	G44C	Hall, Crookston
F.7	G44C	Church, Crookston
F.8	G45D	Hall, Popotunoa
F.9	G46A	Hall, Kuriwao Gorge
F.10	G46B	Hall, Warepa
F.11	G46B	Church, Warepa
F.12	G46D	Church, Purekireki
F.13	G46D	Hall, Purekireki
F.14		
F.15	U45	Hall, Romahapa
F.16	U21	Church, Heriot
F.17	U21	Church, Heriot
F.18	U20	Community Centre, Heriot
F.19	U21	Fire Station, Heriot
F.20	U9	Hall, Beaumont
F.21	U1	Church, Balclutha
F.22	U63	Church, Waitahuna
F.23	U63	Church, Waitahuna
F.24	U52	Fire Station, Tapanui
F.25	U52	Church, Tapanui
F.26	U13	Church, Clinton
F.27	U13	Church, Clinton
F.28	U13	Bowling Green, Clinton

F.29	U13	Tennis Courts, Clinton
F.30	U13	Golf Course, Clinton
F.31	U13	Hall, Clinton
F.32	U65	Church, Waiwera South
F.33	U65	Hall, Waiwera South
F.34	U15	Church, Clydevale
F.35	U17	Bowling Green, Finegand
F.36	U29	Hall, Kakapuaka
F.37	U41	Church, Owaka
F.38	U41	Church, Owaka
F.39	26	Church, Owaka
F.40	U41	St Johns Ambulance, Owaka
F.41	U41	Church, Owaka
F.42	U41	Fire Station, Owaka
F.43	U13	Fire Station, Clinton
F.44	U27	Church, Kaka Point
F.45	U28	Fire Station, Kaka Point
F.46	U28	Hall, Kaka Point
F.47	H44C, U32	Golf Course, Lawrence
F.48	U83, H45A	Golf Course, Waitahuna
F.49	U19	Golf Club, Greenfield
F.50	U19	Bowling Green, Greenfield
F.51	U19	Fire Station, Greenfield
F.52	U19	Community Centre, Greenfield
F.53	U10	Hall, Benhar
F.54	U2	Church, Balclutha
F.55	U47	Hall, Stirling
F.56	U47	Hall, Stirling
F.57	U47	Bowling Green, Stirling
F.58	U35	Showgrounds, Milton
F.59	U37	Fire Station, Milton
F.60	U37	Hall, Milton
F.61	U37	Hall, Milton
F.62	U37	War Memorial Park, Milton
F.63	U37	Bowls, Milton

F.64	U37	Hall, Milton
F.65	U37	Hall, Milton
F.66	U4	Church, Balclutha
F.67	U4	School, Balclutha
F.68	U37	Church, Milton
F.69	U37	Tennis/Pool, Milton
F.70	U37	Church, Milton
F.71	U55	Hall, Tokoiti
F.72	U23	Rugby Club/Grandstand
F.73	U25	Bowling Green, Kaitangata
F.74	U25	Church, Kaitangata
F.75	U25	Scout Hall, Kaitangata
F.76	U25	Church, Kaitangata
F.77	U25	Fire Station, Kaitangata
F.78	U32	Bowls, Lawrence
F.79	U32	Hall, Lawrence
F.80	H45C	Hall, Lovells Flat
F.81	H47A	Hall, Ratanui
F.82	U63	Fire Station, Waitahuna
F.83	U48	Hall, Tahakopa
F.84	U4	Scout Hall, Balclutha
F.85	U4	Pipe Band Hall, Balclutha
F.86	U4	Church, Balclutha
F.87	U1	Town and Country Club, Balclutha
F.88	U4	St John, Balclutha
F.89	U4	Hall, Balclutha
F.90	U4	Hall, Balclutha
F.91	U4	Club, Balclutha
F.92	U4	Fire Station, Balclutha
F.93	U4	Church, Balclutha
F.94	U4	Church, Balclutha
F.95	U4	Church, Balclutha
F.96	U4	Hall, Balclutha
F.97	U4	Club, Balclutha
F.98	U4	Hall, Balclutha
F.99	U4	Hall, Balclutha

F.100	U4	Hall, Balclutha
F.101	U4	Private School, Balclutha
F.102		
F.103	U32	Hospital, Lawrence
F.104	U49	Hall, Taieri Mouth
F.105	U59	Bowls, Waihola
F.106	U56	Hall, Tuapeka Mouth
F.107	U57	Church, Tuapeka Mouth
F.108	H45D	Golf Course, Milburn
F.109	G45D	Hall, Pukeawa
F.110	U32	Fire Station, Lawrence
F.111	U9	Beaumont Tennis Court
F.112	U9	Beaumont Swimming Pool
F.113	U4	Brass Band Hall, Balclutha
F.114	U4	Kindergarten, Balclutha
F.115	U4	Deerstalkers Hall, Balclutha
F.116	U6	Church, Balclutha
F.117	U4	Church, Balclutha
F.118		
F.119	U4	Church, Balclutha
F.120	U10	Church, Benhar
F.121	U47	Church, Stirling
F.122	U34	Hall, Milburn
F.123	U37	St Johns Ambulance, Milton
F.124	U37	Medical Centre, Milton
F.125	U37	Milton Civic Centre, Milton
F.126	U37	Church, Milton
F.127	U37	School, Milton
F.128	U54	Hall, Toko Mouth
F.129	U59	Firestation, Waihola
F.130	U59, H45B	Youth Camp, Waihola
F.131	U59	Church, Waihola
F.132	U28	Camping Ground, Kaka Point
F.133	U28	Bowling Green, Kaka Point
F.134	U28	Playground, Kaka Point
F.135	U65	Fire station, Waiwera South

F.136	U41	Hall, Owaka
F.137	U41	Tennis courts/swimming pool, Owaka
F.138	G46D	Hall, Katea
F.139	G46D	Hall, Tahatiko
F.140	U48	Hall, Tahakopa
F.141	G47B	Otago Youth Adventure Camp, Tautuku

SCHEDULE 6.4. HEAVY VEHICLE IMPACT NOTICE

This schedule cross references to Rule RRA.6

Name and address of Resource User:

.....

Name and address of Transport Operator:

.....

Location of

Property:

Public Roads to be utilised (including neighbouring territorial authority roads)

.....

.....

Type and weight of vehicle to be used:

Likely volume and weight of product:

Likely date of commencement:

Frequency of vehicle movements:

Dated at on this..... day of 20.....

Address for Service:

.....

.....

.....

Signature:

Supplementary information required:

- 1. Location plan of the site showing what roads or portion of roads are to be affected.

SCHEDULE 6.5. 1994 VALUATIONS OF SEWERAGE AND WATER SYSTEMS

This schedule cross references to Rule FIN.9

WASTEWATER SYSTEMS FIXED ASSET REGISTER

Locality	Units	B.V. 30 June 1994
Balclutha	1,890	3,320,175
Kaitangata	352	1,218,350
Lawrence	307	863,351
Milton	973	1,553,303
Tapanui	451.5	1,030,100
Stirling	121.5	437,166
Waihola	107	503,229
Kaka Point	220	656,147
Owaka	168	429,307
Heriot	98	488,941
Clinton	167	476,721
		10,976,790

RURAL WATER SUPPLY SYSTEMS FIXED ASSET REGISTER

Locality	B.V. 30 June 1994
Balmoral 1	742,642
Balmoral 2	1,297,550
North Bruce	2,865,495
South Bruce	854,054
Clydevale	447,221
Glenkenich	2,475,112
Moa Flat	3,300,710
Pomahaka	800,326
Richardson	2,398,095
Tuapeka East	917,380
Tuapeka West	987,362

Wangaloa	439,891
-----------------	---------

WATER SUPPLY SCHEMES FIXED ASSET REGISTER

Locality	Units	B.V. 30 June 1994
Balclutha	1,919	1,620,024
Benhar	59	137,099
Kaitangata	379	637,443
Kaka Point	182	304,137
Lawrence	300	724,149
Milton	1,003	1,069,642
Owaka	182	296,086
Clinton	163	181,740
Stirling	141	211,372
Tapanui	526	507,830
Waihola	173	143,021

SCHEDULE 6.6. WATERBODIES WITH PUBLIC ACCESS REQUIREMENTS

The waterbodies listed have some deficiencies in terms of secure public access provisions. The majority of these waterbodies are indicated on the planning maps. Clutha District Council's policy in this regard to this issue is set out in Policy FIN.9 to 11 and Rule FIN.8. 'Deficiency' may mean a complete lack of access provision, or simply mean that existing provisions are insufficient or impractical.

- All waterbodies contained within the Catchment Areas of the following as shown on the Planning Maps:
 - Whiskey Gully Creek
 - Back Stream
 - Greens Creek
 - Meggatburn
 - Tuapeka River
 - Lake Tuakitoto
 - Phoenix Dam
 - Lakes Waihola and Waipori
- Anguilla Stream
- Aurora Creek
- Back Creek
- Back Stream (East and West Branch)
- Beresford Creek
- Beaumont River
- Big Creek
- Big Rock Creek
- Bowlers Creek
- Big Creek
- Black Rock Creek
- Boundary Creek
- Bowlers Creek
- Bull Creek
- Bungtown Creek
- Blackcleugh Burn
- Black Gully Creek
- Catlins River
- Catlins Lake
- Canadian Stream
- Canton Stream
- Carsons Stream
- Crookston Burn
- Crookburn
- Clutha River
- Daphne Brook
- Deep Creek

- Digger Creek
- Fleming River
- Falls Creek
- Four Mile Creek
- German Stream
- Glenomaru Stream
- Glencoe Stream
- Gorge Stream
- Heriot Burn
- Heriot Stream
- Hina Hina Stream
- Home Gully Stream
- Hukihuki Creek
- Kaihiku Stream
- Kaiwera River
- Karoro Creek
- Kuriwao Stream
- Lake Mahinerangi
- Lakes Waipori and Waihola
- Low Burn
- Leithen Burn
- Lammerlaw Stream
- Lee Stream
- Longbeach Creek
- Little Puerua Stream
- Lovells Stream
- Luna Creek
- Maryburn
- Mary Hill Creek - Lake Waihola
- Matai Stream
- Meggatburn
- Maclennan River
- McCormack Creek
- McKenzie Stream
- Mokoreta River
- Nardoo Stream
- Noble Stream
- North Twin Creek
- Nuggety Gully Stream
- Otara Stream
- Owaka River
- Pillans Stream
- Pomakaka River
- Paiwata Stream
- Purakaunui River
- Purakaunui Stream

- Purakaiti Stream
- Post Office Creek
- Puerua Deviation Channel/River
- Rangleburn
- Raes Junction Stream
- Robin Creek

- Rocky Valley Creek
- Salmonds Creek (that part which follows through Milton)
- Spylaw Burn
- Shagree Creek
- Shepherd Stream
- South Twin Creek
- Stony Stream
- Surveyors Creek
- Swift Creek
- Tuapeka River
- Tahakopa River
- Taieri River
- Tautuku River
- Thisbe Stream
- Thompsons Creek Tributary
- Tokomairiro River (all branches)
- Turnballs Creek
- Valley Creek
- Verter Burn
- Waipati River
- Wairepo Creek
- Waitepeka River
- Waitahuna River
- Waitangi Stream
- Waipori River
- Waipahi River
- Waiwera River
- Waikoata Stream
- Waiheke Stream
- Waikoikoi Stream
- Wairuna Stream
- Wangaloa Creek

Note: Attention is drawn to the fact that the true right bank of the Beaumont River and the true left bank of the Pomahaka River are located within Central Otago District and these margins do not require an esplanade mechanism in the context of the Clutha District Plan.

SCHEDULE 6.7. PART II PURPOSE AND PRINCIPLES OF THE RESOURCE MANAGEMENT ACT 1991

The following sections of the Act were current as at the operative date of this Plan on the 30th June 1998. Reference should be made to the Act itself before these sections are relied upon as the Resource Management Act 1991 may have undergone amendment.

SECTION 5 PURPOSE –

1. The purpose of the Act is to promote the sustainable management of natural and physical resources.
2. In this Act, “sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while:
 - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.

SECTION 6 MATTERS OF NATIONAL IMPORTANCE –

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, 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:
- (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:
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

SECTION 7 OTHER MATTERS –

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to -

- (a) Kaitiakitanga:

- (aa) The ethic of stewardship
- (b) The efficient use and development of natural and physical resources:
- (c) The maintenance and enhancement of amenity values:
- (d) Intrinsic values of ecosystems:
- (e) Recognition and protection of the heritage values of sites, buildings, places, or areas:
- (f) Maintenance and enhancement of the quality of the environment:
- (g) Any finite characteristics of natural and physical resources:
- (h) The protection of the habitat of trout and salmon.

SECTION 8 TREATY OF WAITANGI –

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

SCHEDULE 6.8. FUNCTIONS OF REGIONAL COUNCIL

THE FUNCTIONS OF THE REGIONAL COUNCIL AS SET OUT BY SECTION 30 OF THE RESOURCE MANAGEMENT ACT 1991

Note: Reference should be made to the Act itself before this section is relied upon as the Act may have undergone amendment.

30. FUNCTIONS OF REGIONAL COUNCILS UNDER THIS ACT -

- 1) Every regional council shall have the following functions for the purpose of giving effect to this Act in its region:
 - (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region:
 - (b) The preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance:
 - (c) The control of the use of land for the purpose of –
 - (i) Soil conservation:
 - (ii) The maintenance and enhancement of the quality of water in water bodies and coastal water:
 - (iii) The maintenance of the quantity of water in water bodies and coastal water:
 - (iv) The avoidance or mitigation of natural hazards:
 - (v) The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:
 - (d) In respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of –
 - (i) Land and associated natural and physical resources:
 - (ii) The occupation of space on land of the Crown or land vested in the regional council, that is foreshore or seabed, and the extraction of sand, shingle, shell, or other natural material from that land:
 - (iii) The taking, use, damming, and diversion of water:
 - (iv) Discharges of contaminants into or onto land, air, or water and discharges of water into water:
 - (v) The dumping and incineration of waste or other matter and the dumping of ships, aircraft and off-shore installations.
 - (vi) Any actual or potential effects of the use, development, or protection of land, including the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:
 - (vii) The emission of noise and the mitigation of the effects of noise:
 - (viii) Activities in relation to the surface of water:
 - (e) The control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body, including –
 - (i) The setting of any maximum or minimum levels or flows of water:
 - (ii) The control of the range, or rate of change, of levels or flows of water:
 - (iii) The control of the taking or use of geothermal energy:
 - (f) The control of discharges of contaminants into or onto land, air, or water and discharges of water into water:

- (g) In relation to any bed of a water body, the control of the introduction or planting of any plant in, on, or under that land, for the purpose of –
 - (i) Soil conservation:
 - (ii) The maintenance and enhancement of the quality of water in that water body:
 - (iii) The maintenance of the quantity of water in that water body:
 - (iv) The avoidance or mitigation of natural hazards:
 - (h) Any other functions specified in this Act.
- 2) The functions of the regional council and the Minister of Conservation under subparagraph (i) or subparagraph (ii) or subparagraph (ii) or subparagraph (vii) of subsection (1)(d) do not apply to the control of the harvesting or enhancement of populations of aquatic organisms, where the purpose of that control is to use, conserve, enhance, or develop any fisheries resource controlled under the Fisheries Act 1996.

SCHEDULE 6.9. ROADING HIERARCHY

(Refer Method TRAN.1)

RURAL ROADING HIERARCHY

1. COLLECTOR ROADS

ROAD NAME	RAMM	METERAGE	LENGTH	TOTAL
Ahuriri Flat	6656	0-3085		3085
Akatore Road	5873	7884-26586	18702	18702
Back Road	5932	0-5962		5962
Benhar	6367	0-1815		1815
Berwick Road	5853	0-14961	14961	14961
Black Bridge Road	6906	0-12640	12640	12640
Blackburn Road	6429	0-4991	4991	4991
Centre	6343	2047-8318		6271
Chapman	6133	0-4345		4345
Chester Hill Road	6388	3553-6962	3409	3409
Chloris Pass	6598	0-3206		3206
Circle Hill Road	5945	0-6333	6333	
Circle Hill Road	5872	11049-12972	1923	8256
Clifton Road	6477	0-3485	3485	3485
Coast Road	6414	6027-7293	1266	1266
Coast Road	5971	0-11533	11533	11533
Craig Road	6451	7966-10821	2855	2855
Dalvey	193	0-8250		8250
Dodds	6083	0-6545		6545
Douglas Road	5844	0-2835	2835	
Douglas Road	5872	10760-11049	289	3124
Dunlop Road	6906	12640-13792	1152	1152
Edievale Road	91	0-5343	5343	5343
Esplanade Kaka Pt	6643	0-2520		2520
Fletts Road	5872	6859-10760	3901	3901
Freezing Works Road	6800	3005-5962	2957	2957
Glenkenich Road	5747	0-7537	7537	7537
Glenledi Road	5873	0-7884	7884	7884
Greenfield Road	6451	0-7966	7966	

Greenfield Road	6452	6995-8696	1703	9669
Hillend Road	6447	0-16827	16827	16827
Hillfoot Road	6388	6962-29991	23029	23029
Hina Hina	6686	0-5922		5922
Hislop	6567	0-2016		2016
Jacks Bay Road	6683	0-2788		2788
Kaihiku Church Road	6498	0-2109		2109
Kakapuaka Road	6800	0-3005	3005	3005
Karora Creek	6650	0-4986		4986
Kempthorne	117	0-4308		4308
Kingston Terrace	5873	28176-28376	200	200
Koi Road	5774	0-8761	8761	8761
Lakeside Road	6668	0-4021	4021	4021
Lee Flat	331	0-8585		8585
Leithen	113	0-3650		3650
Mahinerangi	327	0-17572		17572
Marine Parade	5873	28376-28890	514	514
McHutchon Road	93	0-2860	2860	2860
Miller Road	5998	0-12764	12764	12764
Moa Flat Road	118	8760-21060	12300	12300
Moa Hill Road	6491	0-2594	2594	2594
Moturata Road	5873	26586-28176	1590	1590
Narrowdale	6750	0-1663		1663
Old Port	6492	0-7868		7868
Pannets	6134	0-5023		5023
Paradise Flat	133	0-5100		5100
Phosphate	5838	0-1188		1188
Port Molyneux Road	6219	0-3918	3918	3918
Pounawea Road	6711	0-3519		3519
Puahoa Road	6575	0-7438	7438	
Puahoa Road	6588	6950-8490	1540	8978
Puerua Church Road	6388	0-2947	2947	2947
Purakaunui Falls Road	6784	0-1680	1680	
Purakaunui Falls Road	6588	0-6950	6950	8630
Rankleburn River Road East	206	12010-15258		3248
Rankleburn Road	194	1240-10550	9310	9310

Riverside Road	6796	0-2150	2150	
Riverside Road	6342	6657-6958	301	2451
Romahapa	6731	0-5580		5580
Seddah Hill	5761	0-5923		5923
Shanks	116	0-5740		5740
Slopedown Road	6082	0-22542	22542	22542
South Boundary	5862	0-4735		4735
Station Road	178	0-2090		2090
Stirling	6362	0-1668		1668
Switzers Road	108	0-20750	20750	20750
Table Hill Road	5915	0-10117	10117	
Table Hill Road	5872	0-6859	6859	16976
Tahakopa Valley	6712	8936-28860		19924
Taumata	6149	0-9638		9638
Te Houka Road	6477	10321-18954	8633	8633
Telegraph	6339	0-1206		1206
The Nuggets	6649	0-7240		7240
Tolmie	6457	0-2947		2947
Waiholo Hill	5864	0-2886		2886
Waipori Falls Road	323	12578-20544		7966
Waipori Road	269	0-21911	21911	21911
Waitahuna West Road	6417	6486-11240	4754	4754
Waitahuna West Road	263	0-6829	6829	6829
Waitahuna West Road	6905	0-3130	3130	3130
Waitepeka School Road	6388	2947-3553	606	606
Wangaloa Road	6414	0-6027	6027	6027
Wilden Runs		0-13093		13093
Wilden School	89	0-9083		9083

2. DISTRICT ARTERIALS

ROAD NAME	RAMM	METERAGE	LENGTH	TOTAL
Ardmore Road	140	12673-19233	6560	6560
Bembridge Street	901	11980-12360	380	380
Clyde Terrace	901	9368-10640	1272	1272

Clydevale Road	6000	0-22420	22420	22420
Eddystone Street	901	10790-11980	1190	1190
Exmouth Street	901	10640-10790	150	150
Finlayson Road	5860	0-11750	11750	11750
Greenvale Road	140	0-12673	12673	12673
Hasborough Place	901	0-675	675	675
Kaitangata Highway	901	675-9368	8693	8693
Kaka Point Road	6202	0-13325	13325	13325
Lakeside Road	6415	0-14693	14693	14693
Mathesons Corner Road	142	640-885	245	
Mathesons Corner Road	169	0-6638	6638	6883
Mouat Saddle Road	6621	3367-7810	4443	
Mouat Saddle Road	6627	0-2724	2724	7167
Owaka Valley Road	5995	5406-47229	41823	41823
Pomahaka Road	189	0-9481	9481	9481
Pomahaka Road	5997	9402-9875	473	473
Roxburgh Street	142	0-640	640	640
Saunders Street	5995	47229-47509	280	280
Toko Mouth Road	5970	0-13134	13134	13134
Tuapeka Mouth Road	235	23633-33575	9942	9942
Tuapeka West Road	235	0-23633	23633	23633
West Otago Road	5997	0-9402	9402	9402
Wooded Hill Road	163	0-4383	4383	4383

3. REGIONAL ARTERIALS

ROAD NAME	RAMM	METERAGE	LENGTH	TOTAL
Revoked State Highway 92	5995			
Allangrange Road	6421	0-1647	1647	1647
Barnego Road	6377	0-1312	1312	1312
Baxter Street	903	350-450	200	200
Chaslands Highway	907	0-9690	9690	9690
Chaslands Highway	908	0-13470	13470	13470
Chaslands Highway	909	0-1500	1500	1500
Clutha River Road	211	20936-35063	14127	14127

Clutha Valley Road	6377	1312-23090	21778	21778
Douglas Street	903	200-350	150	150
High Street	903	650-830	180	180
Main Road	905	0-450	450	450
Manse Street	6896	0-500	500	500
Old Coach Road	5995	0-5406	5406	
Old Coach Road	5996	0-10870	10870	16276
Owaka Highway	903	830-12920	12090	
Owaka Highway	904	0-16130	16130	28220
Papatowai Highway	905	1100-14420	13320	
Papatowai Highway	906	0-12400	12400	25720
Renfew Street	903	0-200	200	200
Rongahere Road	211	0-20936	20936	20936
Stewart Street	903	450-650	200	200
Waikawa Road	905	450-1100	650	650

4. STATE HIGHWAYS

State Highway 1	Dunedin to Invercargill	
State Highway 8	Clarksville, Central Otago via Raes Junction	
State Highway 90	Gore - Central via Tapanui Raes Junction	

SCHEDULE 6.10. NGAI TAHU CLAIMS SETTLEMENT ACT 1998 - STATUTORY ACKNOWLEDGEMENT OF AREAS OF SPECIAL SIGNIFICANCE TE RUNANGA O NGAI TAHU

6.10.1. PREAMBLE

The Crown, through the Ngai Tahu Claims Settlement Act 1998 has acknowledged a number of areas in the Clutha District that have special significance to Ngai Tahu. This acknowledgement recognises Ngai Tahu's cultural, spiritual, historic, and traditional association with these areas.

These areas and Ngai Tahu's association with them are listed in clause 6.10.5 below. It should be noted that this Schedule does not identify all sites that are of significance to Ngai Tahu in terms of the Resource Management Act. Consultation in respect of other areas and resources of importance to Ngai Tahu will continue to be required.

6.10.2. PURPOSE OF THE STATUTORY ACKNOWLEDGEMENT

The purpose of statutory acknowledgements (as set out in Section 215 of the Ngai Tahu Claims Settlement Act 1998) are as follows:

- (a) To require that Clutha District Council forwards summaries of resource consent applications to Te Runanga o Ngai Tahu for activities that may impact on the statutory areas.
- (b) To require that the Clutha District Council, the Historic Places Trust, or the Environment Court, as the case may be, have regard to the areas so acknowledged.
- (c) To empower the Minister responsible for the area acknowledged or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided for by Section 212 of NTLSA;
- (d) To enable Te Runanga o Ngai Tahu and any member of Ngai Tahu Whanui to cite this statutory acknowledgement as evidence of the association of Ngai Tahu to the area acknowledged as provided for by Section 211 of the Ngai Tahu Claims Settlement Act 1998.

6.10.3. COUNCIL'S FUNCTIONS IN RELATION TO STATUTORY AREAS

In addition to the duties listed in 6.10.2 above, the Clutha District Council must also have regard to the statutory acknowledgement relating to a statutory area:

- (a) In forming an opinion pursuant to Section 93(1)(e) of the Resource Management Act 1991 as to whether Te Runanga o Ngai Tahu is a person who is likely to be directly affected by an application for activities within, adjacent to, or impacting directly on the statutory area:
- (b) In forming an opinion pursuant to Section 94(1)(c)(ii) of the Resource Management Act 1991 as to whether Te Runanga o Ngai Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the statutory area:

- (c) In satisfying itself pursuant to Section 94(1)(b) of the Resource Management Act 1991 as to whether Te Runanga o Ngai Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- (d) In forming an opinion pursuant to Section 94(3)(c) of the Resource Management Act 1991 as to whether Te Runanga o Ngai Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on the statutory area.

6.10.4. LIMITATIONS ON THE EFFECT OF THE STATUTORY ACKNOWLEDGEMENT

Except as expressly provided for by Sections 208 to 211, 213 and 215 of the Ngai Tahu Claims Settlement Act 1998 (as acknowledged in Clause 6.10.2 and 6.10.3 above):

- (a) This statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- (b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngai Tahu's association with the statutory acknowledgement area than that person or entity would give under the relevant statute, regulation, or bylaw, if the statutory acknowledgement did not exist.
- (c) This statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement except as expressly provided in this Act.
- (d) This statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to any statutory acknowledgement area, except as expressly provided in this Act.

6.10.5. AREAS ACKNOWLEDGED BY THE CROWN UNDER THE NGAI TAHU CLAIMS SETTLEMENT ACT 1998 IN THE CLUTHA DISTRICT

6.10.5.1. STATUTORY AREA - KURAMEA (LAKE CATLINS)

LOCATION

The Statutory area to which this statutory acknowledgement applies is the lake known as Kuramea (Lake Catlins), the location of which is shown on Allocation Plan MD 134 (SO 24728).

This area is located on the following Clutha District planning maps:

U40 (Newhaven); U44 (Pounaweia); H46C; H47A.

NGAI TAHU ASSOCIATION WITH KURAMEA

Kuramea is the traditional name for the waterway now known as Catlins Lake.

The lake and estuary were significant sources of mahinga kai, supporting a number of nohoanga (settlements) in the vicinity. Tuna (eels), inaka (whitebait), tuaki (cockles), pupu (mudsnails), pipi and flatfish were taken from Kuramea. The lake was also a source of raranga (weaving) materials including harakeke and paru (mud used in dying).

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Kuramea, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

As a result of this history of use, there are a number of wahi taonga within the wetland area, including middens and other evidence of occupation. These are important as places holding the memories of Ngai Tahu tupuna. In particular, a number of archaeological finds within the wetlands confirm the area's history as a wake (canoe) building area.

The mauri of Kuramea represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lake.

6.10.5.2. STATUTORY AREA - MATA-AU (CLUTHA RIVER)

LOCATION

The statutory area to which this statutory acknowledgement applies is the river known as Mata-au (Clutha River), the location of which is shown on Allocation Plan MD 122 (SG 2472 7). (See attached location map).

The Mata-au (Clutha River) passes through the following planning maps;

G44D; G45B; G45D; H45C; H46A; H46C; and the planning maps for Beaumont, Tuapeka Mouth, Clydevale, Balclutha and Kaitangata.

NGAI TAHU ASSOCIATION WITH THE MATA-AU

The Mata-au River takes its name from a Ngai Tahu whakapapa that traces the genealogy of water. On that basis, the Mata-au is seen as a descendant of the creation traditions. For Ngai Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.

On another level, the Mata-au was part of a mahinga kai trail that led inland and was used by Otakou hapu including Ngati Kuri, Ngati Ruahikihiki, Ngati Huirapa and Ngai Tuahuriri. The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

The river was also very important in the transportation of pounamu from inland areas down to settlements on the coast, from where it was traded north and south. Thus, there were numerous tauranga waka (landing places) along it. The tupuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river.

The river was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continue to be held by whanau and hapu and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The Mata-au is where Ngai Tahu's leader, Te Hautapunui o Tu, established the boundary line between Ngai Tahu and Ngati Mamoe. Ngati Mamoe were to hold mana (authority) over the lands south of the river and Ngai Tahu were to hold mana northwards. Eventually, the unions between the families of Te Hautapunui o Tu and Ngati Mamoe were to overcome these boundaries. For Ngai Tahu, histories such as this represent the links and continuity between past and present generations, reinforce tribal identity, and document the events which shaped Ngai Tahu as an iwi.

Strategic marriages between hapu further strengthened the kupenga (net) of whakapapa, and thus rights to travel on and use the resources of the river. It is because of these patterns of activity that the river continues to be important to runanga located in Otago and beyond. These runanga carry the responsibilities of kaitiaki in relation to the area, and are represented by the tribal structure, Te Runanga o Ngai Tahu.

Urupa and battlegrounds are located all along this river. One battleground, known as Te Kauae Whakatoro (downstream of Tuapeka), recalls a confrontation between Ngai Tahu and Ngati Mamoe that led to the armistice established by Te Hautapunui o Tu. Urupa are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. These are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

The mauri of Mata-au represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.

6.10.5.3. STATUTORY AREA - POMAHAKA RIVER

LOCATION

The statutory area to which this statutory acknowledgement applies is the river known as Pomahaka, the location of which is shown on Allocation Plan MD 12 (SO 24726). (See attached location map).

The Pomahaka River passes through the following planning maps:

F43B; F44B; F44D; G43A; G43C; G44A; G44C; G45A; G45B; G45C; G45D.

NGAI TAHU ASSOCIATION WITH THE POMAHAKA RIVER

The Pomahaka was an important mahinga kai for Ngati Mamoe and Ngai Tahu kainga (settlements) in the Catlins and Tautuku areas. The river was particularly noted for its kanakana (lamprey) fishery. Other mahinga kai associated with the river included weka and other manu (birds).

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Pomahaka, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All these values remain important to Ngai Tahu today.

The mauri of the Pomahaka represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.

6.10.5.4. STATUTORY AREA - THE NUGGETS

LOCATION

The statutory area to which this statutory acknowledgement applies is the area known as Tokata (The Nuggets), as shown on Allocation Plan MS 10 (SO 24699). (See attached location map).

This area is located on the following planning map: H46C

NGAI TAHU ASSOCIATION WITH TOKATA

The creation and shaping of Tokata and the surrounding coastline relates in time to Te Waka o Aoraki, and the subsequent efforts of Tu Te Rakiwhanoa. The name Tokata is a reference to the Nuggets, however, the individual nuggets also carry their own names: Te Ana Puta has a cave in it, Pae Koau is frequented by shags, three small nuggets on the north side are known collectively as Makunui and support a large seal colony, while the nugget furthest out to sea is Porokaea. The hill on which the lighthouse stands is known to Ngai Tahu as Taumata o Te Rakipokia, and a cave on the north side of this hill is Te Ana o Katiwairua. For Ngai Tahu, such traditional names and their associated histories reinforce tribal identity and solidarity, and continuity between generations, and document the events that have shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.

The great explorer Rakaihautu passed by this area of the Otago coast on his journey northward, and the area was subsequently visited and occupied by Waitaha, Ngati Mamoe and Ngai Tahu in succession, who through conflict and alliance, have merged in the whakapapa (genealogy) of Ngai Tahu Whanui. This area of the Otago coast has many reminders of the uneasy relationships that once existed between Ngati Mamoe and Ngai Tahu. Skirmishes between the two iwi occurred intermittently just to the north. However, one battle occurred within the area referred to as Tokata after which some of the fallen were cooked. As a result of this activity, this area is now a wahi tapu. Such wahi tapu are the resting places of Ngai Tahu tupuna (ancestors) and, as such, are the focus for whanau traditions. These are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

Tokata is a significant physical marker on the South Otago coast, with waka (canoes) voyaging south and north, or out to sea on fishing expeditions utilising it as a bearing marker. It also acted as a pointer to the safe tauranga waka (landing place) in Kaimataitai Bay, just to the north. The tupuna had an intimate knowledge of navigation, sea routes, safe harbours and landing places, and the locations of food and other resources on the coast. Tokata therefore formed an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whanau and hapu and is regarded as taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the land and sea. Tokata also marks the south-eastern boundary of the Otakou Sale Deed area, marked out in 1844.

A variety of mahinga kai (principally kaimoana-seafood) is available at Tokata. The extensive rocky intertidal zone provides paua, kutai (mussels) and koura (crayfish) in abundance. The fur seal,

leopard seal and sea lion all rest here, with their pups forming a ready source of kai in days gone by. Gull eggs, koau (shags) and titi (muttonbirds) were also harvested in the area. An excellent rimurapa (kelp) resource was utilised for making poha (storage bags), capable of preserving the titi for up to two years. Excellent fishing grounds seaward of Tokata supplied the resources of the coast.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the land and sea, the relationship of people with the coastline and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

The mauri of Tokata represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the area.

6.10.5.5. STATUTORY AREA - WAIHOLA/WAIPORI WETLAND

LOCATION

The statutory area to which this statutory acknowledgement applies is the Wetland known as Waihola/Waipori, the location of which is shown on Allocation Plan MD 55 (SO 24721). (See attached location map).

This area is located on the following planning maps:

U58; U59; H45B

NGAI TAHU ASSOCIATION WITH WAIHOLA/WAIPORI

The Waihola/Waipori wetlands were once one of the most significant food baskets in the Otago region, and featured in the seasonal activity of the coastal settlements as far away as the Otago Peninsula and harbour area, Purakanui and Puketeraki. The wetlands were once much larger in water area and deeper than at present, connected by a labyrinth of waterways and having a gravel bed which has now been overlaid by silt and mud.

The names Waihola/Waipori are likely of Waitaha derivation, with 'hola' being the Waitaha form of 'hora' meaning flat, spread out or widespread. Waipori may in fact be a misrecording of Waipouri, which is used in many older manuscripts, being a reference to the dark, tanin-stained water the wetland receives from Waipori River, a heavily wooded catchment.

The Waihola/Waipori area was visited and occupied by Waitaha, Ngati Mamoe and Ngai Tahu in succession, who through conflict and alliance, have merged in the whakapapa (genealogy) of Ngai Tahu Whanui. The wetland supported a number of pa within its environs and nearby. For example, Whakaraupuka, the pa of the Ngati Mamoe chief Tukiauau was located in the area now known as Sinclair Wetlands, although Tukiauau eventually relocated further to the south as the southward movement of his Ngai Tahu foes became uncomfortably close.

There were also many nohoanga (temporary campsites) located within the complex, used by food gathering parties which would travel to the lakes and camp on the fringes for two to three days to gather kai; to eel, hunt water fowl and gather flax. There were also permanent or semi-permanent settlements located in a number of locations around the lakes, some on islands in the wetlands system.

A number of other settlements further afield were also dependent on the mahinga kai resources of Waihola/Waipori for sustenance, including Tu Paritaniwha Pa near Momona, Omoua Pa above Henley, Maitapapa (Henley area), the kaik south of Henley and Takaaihitau near the old Taieri Ferry bridge, in addition to other settlements adjacent to the Taieri River up and downstream of the wetlands. Otakou and Puketeraki hapu would also make seasonal visits to gather resources and strengthen and maintain the kupenga (net) of whakapapa on which their rights to use those resources were based.

There is an account which tells of a sudden flood which required people trapped on the bank at a place called Whakaraupo, on the network of waterways that link Waihola with Waipori, to hastily construct a mokihi out of raupo to reach safety. A meeting place was opened here in 1901 by the locals, the house was named Te Waipounamu.

For Ngai Tahu, histories such as these reinforce tribal identity and solidarity and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.

Waihola/Waipori was a key mahinga kai resource for Ngai Tahu based along the Otago coastal region, where an abundance of tuna (eel), inaka (whitebait), patiki (flounder) and other indigenous fish were available. Waterfowl and fibre resources such as harakeke and raupo were also easily accessible from the wetlands. Spearing, setting hinaki and nets, and bobbing for eel were regular activities on the wetlands in the season. The gathering of young ducks in the moult, and the catching of herons, pukeko and other birds supplemented the broad range of kai available from the wetlands.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of Waihola/Waipori, the relationship of people with the lake and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

The attractiveness of Waihola/Waipori as a mahinga kai was enhanced by their accessibility. With the direct link to the Taieri River, access via the Taieri to villages on the banks of the Taieri River, upstream and down, and access by waka to the coast and northward to Otakou, kai and other resources gathered from the wetlands could be transported back to these home bases with relative ease.

The tupuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the wetlands. Knowledge of these trails continues to be held by whanau and hapu and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the wetlands.

Because of the long history of use of Waihola/Waipori as a mahinga kai, supporting permanent and temporary settlements, there are numerous urupa, wahi tapu and wahi taonga associated with the wetlands. These are all places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations. Urupa are the resting places of Ngai Tahu tupuna and, as such, are a particular focus for whanau traditions.

The mauri of Waihola/Waipori represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the wetlands. The wetlands represent, in their resources and characteristics, a strong element of identity for those who had manawhenua (tribal authority over the area) whose tupuna were nurtured on the food and resources of the wetlands for generations.

6.10.5.6. STATUTORY AREA - TE TAI O ARAI TE URU (OTAGO COASTAL MARINE AREA)

LOCATION

The statutory area to which this statutory acknowledgement applies is Te Tai o Arai Te Uru (the Otago Coastal Marine Area), the Coastal Marine Area of the Moeraki, Dunedin Coastal and Molyneux constituencies of the Otago region, as shown on SO Plans 24250, 24249, and 24252, Otago Land District and as shown on Allocation Plan NT 505 (SO 19901). (See attached location map).

This area falls within the jurisdiction of the Otago Regional Council however many of the resources and landmarks referred to are located on the landward side of the Coastal Marine Area which is under the jurisdiction of district councils. Furthermore, activities on land adjacent to the Coastal Marine Area can impact on the values of the Coastal Marine Area and therefore Clutha District Council must have regard to the statutory acknowledgement for this area.

This area includes the entire length of the Clutha District coastline.

NGAI TAHU ASSOCIATION WITH TE TAI O ARAI TE URU

The formation of the coastline of Te Wai Pounamu relates to the tradition of Te Waka o Aoraki, which foundered on a submerged reef, leaving its occupants, Aoraki and his brothers, to turn to stone. They are manifested now in the highest peaks in the Ka Tiritiri o Te Moana (the Southern Alps). The bays, inlets, estuaries and fiords which stud the coast are all the creations of Tu Te Rakiwhanoa, who took on the job of making the island suitable for human habitation.

The naming of various features along the coastline reflects the succession of explorers and iwi (tribes) who travelled around the coastline at various times. The first of these was Maui, who fished up the North Island, and is said to have circumnavigated Te Wai Pounamu. In some accounts the island is called Te Waka a Maui in recognition of his discovery of the new lands, with Rakiura (Stewart Island) being Te Puka a Maui (Maui's anchor stone). A number of coastal place names are attributed to Maui, particularly on the southern coast.

The great explorer Rakaihautu travelled overland along the coast, identifying the key places and resources. He also left many place names on prominent coastal features. Another explorer, Tamatea, sailed along the Otago coast in the waka Takitimu. After the waka eventually broke its back off the coast of Murihiku, Tamatea and the survivors made their way overland back to the North Island, arriving at the coast by the place Tamatea named O-amaru (Oamaru).

Place names along the coast record Ngai Tahu history and point to the landscape features which were significant to people for a range of reasons. For example, some of the most significant rivers which enter the coastal waters of Otago include: Waitaki, Kakaunui, Waihemo (Shag), Waikouaiti, Kaikarae (Kaikorai), Tokomairiro, Mata-au (Clutha), Pounawea (Catlins). Estuaries include: Waitete (Waitati), Otakou (Otago), Makahoe (Papanui Inlet), Murikauhaka (Mate-au and Koau estuaries), Tahaukupu (Tahakopa estuary), Waipatiki (Wapati Estuary). Islands in the coastal area include Okaihe (St Michaels Island), Moturata (Taieri Island), Paparoa, Matoketoke, Hakinikini, and Aonui (Cooks Head).

Particular stretches of the coastline also have their own traditions. The tradition of the waka (canoe) Arai Te Uru and its sinking at the mouth of the Waihemo (Shag River) has led to the coastal area of Otago being known as Te Tai o Araiteuru (the coast of Arai Te Uru). Accounts of the foundering, the wreckage, and the survivors of this waka are marked by numerous landmarks almost for the length of the Otago coast. The boulders on Moeraki coast (Kai Hinaki) and the Moeraki pebbles are all

associated with the cargo of gourds, kumara and taro seed which were spilled when the Arai Te Uru foundered.

For Ngai Tahu, traditions such as these represent the links between the cosmological world of the gods and present generations. These histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.

Because of its attractiveness as a place to establish permanent settlements, including pa (fortified settlements), the coastal area was visited and occupied by Waitaha, Ngati Mamoe and Ngai Tahu in succession, who, through conflict and alliance, have merged in the whakapapa (genealogy) of Ngai Tahu Whanui. Battle sites, urupa and landscape features bearing the names of tupuna (ancestors) record this history. Prominent headlands, in particular, were favoured for their defensive qualities and became the headquarters for a succession of rangatira and their followers. Notable pa on the Otago coast include: Makotukutuku (Oamaru), Te Raka-a-hineatea (Moeraki), Te Pa Katata, Pa a Te Wera, (Huriawa Peninsula), Mapoutahi (Purakaunui), Pukekura (Taiaroa Head), Moturata (Taieri Island). The estuaries from the Waitaki River to the Chaslands also supported various hapu.

Tupuna such as W aitai, Tukiauau, Whaka-taka-newha, Rakiiamo, Tarewai, Maru, Te Aparangi, Taoka, Moki II, Kapo, Te Wera, Tu Wiri Roa, Taikawa, Te Hautapanuiotu among the many illustrious ancestors of Ngati Mamoe and Ngai Tahu lineage whose feats and memories are enshrined in the landscape, bays, tides and whakapapa of Otago.

The results of the struggles, alliances and marriages arising out of these migrations were the eventual emergence of a stable, organised and united series of hapu located at permanent or semi-permanent settlements along the coast, with an intricate network of mahinga kai (food gathering) rights and networks that relied to a large extent on coastal resources. Chiefs such as Korako (several), Tahatu, Honekai, Ihutakuru, Karetai, Taiaroa, Potiki, Tuhawaiki, and Pokene being some among a number who had their own villages and fishing grounds. Otago Peninsula (Muaupoko) had many kaunga nohoanga with a multitude of hapu occupying them. At one time up to 12 kaunga existed in the lower Otago harbour, some larger and more important than others.

The whole of the coastal area offered a bounty of mahinga kai, including a range of kaimoana (sea food); sea fishing; eeling and harvest of other freshwater fish in lagoons and rivers; marine mammals providing whale meat and seal pups; waterfowl, sea bird egg gathering and forest birds; and a variety of plant resources including harakeke (flax), fern and ti root. In many areas the reliance on these resources increased after the land sales of the 1840s and 1850s, and the associated loss of access to much traditional land-based mahinga kai.

Many reefs along the coast are known by name and are customary fishing grounds, many sand banks, channels, currents and depths are also known for their kaimoana. One example is Poatiri (Mt Charles -Cape Saunders) the name of which refers to a fishhook. Poatiri juts out into the Pacific, close to the continental shelf, and is a very rich fishing ground. Another example is Blueskin Bay which was once a kohanga (breeding ground) for the right whale, although it is well over 150 years since it has seen this activity.

Other resources were also important in the coastal area. Paru (black mud used for dyeing) was obtained from some areas. Some of the permanent coastal settlements, such as those at the mouth of the Mata-au (Clutha River), and at Otakou and Purakaunui, were important pounamu manufacturing sites. Trading between these villages to the south and north via sea routes was an important part of the economy.

The Otago coast was also a major highway and trade route, particularly in areas where travel by land was difficult. Pounamu and titi were traded north with kumara, taro, waka, stone resources and

carvings coming south. Travel by sea between settlements and hapu was common, with a variety of different forms of waka, including the southern waka hunua (double-hulled canoe) and, post-contact, whale boats plying the waters continuously. Hence tauranga waka (landing places) occur up and down the coast in their hundreds and wherever a tauranga waka is located there is also likely to be a nohoanga (settlement), fishing ground, kaimoana resource, rimurapa (bull kelp - used to make the poha, in which titi were and still are preserved) with the sea trail linked to a land trail or mahinga kai resource. The tupuna had a huge knowledge of the coastal environment and weather patterns, passed from generation to generation. This knowledge continues to be held by whanau and hapu and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the coast.

Numerous urupa are being exposed or eroded at various times along much of coast. Water burial sites on the coast, known as waiwhakaheketupapaku, are also spiritually important and linked with important sites on the land. Places where kaitangata (the eating of those defeated in battle) occurred are also wahi tapu. Urupa are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. These are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected in secret locations.

The mauri of the coastal area represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the coastal area.

6.10.6. TAONGA SPECIES (FOR INFORMATION PURPOSES ONLY)

The Crown has also acknowledged the cultural, spiritual, historic and traditional association of Ngai Tahu with a number of species of plants, birds, and animals through the Act. These species are considered to be taonga species. While the Clutha District Council has no specific duties or functions under Ngai Tahu Claims Settlement Act 1998 in relation to the taonga species, they do become relevant in terms of Sections 6(e), 7(a) and 8 of the Resource Management Act 1991. However, they are too numerous to list here. The list of taonga species can be provided by Council or by referring to the Act.

SCHEDULE 6.11. ELECTRICITY GENERATION AND ASSOCIATED FACILITIES

Electricity generation facilities provided for in this schedule and the activities associated with them which may be undertaken on the land so identified on the District Planning Maps and described in the schedule shall include:

“OPERATION”: the working of a electricity generation facility on a day-to-day basis to generate and transmit electricity (for example, with respect to a scheduled hydro scheme activities include the control of lake levels, access requirements, excluding the public, storage of goods and materials, signs, provision of jetties).

“MAINTENANCE”: the undertaking of work necessary to keep an electricity generation facility operating at an efficient and safe level (for example, activities include erosion and flood control, weed and sediment control, access requirements, maintenance of plant, machinery or structures, monitoring of operations).

“ENHANCEMENT”: the improvement of an electricity generation facility (for example, activities include landscaping, planting, painting, refurbishment of buildings).

“REFURBISHMENT OR UPGRADING”: the upgrade, replacement or renewal of existing plant, machinery or structures to gain efficiencies in generating and transmitting electricity provided this does not increase the scheduled footprint of the facility. This includes work involving all structures, infrastructure and buildings, access roads and tracks, earthworks and the deposit of materials. A gain in efficiency of generation under this definition includes increases in installed generating capacity of the **Scheduled Footprint or ‘Existing Envelope’** (as defined in Section 5) by replacement of turbines that have higher energy generation capacity.

Activities specifically provided for at scheduled electricity generation and associated facilities include:

- (a) Control of erosion and flooding including planting of vegetation and protection works.
- (b) Removal of vegetation or materials required for dam safety surveys, or that may impede the efficient operation of the facility or cause danger, injury or damage to persons or property.
- (c) Exclusion of the public from facilities for public safety or security reasons.
- (d) Erection of signs or notices giving warning of danger.
- (e) The establishment and maintenance of jetties, wharves, landing places and slipways required for the efficient operation of the facility (subject to any Regional Council approvals required).
- (f) Access tracks and roads to facilities or to erosion and flooding control works provided any significant adverse visual effects are appropriately mitigated or remedied.
- (g) Ancillary buildings and structures associated with the facility that comply with the District Plan building requirements.
- (h) Earthworks, quarrying and depositing of material in association with the facility provided any significant adverse visual effects visible off site are appropriately screened.
- (i) The storage of goods and materials associated with the operation or maintenance of the facility.
- (j) The stabilisation of landslides affecting any facility provided any significant adverse visual effects visible off site are appropriately screened.

- (k) Periodic inspections including dam safety surveys to verify the integrity of and security of all systems (including oil, water and gas systems which are associated with the transmission of electricity) and structures associated with the generation or transmission of electricity.
- (l) Digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions.
- (m) The installation of instruments into drill holes for monitoring groundwater levels and land movement.
- (n) Erecting survey monuments and installing instruments to monitor land movement.
- (o) Installing flumes and weirs to measure water flows.
- (p) Erecting telemetry stations for the transmission of instrument data.
- (q) Installing gauges to measure precipitation.
- (r) Installing microseismic stations to measure microseismic activity and ground noise.
- (s) Constructing surface drainage works and drilling boreholes and constructing tunnels under landslide areas to drain excess groundwater.
- (t) Such other works that are reasonably necessary within landslide areas for land stabilisation purposes.
- (u) Installing underground power transmission and communication cables.
- (v) The erection and operation of temporary wind monitoring devices provided the structures are to be in place no more than 5 years and Civil Aviation Authority approval is received.

All such activities are subject to conditions that are specified for each facility as listed below:

CONDITIONS APPLICABLE TO ALL FACILITIES:

1. In carrying out the activities identified above, any ground that is temporarily disturbed by such activities shall be reinstated to a condition no less than that which existed prior to the commencement of the work. Should ground disturbance be required to be undertaken in areas adjoining Public Conservation Land and/or land located within the tables identified Rule 1(b) above, plant and machinery shall be effectively cleaned of weed seeds and/or weed material prior to work commencing. Reinstatement of indigenous vegetation shall be on a "like with like" basis and its success will be monitored and any plants with wilding potential shall not be planted (see the Canterbury/Otago "Plant Me Instead" guide – refer to the "Weedbuster" website).

SCHEDULE 6.12. ACCIDENTAL DISCOVERY PROTOCOL

6.12.1. INTRODUCTION

This protocol records those procedures that will be followed in the event that kōiwi takata, wāhi taoka, wāhi tapu, or archaeological sites, are unearthed or discovered within the Clutha District.

6.12.2. DEFINITIONS

In this Protocol the following terms are used:

‘ARCHAEOLOGICAL SITES’ means any place in New Zealand that was either associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where that wreck occurred before 1900; and is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand (Historic Places Act 1993). Archaeological Sites may be of Maori, European/Pakeha or Chinese origin.

‘KŌIWI TAKATA’ means human skeletal remains.

‘WĀHI TAOKA’ means cultural artefacts such as implements, weapons or decorations traditionally and historically utilised by tangata whenua and include parts or the remains thereof.

‘WĀHI TAPU’ means any site of religious, cultural or spiritual significance for Takata Whenua.

6.12.3. ACCIDENTAL DISCOVERY PROTOCOL

The following procedure shall be adopted in the event that any archaeological site (Maori, European/Pakeha or Chinese), kōiwi takata, wāhi taoka or wāhi tapu are unearthed or discovered, or are reasonably suspected to have been unearthed or discovered within the Clutha District.

1. If any archaeological site (Maori, European/Pakeha or Chinese), kōiwi takata (human skeletal remains), wāhi taoka or a wāhi tapu site is uncovered all activity in the immediate vicinity of the site shall cease.
2. The Project Manager/Construction Supervisor shall take steps immediately to secure the area in a way that ensures that the discovery remains untouched so far as possible in the circumstances.
3. The Construction Supervisor shall, in all cases contact Heritage New Zealand (“HNZ”) in the first instance, and if kōiwi tangata, wai tapu or wahi taoka are suspected, also notify the Rūnanga. In the event of a kōiwi takata discovery, the New Zealand Police and the Regional Public Health Unit shall also be notified.
4. The Construction Supervisor shall ensure that assistance is made available to guide HNZ and the Rūnanga and if applicable, representatives of the New Zealand Police, and the Regional Public Health Unit, to the site, assisting with any requests that they may make.
5. The Construction Supervisor shall ensure that kaumatua are given the opportunity to undertake karakia and such other religious or cultural ceremonies and activities at the site as may be

considered appropriate in accordance with tikanga Māori (Māori custom and protocol). This may be only undertaken after consultation with HNZ to ensure legal requirements relating to archaeological sites pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 are met.

6. Where the kōiwi takata, taoka or wāhi tapu are of Māori origin, any materials discovered will be handled and removed by the kaumatua who are responsible for the tikanga (custom) appropriate to their removal or preservation. This may be only undertaken after consultation with the HNZ to ensure legal requirements relating to archaeological sites pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 are met.

PRACTICE NOTE

An archaeological authority is required from the Heritage New Zealand/Pouhere Taonga to destroy, damage or modify the whole or any part of an archaeological site. This includes a kōiwi takata site.

Plan users should refer to the New Zealand Archaeological Association's (NZAA's) digital Site Record database, Archsite, which contains information regarding the presence, location and details of recorded archaeological sites.

SCHEDULE 6.13. TOWN CENTRES AND STREETScape PRECINCTS

Undergrounding of all electricity and telecommunication lines is required in the following towns as follows:

- Milton – Union Street from the Cross Street intersection to the bridge crossing the Tokomairiro River (north branch)
- Balclutha – Clyde Street from the Clutha River Bridge to Caldervan Street intersection.
- Lawrence – the entire length of Ross Place.
- Tapanui – Northumberland Street from the intersection of Maple Street to Kent Street.
- Waihola – State Highway 1 from the Titri Road intersection to the Castle Street intersection.
- Owaka – Waikawa/Main Road from Overden Street intersection to the Stuart Street intersection.

SCHEDULE 6.14. TOKOMAIRO PLAINS INDUSTRIAL RESOURCE AREA LANDSCAPE DESIGN GUIDELINES

Refer to Rule IND.4.6.



Clutha District Council

*- Tokomairiro Plains Industrial Resource Area -
Landscape Design Guideline*

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This document meets 4Sights information and document control procedures in accordance with our quality assurance system, independently audited by Telarc under Qbase code 2001.

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Introduction_Background

Council seeks to achieve a comprehensive landscape design strategy across the Tokomairiro Plains Industrial Resource Area (TP Area). This is to ensure high quality landscape outcomes are achieved within the TP Area. These outcomes are to be achieved through the use of a set of landscape design principles that guide future planting and other landscaping approaches as the area develops. The aim is to provide appropriate amenity and a high quality industrial zone character, with landscape treatments of sufficient scale to appropriately soften and balance the impact of large built elements.



Figure 1 : *View of Tokomairiro Plains from Anicich Road*

Introduction

Design Guidance

These principles and guidelines respond to the specific issues and opportunities identified in the context of the TP Area. They are intended to provide direction for future approaches to landscape components identified in the Clutha District Plan Rules for both subdivision and site development.

It is recommended that developers work with the council staff in preparing more detailed Layout or Development Plans including associated landscape components when proposing development within the Plan Change area.

Key design principles and outcomes sought for preparation of Development/Landscape Plans are:

- (i) Landscaping and any associated mounding shall seek to mitigate the visual dominance of future industrial development on site when viewed from public places and the wider receiving environment;
- (ii) Where adjacent to rural zoned land, integrate the industrial zone with the surrounding rural character;
- (iii) Enhance the internal visual amenity of the Industrial Resource Area (Toko Plains) to complement future industrial activities;
- (iv) Landscaping of a scale and impact to effectively mitigate the built elements and outdoor storage areas shall be provided for;
- (v) The green spaces identified within the Structure Plan are provided for. These shall be substantially unencumbered by services or other constraints that conflict with achieving the landscape mitigation objectives;
- (vi) Where appropriate, plantings shall seek to enhance the indigenous biodiversity and natural character of the area, particularly within the riparian and stormwater management areas (where appropriate)
- (vii) Plantings and other landscape treatments are to be appropriate to their intended mitigating function and specific situation. Further detail on appropriate landscape approaches plant species and mounding design is provided in the Tokomairiro Plains Industrial Resource Area Landscape Design Guidelines; Planting shall be undertaken using the range of species identified in Table 1 attached at page X;
- (viii) All development stages shall be underpinned with a landscape plan that is informed by the Tokomairiro Plains Industrial Resource Area Landscape Design Guideline and identifies any proposed mounding areas, planted areas detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting, and timing of planting;
- (ix) A programme of establishment and post establishment protection and maintenance (fertilising, weed removal/spraying, replacement of dead/poorly performing plants, watering to maintain soil moisture, length of maintenance programme) and must provide for replacement and successful establishment of plants that die or fail to thrive; and
- (x) All landscaping shall be implemented prior to occupation of the development or where completion of the development occurs outside of a planting season then landscaping shall be undertaken within the first planting season following.

Landscape Character_Planting Considerations

The TP Area is located to the north of Milton Township and sits within the low-lying flat floodplain of the Tokomairaro River with a gently undulating landform. Bounded on both sides of the floodplain are hill ranges that provide a backdrop to views from the plan change area outwards. One kilometer to the south of the plan change area is the built up residential township of Milton. On its outskirts there are mixed rural and industrial sites that then progress to residential properties.

The area receives a median annual rainfall of 800 – 900 mm. Winds reach 10 - 14 km/hr and there are 2.1-3.0 median frosts in October. The soils of the plan change area are pallic soils of the Tokomairiro Series. They are greater than 900mm in depth and of a silt loam texture on gently undulating slope.

The TP Area is located within the Otago Coast Ecological Region and within the Tokomairiro Ecological District. Recent riparian restoration of Gorge Creek and another scheduled drains that run through the plan change area has been undertaken through planting with a mix

of typical native restoration plantings, including Carex and Chionochloa grasses, Coprosma species, and cabbage trees (*Cordyline australis*).

Existing vegetation is consistent with its rural land use and characterised by hedges, formalised shelterbelts and informal amenity planting largely associated with house sites or recent plantings of specimen trees along internal roads and farm tracks.

The following provides guidance for a range of approaches to ensure landscape and vegetation qualities are incorporated throughout the Toko Plains Industrial Zone.

These include:

- Streetscape/road green space;
- Riparian/Detention areas;
- Landform and mounding; and
- Landscape buffer strip plantings.

Given the scale of the buildings within the Zone (both 16m and 25m heights), it is expected that a range of exotic and native species be used to provide a degree of screening and softening of the buildings. Some of these plantings will

be broad expanses of native restoration while others will be specimen plantings alongside roads and/or along site boundaries between future development sites.

It is not expected that full screening of development within this plan change area will be possible or appropriate. It is instead anticipated that screening will be targeted as providing vegetation of a scale (height) that has some ability to provide softening of the built forms and to provide vegetation links to the broader landscape - thereby reducing the dominance of the buildings.

Planting along future subdivision boundaries will allow for a disruption in the perceived bulk of built form along the length of the plan change area. It is noted however, that planting is unlikely to completely screen all of the built form.

Landscape Character Principles

Streetscape/Road Greenspace

The main roads through the TP Area provide an opportunity for establishment of large scale specimen planting and a cohesive approach to road-side planting through the TP Area. These corridors also assist in visual mitigation of adjacent built form and break up the expanse of built form when viewed from outside the TP Area. A cohesive approach to the streetscape environment is desired with space provided either side of the road to allow for large scale specimen plantings.

Riparian/Detention/Wetland Areas

A range of detention areas will be required throughout the TP Area to support stormwater management. These are connected to adjacent green space and together provide a series of corridors of habitat and vegetation within the TP Area.

As Gorge Creek to the north end of the plan change area creates a strong intersecting feature, there is an opportunity to accentuate and enhance the natural landform of the

stream edge and streamside environments as a valuable amenity asset for the surrounding community. Along with providing a green break within the development, the streamside reserve (with associated walk and cycleway) will provide passive recreational opportunities for those living on the outskirts of Milton township and for those coming from further afield.

Riparian planting along the edges of the waterways will provide a degree of habitat value and wildlife corridor connectivity through the plan change area. It is recommended that this planting is restricted to locally appropriate indigenous species.



Figure 2 : *Existing Riparian area plantings*



Figure 3 : *Existing higher level riparian plantings*

Landscape Character Principles

Landform and Mounding

The existing Revolution Hills site has used mounding and landform shaping as an effective way to screen the associated industrial buildings on this site while also providing an interesting and varied landscape treatment alongside the State Highway. Landform and mounding with associated low planting may be an appropriate approach for some areas - in particular, between the existing rural lifestyle properties at the southern end of the TP Area and where sufficient space exists. This will provide a degree of buffering between the industrial activities and those rural properties.

There are opportunities within the TP Area for mounding to be incorporated. Where mounding is to be integrated the preferred approach is to ensure it is designed to integrate with surrounding landforms. Lineal, regular bunds should be avoided and mounding should be designed to soften built form by using natural, flowing forms. Adequate space is required to successfully integrate mounding, which should be low and wide in proportion rather than narrow and steep if it is to integrate

well and not look contrived. Mounding design will also need to factor in drainage flows and the requirements for ongoing maintenance of its vegetative cover.



Figure 4 : *Example mounding approach at Revolution Hills*



Figure 5 : *Example mounding approach with trees*



Figure 6 : *Example mounding along Waihola Highway*

Landscape Character Principles

Planting

Principles for Landscape Buffer Strip Plantings

The purpose of plantings within the landscape strips surrounding the TP area is primarily to screen, soften and visually balance the impact of the often large scale built elements. As the TP area is within a wider rural context, it will often be appropriate to utilize plantings of a character that integrates with those in the rural landscape surrounding. Where possible and consistent with wider mitigation objectives, plantings should also seek to enhance indigenous biodiversity. Where public pathways / cycleways run through these areas it will be appropriate to also consider amenity enhancement and safety considerations for users.

The following general principles are likely to be relevant:

- Use tree species of appropriately large scale and quick growth rates to provide effective mitigation and / or;
- Provide for large blocks of trees and shrubs which, as an entity, provide for a visually effective block of 'natural' impact to balance the impact of large scale built form;
- Consider the long term maintenance requirements associated with plantings and where appropriate provide for both quick growth species that may possibly be thinned out or removed in the long term, and longer term species;
- Species diversity and the inclusion of both lower and higher level screening will generally be beneficial in terms of robustness and effectiveness;
- Have regard to constraints such as the need for adequate sightlines near road intersections; and
- The use of species characteristic in the local rural landscape and / or local indigenous species will often be appropriate.



Figure 7 : Existing rural shelterbelts

Preferred Approaches_ Internal Road



Figure 8 : Internal Road

Preferred Approaches_30m Highway Boundary (no mounding)



Figure 9 : 30m Highway Boundary

Preferred Approaches_30m Highway Boundary (mounding)



Figure 10 : 30m Highway Boundary (mounding)

Preferred Approaches_10m Highway Boundary

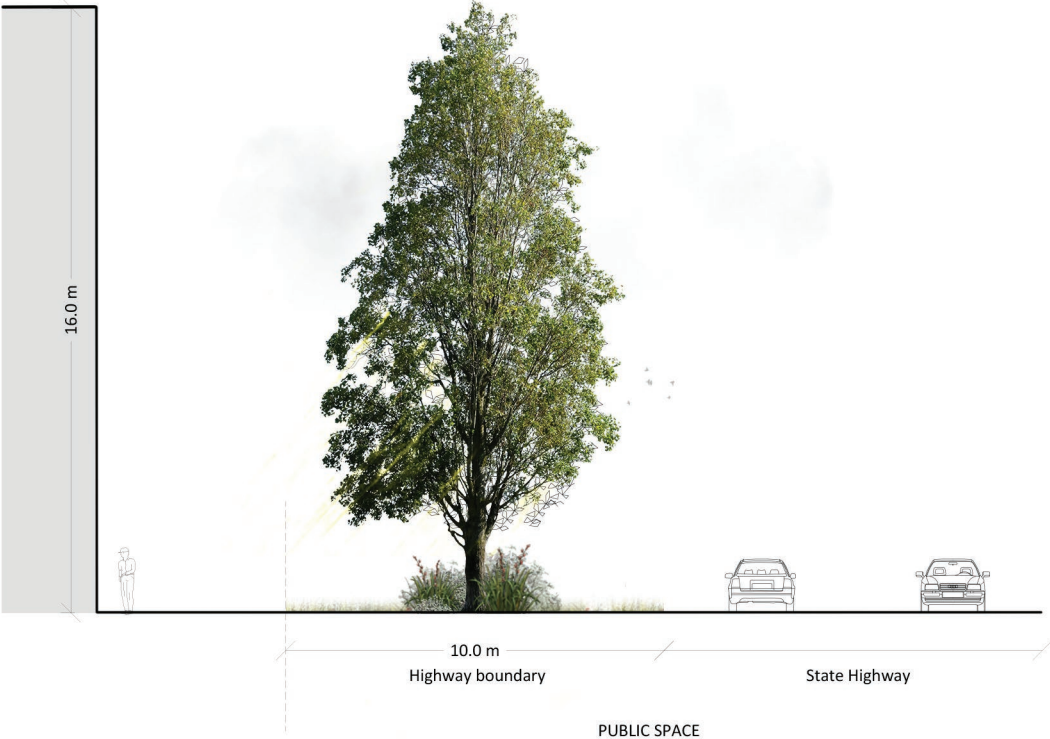


Figure 11 : 10m Highway Boundary

Preferred Approaches_20m Western Boundary

- Adjoining Large Format Area



Figure 12 : 20m Western Boundary - Adjoining Large Format Area

Preferred Approaches_10m Western Boundary for 16 metre height area up to Limeworks Road (and excluding Pan Pac site legally described as Section 1 SO 465421 and Lot 2 DP 23974)

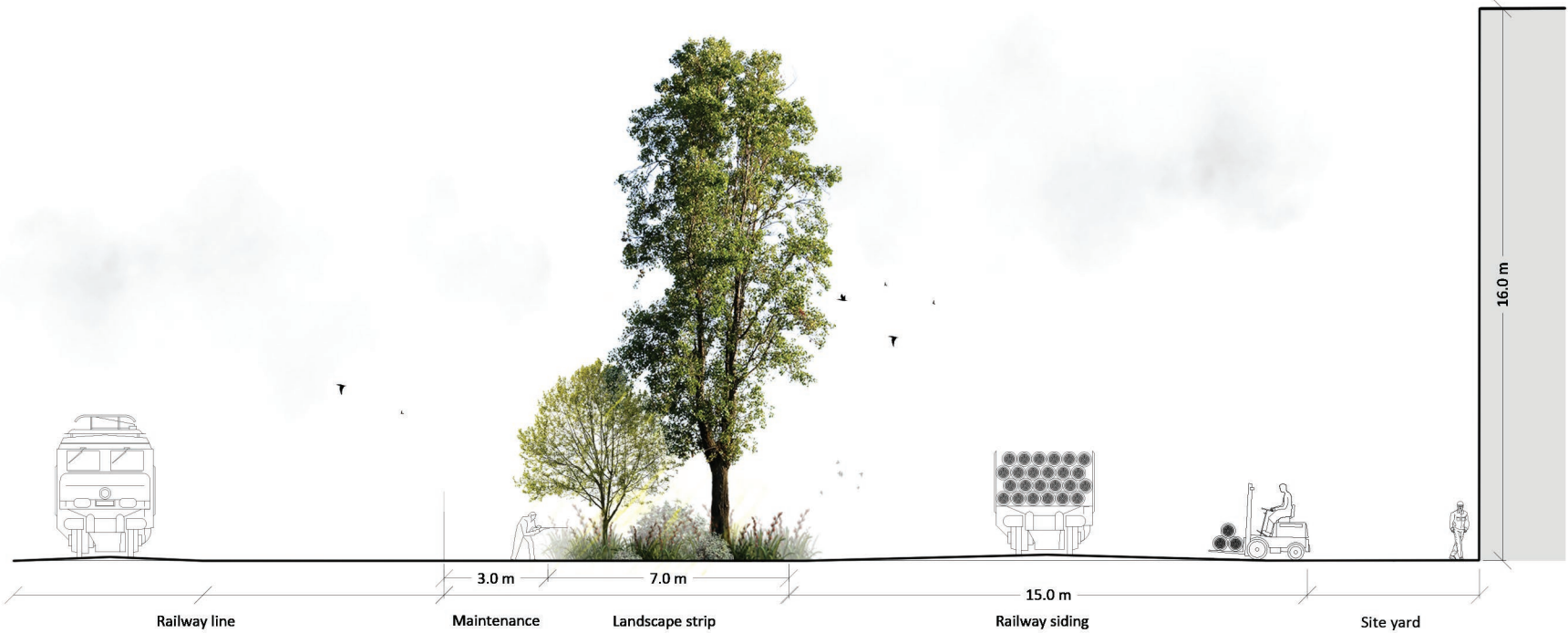


Figure 13 : 10m Western Boundary for 16 metre height area up to Limeworks Road (and excluding Pan Pac site legally described as Section 1 SO 465421 and Lot 2 DP 23974)

Preferred Approaches_ Riparian/Wetland/Detention



Figure 14 : *Riparian/Wetland/Detention*

Preferred Approaches_ Residential Use Set Back

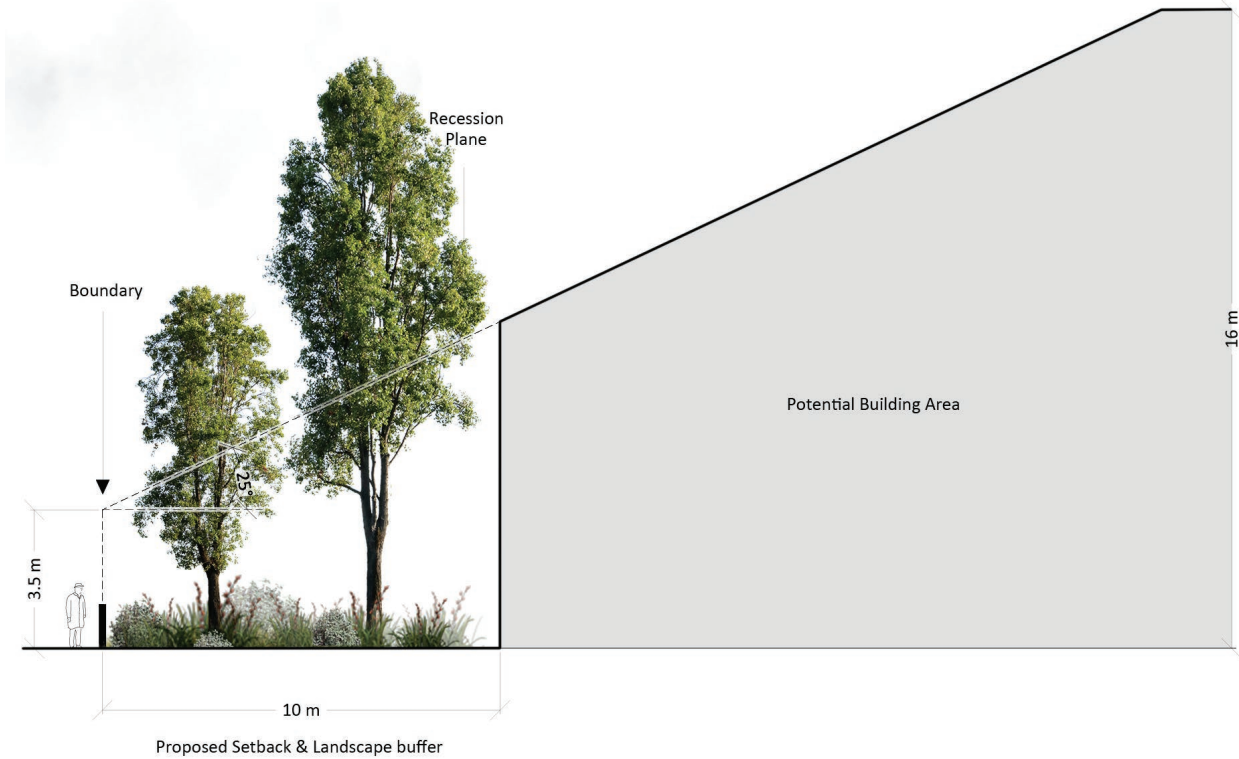


Figure 15 : Residential Use Set Back

Preferred Approaches_Southern Boundary



Figure 16 : Southern Boundary

Species Guidance Principles

The following tables provides an indication of the native and some exotic plant species that would be appropriate to achieve the heights required for effective screening of particular zones across the plan change area.

Tree planting within the Tokomairiro Plains Industrial Resource Area will enhance its internal amenity and help to soften and balance the visual effect of built elements.

The character of this planting could take various forms as a new industrial zone environment is created. Adherence to a plant list provides for unity and the creation of strong and distinctive character, and is recommended. Planting schemes which seek to balance the impact of industrial elements by utilizing large specimen trees, or by using large blocks of trees and shrubs are both potentially appropriate.

The tables provide guidance only and these lists are not considered to be exhaustive and do not preclude the use of other species as appropriate.

For example: planting to provide more human scale and amenity outcomes such as orchard/fruit tree planting, planting for colour and arboretum style specimen plantings may be appropriate in some areas.



Tarata
Pittosporum eugenoides



Upright English Oak
Quercus robur fastigiata



Lombardy Poplar
Populus nigra italica



Mānuka
Leptospermum scoparium



Harakeke
Phormium tenax



Scarlet Maple
Acer rubrum



Tawhai
Fuscopora menziesii



Kōwhai
Sophora microphylla



Kahikatea
Dacrycarpus dacrydioides



Tī Kōuka
Cordylīne australis



Redwood
Sequoia sempervirens



Shining gum
Eucalyptus nitens

Buildings and Structures up to 25m High

Recommended species for mitigation of the visual effects of buildings and structures up to 25m high including plantings along the western (railway) side of the area.

The following species are recommended for use in areas where mitigation of the effects of large buildings on rural character is required. Note that these include both tall fast - medium growing trees (both evergreen and deciduous) as well as smaller species for lower level screening.

Scientific name	Māori or Common name
Tall, fast – medium growing species	
<i>Sequoia sempervirens</i>	Redwood
<i>Eucalyptus nitens</i>	Shining gum
<i>Eucalyptus regnans</i>	Mountain ash
<i>Populus nigra 'Italica'</i>	Lombardy poplar
<i>Populus tremuloides</i>	Quaking aspen
<i>Betula pendula</i>	Silver Birch
<i>Quercus robur fastigiata</i>	Upright English Oak
<i>Quercus cerris</i>	Turkey oak
Understorey species	
<i>Cordyline australis</i>	Cabbage tree
<i>Kunzea robusta</i>	Kanuka
<i>Leptospermum scoparium</i>	Manuka
<i>Pittosporum eugenioides</i>	Lemonwood
<i>Pittosporum tenuifolium</i>	Kohuhu
<i>Phormium tenax</i>	Flax

Buildings and Structures up to 16m High

Recommended tree species for mitigation of the visual effects of buildings and structures up to 16m high, including plantings along the eastern (State Highway) side of the area, and streetscape planting within the Tokomairiro Plains Industrial Resource Area.

The following species are recommended for use in areas where mitigation of the effects of large buildings on rural character is required. Note that these include both tall fast growing trees (both evergreen and deciduous) as well as smaller species for lower level screening.

Scientific name	Māori or Common name
Tall - medium scale trees	
<i>Eucalyptus ovata</i>	Swamp gum
<i>Eucalyptus pauciflora</i> 'Niphophila'	Snow gum
<i>Dacrycarpus dacrydioides</i>	Kahikatea
<i>Populus tremuloides</i>	Quaking aspen
<i>Betula pendula</i>	Silver birch
<i>Quercus robur</i>	English oak
<i>Quercus cerris</i>	Turkey oak
<i>Fuscospora fusca</i>	Red beech
<i>Fuscospora menziesii</i>	Silver beech
<i>Fuscospora cliffortioides</i>	Mountain beech
<i>Podocarpus totara</i>	Totara
<i>Liriodendron tulipifera</i>	Tulip tree
<i>Fagus sylvatica</i>	European beech
<i>Acer rubrum</i>	Scarlet maple
<i>Cordyline australis</i>	Cabbage tree

Scientific name	Māori or Common name
Lower level screening species	
<i>Pittosporum eugenioides</i>	Lemonwood
<i>Pittosporum tenuifolium</i>	Kohuhu
<i>Kunzea robusta</i>	Kanuka
<i>Plagianthus regius</i>	Ribbonwood
<i>Hoheria angustifolia</i>	Narrow-leaved lacebark
<i>Phormium tenax</i>	Flax
<i>Phormium cookianum</i>	Mountain flax
<i>Griselinia littoralis</i>	Broadleaf
<i>Hebe salicifolia</i>	Koromiko
<i>Leptospermum scoparium</i>	Manuka
<i>Sophora microphylla</i>	Kowhai
<i>Pseudopanax colensoi</i>	Orihou
<i>Pseudopanax crassifolius</i>	Lancewood
<i>Melicytus ramiflorus</i>	Mahoe
<i>Myrsine australis</i>	Mapou

Riparian/Wetland/Detention Area Restoration

The following species are recommended for use in areas where restoration of riparian margins or indigenous vegetation character appropriate to the site is required, including stormwater detention areas.

Scientific name	Māori or Common name
Tall - medium scale trees	
<i>Austroderia richardii</i>	Toetoe
<i>Carex geminata</i>	Cutty grass
<i>Carex virgata</i>	Pukio
<i>Chionochloa rubra</i>	Copper tussock
<i>Coprosma propinqua</i>	Mingimingi
<i>Cordyline australis</i>	Cabbage tree
<i>Dacrycarpus dacrydioides</i>	Kahikatea
<i>Fuchsia excorticata</i>	Fuchsia
<i>Griselinia littoralis</i>	Broadleaf
<i>Hebe salicifolia</i>	Koromiko
<i>Kunzea robusta</i>	Kanuka
<i>Leptospermum scopraium</i>	Manuka
<i>Phormium tenax</i>	Flax
<i>Pittosporum tenuifolium</i>	Kohuhu
<i>Plagianthus regius</i>	Ribbonwood
<i>Podocarpus totara</i>	Totara
<i>Prumnopitys taxifolia</i>	Matai
<i>Pseudopanax crassifolius</i>	Lancewood
<i>Sophora microphylla</i>	Kowhai