



# BULLER DISTRICT PLAN

## *TE KAUPAPA WHENUA O KAWATIRI*

**Operative 28 January 2000**

**Amended as at 8 October 2004**

**Amended as at 25 May 2009**

**Amended as at 21 September 2011**

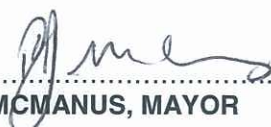
### CERTIFICATION OF DISTRICT PLAN APPROVAL

This District Plan was prepared under the provisions of the Resource Management Act 1991 and consists of a District Plan and District Plan Maps. It is hereby certified that this is a true and correct copy of the Buller District Plan as approved by resolution of the Buller District Council on the 21<sup>st</sup> day of September 2011.

The Common Seal of the  
Buller District was affixed hereto  
this 21<sup>st</sup> day of September 2011  
in the presence of:

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PJ MCMANUS, MAYOR

  
.....  
CM SCANLON, ACTING CHIEF EXECUTIVE



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# **PART 1**

## **INTRODUCTION TO THE DISTRICT PLAN**

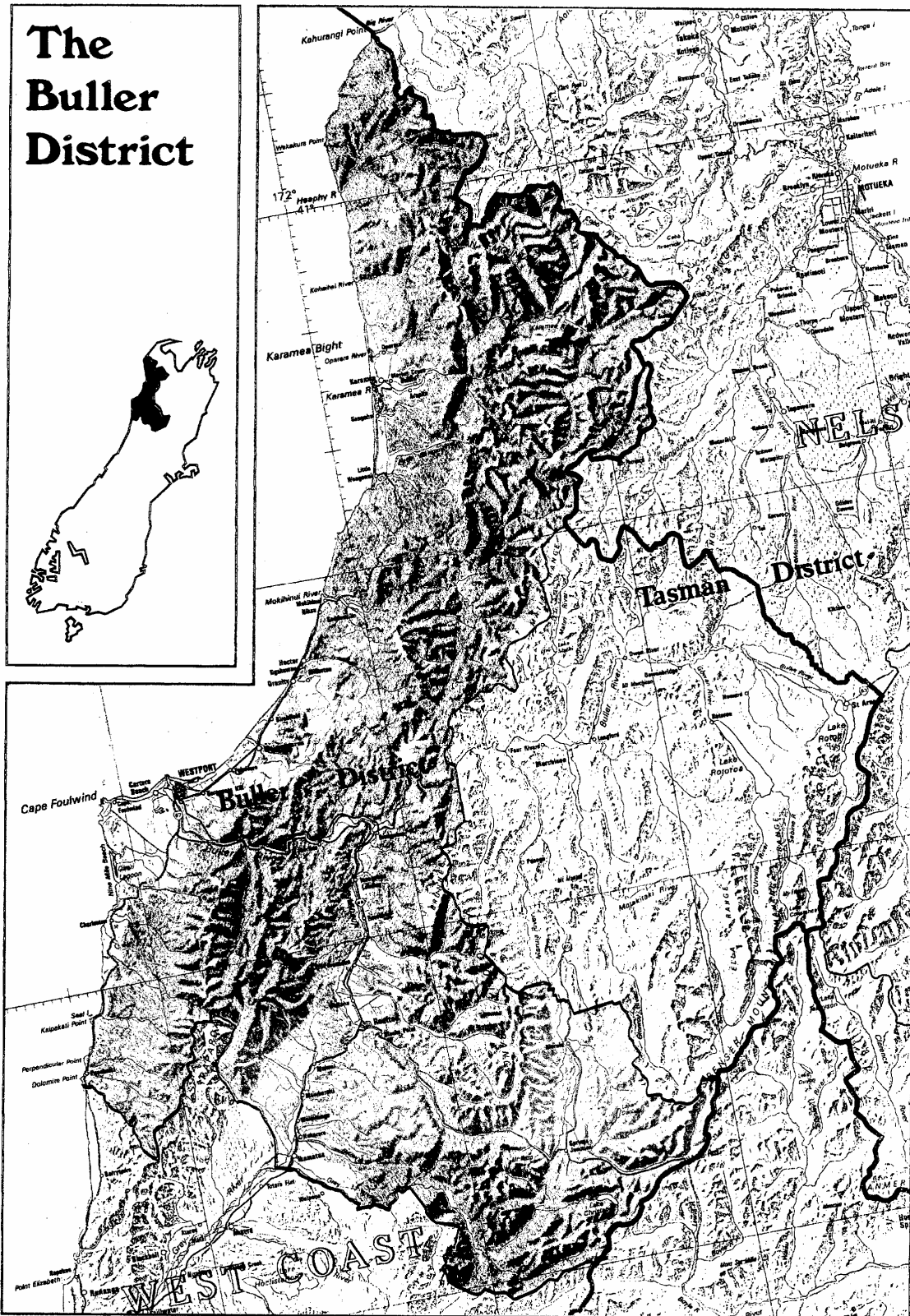
### **1.1. Introduction**

- 1.1.1. The Buller District Plan sets out objectives, policies, and methods of implementation which provide the framework for managing natural and physical resources. The extent of the Buller District (which incorporates the former Westport Borough, Buller and Inangahua Counties and a small part of the former Grey County) is shown in Figure 1.1.
- 1.1.2. The Resource Management Act 1991 is the controlling legislation under which the Plan was written. The Act has as its overall purpose the promotion of "... the sustainable management of natural and physical resources" and the planning process developed within the District Plan reflects this intent.

### **1.2. Achieving Sustainable Management**

- 1.2.1. In planning for the next 10 to 15 years in Buller District, the Council must promote the sustainable management of natural and physical resources. This includes the capability of natural resources and the wider environment to sustain life.
- 1.2.2. While the history of resource use in Buller has tended towards exploitation, the purpose behind resource management is sustainable management. The concept of sustainable management provides communities in the District with a means of providing for their social and economic needs while protecting environmental quality and the future viability of the resource base. The role of the District Plan within the framework of the Act, is to create a management framework which enables people and communities in Buller to provide for their social and economic needs, while ensuring that specific resources of value are protected, and environmental quality is maintained and enhanced.
- 1.2.3. District Wide Outcomes**
- 1.2.3.1. Promotion of the sustainable management of the natural and physical resources of Buller District including their character, values and amenity in a manner that is equitable and efficient.
- 1.2.3.2. Recognition of, and appropriate provision for, the range of social, cultural, historical and ecological values of the District.
- 1.2.3.3. Maintenance and enhancement of the distinctive character of the natural, physical and social environment in Buller District.
- 1.2.3.4. An increase in the awareness and appreciation of the range and complexity of resource management issues in the Buller District.

Figure 1.1 : Buller District, West Coast, New Zealand





1.2.3.5. Maintenance and enhancement of the amenities, infrastructure and quality of the living, working and leisure environment in the Buller.

1.2.3.6. The implementation of District Plan objectives, policies and rules in a fair, equitable, efficient and flexible manner throughout the District.

### **1.3. Structure Of The District Plan**

1.3.1. The Plan is divided into 16 parts plus the planning maps which are included as a separate document.

#### **1.3.2. Part 1 Introduction**

#### **1.3.3. Part 2 Implementation and Procedure**

Part 2 explains how to use the District Plan, and outlines procedural and information requirements when applying for a resource consent.

#### **1.3.4. Part 3 The Management Environment**

Part 3 describes the Buller environment within which the Plan operates and identifies key areas of resource use within the District, including likely future trends in that use.

#### **1.3.5. Part 4 Significant Resource Management Issues, Objectives and Policies**

Part 4 identifies the key resource management issues for the whole of the Buller District and states the objectives and policies intended to address these issues. An explanation/reason for adopting these objectives and policies is also given. Methods of implementing objectives and policies are identified which include both rules contained in the Plan and non-regulatory methods such as advocacy, incentives and works and services.

#### **1.3.6. Part 5 Character Areas**

The District has been divided into four broad character areas for the purposes of Plan implementation based on the dominant landscape form and influence. The areas are Urban, Rural, Natural Environments, and Paparoa.

Specific rules apply to each character area as well as district wide rules (where indicated) as contained in Part 7 of the Plan.

#### **1.3.7. Part 6 Infrastructure, Services and Other District Wide Activities**

This section contains specific rules for infrastructure activities which occur in any character area.

**1.3.8. Part 7 District Wide Rules**

The rules contained in Part 7 apply to all zones. The rules are necessary both to control the environmental effects of activities and to achieve a level of environmental quality desired by the community.

**1.3.9. Part 8 Financial Contributions**

**1.3.10. Part 9 Criteria for Assessment of Discretionary Activities**

**1.3.11. Part 10 Definitions**

Defines key terms and phrases used in the Plan.

**1.3.12. Part 11 Schedule of Designated Lands**

Contains a schedule of designations.

**1.3.13. Part 12 Roading Hierarchy**

Identifies strategic, arterial and collector routes and local roads.

**1.3.14. Part 13 Information to be Included in Applications for Resource Consent**

Identifies the matters for assessment of effects on the environment including subdivision.

**1.3.15. Part 14 Schedule of Historic Buildings and Sites**

Contains protected historic buildings, sites and places.

**1.3.16. Part 15 Notable Trees**

**1.3.17. Part 16 Statutory Acknowledgments and Nohoanga Entitlements**

**1.3.18. Planning Maps**

The planning maps are contained in a separate document to the text. The maps identify the four character areas and zones within these areas. Settlements are shown in more detail on separate settlement maps. Historic and cultural places, designations, notable trees, statutory acknowledgments, and nohoanga entitlements are also identified.

## **1.4. The District Plan Review Process**

### **1.4.1. General**

- 1.4.1.1. The Buller District Plan represents the end point of a process which began in July 1991. The review programme involved the development of a comprehensive profile of resources and resource use in the District, an Issues and Options paper which identified resource management issues and a range of policy options for addressing the issues, and a public Discussion Document which invited comments and feedback on the key resource management issues identified in the District.
- 1.4.1.2. In addition, extensive business, industry, interest group, local community and tangata whenua consultation was carried out.
- 1.4.1.3. This approach has identified current and likely future trends in natural and physical resource use in the Buller District and has enabled the Plan to focus on the key resource management issues for the District. Desired environmental outcomes identified by the community can then be effectively and efficiently planned for. A statement of outcomes provides clear criteria against which to monitor the performance of the Plan.

### **1.4.2. Section 32 Assessment**

- 1.4.2.1. In accordance with Section 32 of the Resource Management Act 1991, prior to adopting any objective, policy or rule in the Plan, an assessment has been made of alternative means of achieving desired environmental outcomes. This process included the "do-nothing" option and non-regulatory tools for controlling and/or enhancing environmental quality. A number of non-regulatory tools to be used in conjunction with District Plan rules (to achieve environmental outcomes) are dealt with within the Council's corporate plans and other implementing agencies where appropriate. These tools are identified specifically in Part 4 of the Plan.

### **1.4.3. Focus of the District Plan**

- 1.4.3.1. The guiding principle behind the District Plan is the promotion of the sustainable management of natural and physical resources.
- 1.4.3.2. While the Act places emphasis on managing natural and physical resources, social and economic matters (such as employment opportunities and aspects of community health and safety) are addressed in the Plan, to the extent that they are affected by, or have an effect on, the quality of the natural and physical environment. In doing so, the Council has sought to enable people and communities to make their own decisions about resource use

within the constraints that the Council has set, through consultation with those communities and individuals.

- 1.4.3.3. Examination of the characteristics of natural, physical and human resources, and of the landscape and natural features in Buller identified varying degrees of sensitivity to the effects of resource related activities. Therefore the District is made up of areas ranging from highly sensitive through to highly resilient, each of which can tolerate differing levels of effects. The District Plan operates within this philosophy in working towards achieving sustainable management of natural and physical resources in Buller.

## **PART 2 PROCEDURE AND IMPLEMENTATION**

### **2.1. Introduction**

- 2.1.1. The District Plan is the primary tool for controlling the environmental effects of land use and subdivision activities in Buller. The West Coast Regional Council and the Department of Conservation also have management responsibilities in the District. The Plan recognises the need to integrate the management of resources across and among districts but also within and between agencies. The management approach adopted for the Plan is outlined in Figure 2.1.
- 2.1.2. Management is based on a system of identifying issues, objectives, policies, and implementation methods. Objectives represent overall environmental outcomes which the Council, in consultation with the community, has identified as being desirable and appropriate to the District. Policies relate to specific objectives and identify particular areas of proposed action by the Council. Implementation methods include rules and non-regulatory tools which control the different effects of land use activities and in some cases encourage environmental enhancement.

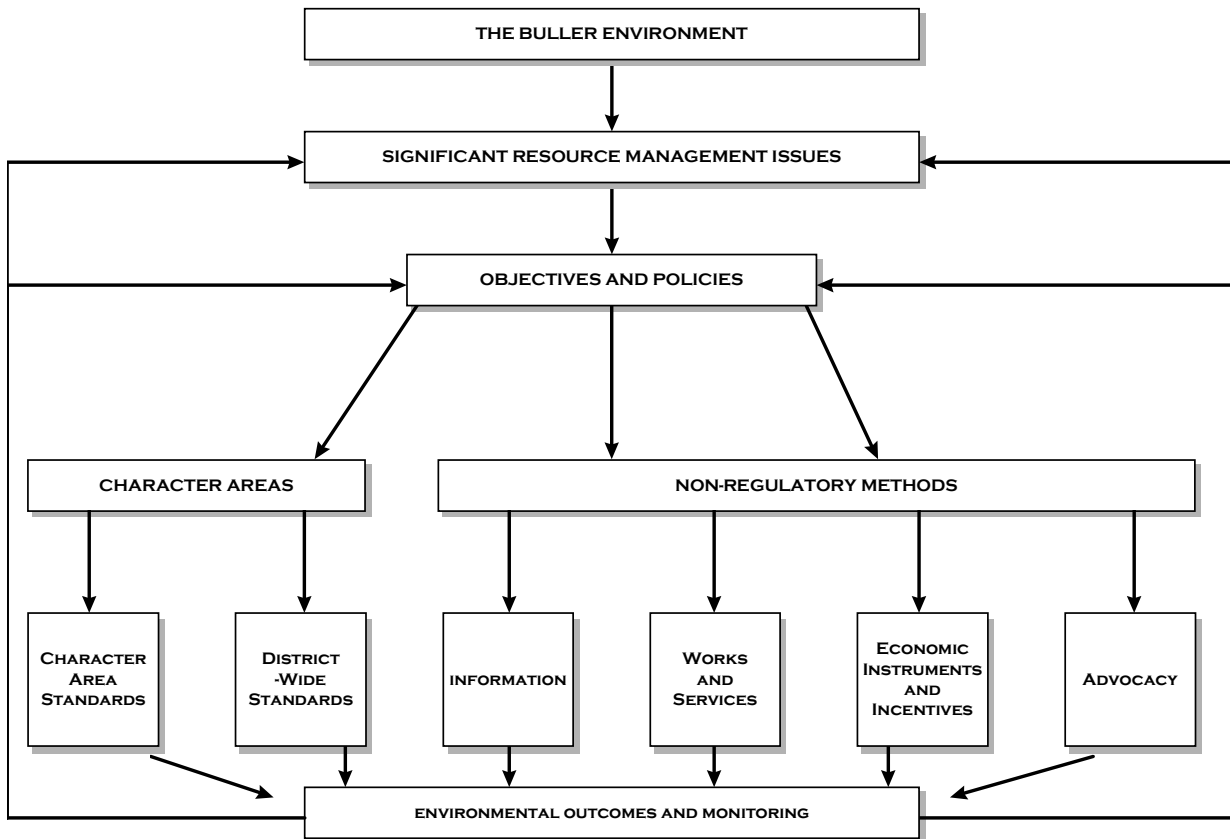
### **2.2. The Council's Corporate Plans**

- 2.2.1. The framework for resource management is such that many of the District Plan objectives and policies will be implemented through provisions in the Annual Plan and other corporate plans of the Council and other agencies, in particular where this involves allocation of financial and human resources. In addition, the Annual Plan recognises many of the Council's and community's purely social and economic objectives which would be inappropriate for inclusion within the District Plan in terms of the purpose and principles of the Act. However aspects of annual planning which are relevant to objectives and policies contained in Part 4 of the Plan are identified.

### **2.3. Regional Policy Statement And Plans**

- 2.3.1. The Act requires that the District Plan is to be consistent with any regional policy statement or regional plan.
- 2.3.2. In addition, the Regional Council is required to prepare a plan which addresses resource management issues in the Coastal Marine Area of the Region. Account has been taken of the Proposed West Coast Regional Policy Statement and Proposed Soil Conservation and Erosion Control Plan in the preparation of the District Plan. However, it is envisaged that amendments to the District Plan may be required as both the Policy Statement and Regional Plans are finalised or further plans are drawn up.

Figure 2.1: Buller District Plan - Management Approach



## **2.4. National Policy Statements And Standards**

- 2.4.1. The District Plan must also be consistent with any national policy statement, or national environmental standards where these are prescribed. The Act specifically identifies the areas in which standards can be set (of particular relevance to the District Council is noise control and management of hazardous substances). The methods of implementing such standards can also be stated.
- 2.4.2. National policy statements set out policies on matters of national significance which are relevant to achieving the purpose of the Act. To date the New Zealand Coastal Policy Statement is the only national statement of policy to be notified under the Act. As with regional plans and statements, it is envisaged that amendments to the District Plan may be required when further standards are promulgated.

## **2.5. Other Relevant Legislation, Plans and Documents**

- 2.5.1. When administering the Plan and assessing resource consent applications Council must also consider under Section 104 other relevant regulations, legislation, plans and documents including the following:
- Buller River Conservation Order;
  - Reserves Act 1977 - management plans;
  - National Parks Act 1980 - national park management plans;
  - Civil Defence Emergency Management Act 2002 - civil defence plans;
  - Conservation Act 1987 - conservation management plans and strategies;
  - Historic Places Act 1993 - register of historic places;
  - Any other relevant planning document recognised by an iwi authority, including regulations relating to conservation or management of taiapure or fisheries;
  - Hazardous Substances and New Organisms Act 1996;
  - Health Act 1956;
  - Local Government Act 1974 and 2002
  - Forest Act 1949, Amendments and Sustainable Management Plans
  - New Zealand Coastal Policy Statement.
  - Defence Act 1990
  - Te Runanga o Ngai Tahu Act 1996
  - Ngai Tahu Claims Settlement Act 1998
  - Unit Titles Act 1972
  - Building Act 2004
  - Railways Act 2005

## **2.6. The Treaty of Waitangi (Te Tiriti O Waitangi)**

- 2.6.1. The Treaty of Waitangi (Te Tiriti O Waitangi) provides a basis for establishing a relationship between the Council and tangata whenua for the management of the District's resources. Section 8 of the Resource Management Act 1991 specifically requires territorial authorities to take into account the principles of the Treaty of Waitangi. The principles include those related to partnership and protection of Maori interests (including resources). In both the preparation of and within the District Plan itself, the Council has been eager to ensure that these principles are taken into account in the most appropriate and effective manner.
- 2.6.2. Section 6 of the Act also requires that persons exercising functions and powers under the Act shall recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
- 2.6.3. From the initial stages of the review the Council has been committed to a programme of consultation with tangata whenua. Consultation has taken the form of hui, informal meetings and the continued exchange of information with runanga. The Council intends to continue consultation on a regular basis to ensure that the provisions contained within the Plan are effective and appropriate in fulfilling the intent of the Act with regard to tangata whenua interests and values. Consultation is also an integral part of the resource consent process, in particular where an activity has the potential to impact on ancestral lands, water, sites, waahi tapu and other taonga.

## **2.7. Duty To Avoid, Remedy Or Mitigate Adverse Effects**

- 2.7.1. Controlling the environmental effects of activities is given considerable emphasis in the Act. Section 17 of the Act places a general duty on every person to avoid, remedy or mitigate any adverse effect on the environment whether or not the activity concerned is in accordance with a rule in the District Plan, a resource consent or relates to a use carried out before the Act came into force. Although this duty in itself cannot be enforced, the enforcement provisions contained in the Act do give the Council legal power to act in these situations.

## **2.8. Processes To Deal With Issues Crossing Territorial Boundaries**

- 2.8.1. The characteristics of natural and physical resources are such that the management issues which relate to them may not necessarily be confined to one district or region. While the most obvious issue to fall within this category, water resource management, is primarily a Regional Council responsibility there are, or are likely to be, issues in the Buller District which cross over to other districts or regions or involve the management responsibilities of several agencies in Buller.



- 2.8.2. When dealing with issues which cross territorial boundaries which are not specifically covered in the Plan, the Council will:-
- (a) Initiate and maintain on-going consultation with neighbouring territorial authorities, the Regional Council and other relevant agencies on significant resource management issues of the District which have the potential to "spill over" to neighbouring districts or areas of responsibility.
  - (b) Conduct joint hearings with neighbouring regional and/or territorial authorities or relevant agencies, where possible, for activities which involve applications to more than one agency or council.

## **2.9. Applying For A Resource Consent**

### **2.9.1. Applications**

2.9.1.1. There are two types of resource consent which may be required for an activity which does not comply with the provisions for permitted activities of this District Plan, namely:-

- a land use consent
- a subdivision consent

2.9.1.2. A subdivision consent may include a condition which waives or reduces esplanade reserve or esplanade strip requirements. Other consents may be required from the Regional Council for activities involving the use of coastal resources, the taking of water, or discharges into water.

2.9.1.3. The Resource Management Act requires that information accompanying each application be sufficient to enable it to be readily understood. The type of information and the level of detail required will depend on the category of activity for which the application is made and the scale and magnitude of environmental effects which the activity may generate. Activities requiring a resource consent are generally those which are classed as: controlled, limited discretionary or discretionary. Activities which do not fall into one of these classifications and are likely to have significant adverse environmental effects will be non-complying activities. The type of consent required will be determined by criteria laid out in the Plan. Consent is not required for permitted activities. However a certificate of compliance for permitted activities can be requested by any person in relation to the activity they wish to carry out.

2.9.1.4. The Council shall from time to time set any fees or schedule of fees that it considers necessary in order to recover the reasonable costs of processing resource consent applications. In addition the Council

may charge resource consent holders for monitoring of a resource consent.

- 2.9.1.5. The extent and type of information to be supplied with applications for land use and subdivision consents is outlined in Part 13 and shall be on the application forms for resource consent available from Council offices.

## **2.9.2. Notification**

- 2.9.2.1. The matter of whether a resource consent application will be notified will be determined in accordance with the provisions of Sections 95 to 95G of the Act and in accordance with the express provisions of the District Plan. Council will assess whether a consent application needs to be notified according to whether written approval has been obtained where necessary from every person considered to be adversely affected by the granting of the resource consent, and whether the adverse effect on the environment of the proposed activity will be minor. Notwithstanding these provisions, the Council may require any application to be notified if the Council considers special circumstances exist in relation to the application.

- 2.9.2.2. The Buller District Council will maintain a register or list of affected persons in regard to particular situations to guide prospective resource consent applicants with whom to consult in a given situation so that the Council can determine who is or is not affected.

## **2.9.3. Procedure for Processing Applications**

- 2.9.3.1. Where an activity requires a concession, licence, permit or lease from the Department of Conservation to operate on public conservation land, it is advisable to obtain any necessary concession, licence, permit or lease before applying to the Council for a resource consent.

- 2.9.3.2. However in order to avoid duplication of information and facilitate streamlining of the application process, the Department of Conservation and the Council have agreed that, as far as possible, one environmental effects assessment will generally be acceptable for both applications provided that the information requirements specified by both have been fully met. Therefore, in preparing an assessment the applicant should consult with both organisations. Separate hearings will be held and separate documents issued, given that they cover different functions under different statutes.

## **2.10.Changes And Review Of The District Plan**

### **2.10.1. Review of the District Plan**

2.10.1.1. The Act requires that a full review of the Plan be commenced within 10 years of it becoming operative. The review of the District Plan will take into account the information collected under the District's environmental monitoring programme including the monitoring of the effectiveness of objectives, policies and rules in the Plan, and monitoring of the effectiveness of, and compliance with, conditions set on resource consents. If changes to the Plan are deemed necessary as a result of any review, they shall be carried out in the manner set out in the First Schedule of the Act. The Council is preparing a monitoring strategy which will outline Council's responsibilities under the Resource Management Act and how it will undertake its statutory obligations. A GIS database will be used for the storing of non statutory data, copies of which will be available to the public.

### **2.10.2. Changes to the District Plan**

2.10.2.1. Any person (in addition to the Council) can make a request to change the District Plan under Section 73 of the Act. An application for a Plan Change must be in writing and contain the information outlined on the appropriate forms available from Council offices. The Council will consider whether to proceed with the Plan Change request and can either adopt it in whole, or in part as its own change, or process the application as a private request.

2.10.2.2. The Council may charge applicants for the cost of processing the Change and for the carrying out of its functions in relation to such applications.

## **2.11.Monitoring**

2.11.1. Management decisions cannot be made without an up-to-date and appropriately detailed resource information base. The environment is not a static entity, but undergoes dynamic changes, often significant, over both space and time.

2.11.2. Other agencies have significant monitoring functions which also cover the Buller area. They include the Regional Council, central government departments and private organisations. The fulfilment of the District Council's monitoring functions will rely heavily on the information collected by these agencies. The Council shall focus on monitoring the exercise of resource consent applications and compliance with conditions and their effectiveness in meeting intended environmental outcomes.

2.11.3. The conditions placed on resource consents reflect the level of control of effects that the Council and community have decided is appropriate.

Monitoring is made more effective and simpler if the exact outcomes that are sought to be achieved by objectives and policies can be identified and clearly stated. This approach forms the basis for monitoring the effectiveness of existing policies in the Plan. Specific monitoring commitments are stated following the outcomes.

- 2.11.4. It is envisaged that the Regional Council and Government agencies (in particular the Department of Conservation) will provide any monitoring information on the wider state of the environment. The Council will continue to liaise and consult with these organisations and exchange information as appropriate and necessary. Together these aspects of the monitoring programme will form a useful and accurate base for review of the District Plan ten years from it being made operative.
- 2.11.5. The Council will undertake monitoring in accordance with the procedures outlined at the end of each chapter in Part 4. These monitoring procedures will enable the review of issues, objectives, policies and methods, the reasons for all those and the expected environmental results over the 10 year life of the Plan. Where monitoring brings to light matters which need short-term action, the Council will promote Plan Changes. It is intended that these procedures will give effect to the Act in that monitoring will lead to review of objectives, policies and methods to achieve integrated management.

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## **PART 3 THE MANAGEMENT ENVIRONMENT**

### **3.1. Introduction**

- 3.1.1. Resource management issues arise out of the interaction of people with natural and physical resources. In some cases the effects of this interaction will be minor, therefore requiring minimum control or intervention. However there are instances when resource use may have significant effects on the environment, and therefore on the sustainability of that resource, and should be permitted only if subject to strict conditions or possibly refused altogether. Effects can also be cumulative in their nature. Over time the combination of small scale effects can result in major impacts on the resource not initially envisaged.
- 3.1.2. An understanding is required of the natural and physical resource base and people and communities in Buller District in order to determine appropriate management responses. Part 3 (The Management Environment) briefly outlines and describes the resources of the District and the cultural, social and economic attributes which characterise the Buller District. In examining this interaction between people and resources, issues arise which form the basis for setting management objectives and policies contained in Part 4 of the Plan.

### **3.2. The Physical Environment**

#### **3.2.1. Geography**

- 3.2.1.1. Mountainous terrain and terraced valleys characterise much of the District. The Karamea region is dominated by granite and sedimentary rocks. A band of limestone contains many natural features including caves and arches. Further south are coastal ranges and alpine landscapes including the Paparoa Ranges and the coal plateaux. A number of complex river systems flow through deeply incised gorges and result in alluvial plains with features such as marine and alluvial terraces and deltas. Pakihi areas are common. The Inangahua area contains the Alpine Fault and Main Divide, while alpine lakes and tarns exist in the Paparoa and Mt Victoria ranges. There are also two large valley floors in the District.

#### **3.2.2. Climate, Soils, Geology and Minerals**

- 3.2.2.1. Climate has a major influence on both the human and biophysical environment. Buller has moderate rainfall, lack of persistent wind, and mild temperatures.

- 3.2.2.2. Alluvial deposits on the valley floors have high productive potential for agricultural use. In the past, poor drainage has impeded the development of larger areas of good quality fertile soils. Large areas of upland and high country have soils which are generally of low fertility. Areas of soil at risk from erosion are identified as part of the West Coast Regional Council Soil Conservation and Erosion Control Plan. Modern methods and machinery make it possible not only to mitigate the adverse effects of soil degradation but to improve the productive values of land. Some soil types may be subject to erosion as a consequence of permanent forest removal or inappropriate earthworks.
- 3.2.2.3. The characteristics of the soil resource in the Buller have been a major determinant of the pattern of land use and have placed significant constraints on the development of intensive agriculture throughout the District. Some historic activities, in particular mining, have further degraded the soil resource.
- 3.2.2.4. The geological origins of the District gave rise to a wide range of mineral deposits, including coal, gold, limestone and mineral sand deposits containing magnetite, ilmenite, zircon and monazite. Gold is found in quartz reefs and alluvial deposits and blacksands along the coast. There are also substantial reserves of limestone currently being quarried at Cape Foulwind.

### **3.2.3. Water**

- 3.2.3.1. Numerous rivers and streams drain the mountainlands across the District. Freshwater systems are characterised by short steep runs in the headwaters and alpine sections, then less steep runs to the sea. Annual rainfall is measured in metres and water is a dominant part of the West Coast's natural character. Climate and terrain combine to create a large and diverse range of freshwater ecosystems affecting, and being affected by the landscape they flow through. These include lakes, tarns, bogs, pakihis, swamps and lagoons as well as the District's distinctive rivers.
- 3.2.3.2. The Buller River is by far the largest river system in the District, and is widely recognised for its wild and scenic values, and recreational opportunities. Most of the river (and tributaries) is now protected by a Water Conservation Order. Other significant rivers in the District include the Heaphy, Karamea, Ngakawau, Mokihinui, Maruia, Inangahua and upper reaches of the Grey River. Instream water quality is generally high, largely due to high dilution of contaminants entering the river systems and the high levels of flushing which occur during periods of flood. Localised contamination has been associated with sewage discharges in particular at Reefton and Westport and agricultural run-off in the north of the District.

- 3.2.3.3. The catchments of rivers in the very northern areas of the District, such as the Heaphy and Kohaihai, are virtually unmodified. The Karamea River Gorge is significant for its recreational values as a location of whitewater rafting.
- 3.2.3.4. The topography of the central part of the District is dominated by the Buller and Mokihinui Rivers. Both Buller and Mokihinui Rivers have steep and narrow gorges which have recreational value especially in their provision for rafting opportunities in the gorge areas. Of all the rivers in this area, the Ngakawau River gorge is especially confined and dramatic. The headwaters of these rivers are almost all largely unmodified forest. The Ngakawau, Orikaka and Mokihinui River systems have a series of wide inland forested basins. However, even in remote areas few rivers are completely unmodified after their use as travel routes, grazing, mining, forestry, logging and seasonal habitation of river beds and riparian areas. The lowland parts of rivers in farmed areas are subjected to a high degree of modification through land clearance and channelling.
- 3.2.3.5. The coastal environment has a significant influence on the character of the Buller District. The coastline comprises a distinct combination of sandy beaches, cliffs and estuarine lagoons. The coastal marine area contains culturally significant resources which are regarded as taonga by Poutini Ngai Tahu. These include highly valued weaving plants such as pingao and harakeke, and food resources e.g: whitebait, fish, shellfish and other mahinga kai. Numerous settlements occur along the coastline, including Westport, which have a significant impact on the general character of the coastal environment.
- 3.2.3.6. The coastal environment in Karamea between Kohaihai and Kahurangi has outstanding scenic and biodiversity values. However, further south of Karamea, virtually all the coastal alluvial land between the Little Wanganui and Kohaihai Rivers has been cleared of native vegetation.
- 3.2.3.7. The coastal environment in the central part of the District is dominated by the extensive delta of the Buller River. The area is formed from a complex of marine and fluvial terraces. Westport is located on this river delta. There are various coastal swamps and lowlands in this area. Despite the extensive modification of this general area of coastal environment, some parts still provide important natural habitats including the Birchfield Swamp, Orowaiti Lagoon, tidal areas at the mouth of the Buller River (especially on the western side) and the large Okari Lagoon south of Tauranga Bay.
- 3.2.3.8. Further south is the Paparoa area whose coastal environment has largely been determined by the nature of the coastal limestone belt. This area is elaborated on in 3.2.4.3. Both Four Mile River and Bullock Creek have special aquatic values associated with them.

This is due to there being natural barriers which have developed between the freshwater in the river system and the coastal environment.

### **3.2.4. Caves and Karst**

- 3.2.4.1. Most of the major karst areas in the Buller District are located within public conservation land and are managed primarily by the Department of Conservation. Karst is a special type of landscape characterised by distinctive hydrological processes and landforms. Features include sinking streams, gorges, caves, springs, dolines and speleotherms (cave decorations). Two significant karst features are the Oparara limestone arch, the largest such arch in Australasia, and the Honeycomb Hill Caves. Several of the cave areas in Buller contain significant fossil remains. Karst areas of importance in Buller District include the Heaphy River, Oparara River, Karamea River, Mokihinui Catchment, Buller River, Inangahua, Springs Junction, Punakaiki and Charleston.
- 3.2.4.2. The Heaphy Valley contains such features as bold limestone bluffs, vanishing streams and several large caves. Limestone bluffs provide impressive coastal ramparts south of Little Wanganui while in the north the prominent Kohaihai and Heaphy Bluffs and Kahurangi Point are all remnants of formerly more extensive limestone outcrops.
- 3.2.4.3. In the central parts of the district the karst resource has been quarried for cement at Cape Foulwind and for agriculture at Charleston. Further south in the Paparoa area are many karst features, especially on the coast. Most well known are the Pancake Rocks at Punakaiki and their attendant blowholes. These provide the single most important tourist attraction on the West Coast with around 300,000 visitors every year. The coastal limestone area of Paparoa contain examples of such features as a sequence of sculpted headlands, towering coastal bluffs, vertical walled river canyons, large natural arches and overhangs, sinkholes and slots, blind valleys, self draining basins, complex patterns of underground drainage, and numerous caves. Further inland are also significant areas of limestone features which include variations on that which are found on the coast.
- 3.2.4.4. Indigenous vegetation clearance, recreational/tourist use, roading, access tracks, foot tracks, buildings, carparks, rubbish dumps and effluent disposal can all have a detrimental impact on karst features. While the major karst areas are located on land managed by the Department of Conservation, some cave and karst features may be influenced by activities on land outside the public conservation land.



### **3.2.5. Natural Hazards**

- 3.2.5.1. The climate and the physical characteristics of the land give rise to a number of potentially significant natural hazards. There is potential for significant flood damage to occur in the Buller, Karamea and Grey catchments. The whole West Coast region is located along the active Alpine Fault, and is therefore at risk from earthquakes. The Alpine Fault is one of the few places in the world where a major plate boundary appears on land and has been responsible for the creation of the Southern Alps and ultimately all the geographic and climatic factors that give the West Coast its highly distinctive character.
- 3.2.5.2. Earthquakes can also trigger other hazards such as slips and tsunamis. Little Wanganui Subdivision has been identified as an area at particular risk from landslides triggered by earthquakes. A rockfall hazard also exists at Punakaiki settlement.
- 3.2.5.3. Coastal erosion is a potential hazard in several locations along the coastline of Buller District. Particular problems have been noted at Punakaiki, and Waimangaroa through to Mokihiui.

## **3.3. Natural Habitats And Ecosystems**

### **3.3.1. Forests**

- 3.3.1.1. In the northern part of the District, forest cover is almost entirely indigenous consisting of podocarp-beech forest. The coastal forests of the northern Buller District are very different in composition from those found in the southern areas of the West Coast region. They are dominated by species like nikau palm, karaka and northern rata. Other northern species present include rangiora and titoki (which reaches its southern limit at Kohaihai) and these along with dense tangles of kiekei and supplejack vines gives the Karamea coastal forests a lush sub-tropical character. Besides their composition the fact that they are continuous for over 40 kilometres from Kohaihai to Kahurangi Point is also significant.
- 3.3.1.2. There are also extensive tracts of non-coastal lowland forests in the northern part of the District. Many are contiguous with both montane and coastal forests and hence provide linkages in unbroken altitudinal sequences. Rimu and red beech are common emergent species throughout much of these forests but composition can vary considerably.
- 3.3.1.3. The central area of Buller was originally podocarp-beech and beech forest but much of the Inangahua Valley has been cleared or modified by logging and burning. In southern Buller most of the area remains as indigenous forest except for extensive pakihis and

logged areas of the Tiropahi Valley. There may be important forest areas and remnants not on public conservation land.

- 3.3.1.4. Beech forest dominates both lowland and montane forests throughout the central part of the District. Beech forest is widespread in the Mokihinui catchment, the northern tributaries of the Buller inland from Inangahua, and the central parts of the Paparoa Range. Elsewhere beech is usually a component of more complex forest communities being joined by a wide variety of podocarp and broad-leaved trees with rimu often prominent at lower altitudes. Much of the dense coastal forest has been cleared. Lowland forest on fertile alluvial sites has also largely vanished from the coastal strip and along the Buller River but stands of tall kahikatea/rimu forest still remain in some inland lowland basins.
- 3.3.1.5. In the south of the District is a complex arrangement of ecological communities. Coastal forest in the Punakaiki area is dominated by species like northern rata along with dense tangles of kiekei and supplejack vines and native pines. Forest is lacking on the infertile coal measures and pakihi soils of the coastal lowlands near Charleston.
- 3.3.1.6. The forests provide habitat critical to a wide range of bird species, and forests hold significant soil conservation value. On private land, farmers view forests as an important potential timber asset.
- 3.3.1.7. Pests including weeds and introduced animals are a significant problem in parts of the Buller District. In the Buller sub-region weeds are a significant problem in certain areas including old man's beard, wild ginger (Karamaea), willow clematis vitalba (Traveller's Joy). Possums have also been responsible for the modification of whole forest ecosystems in certain parts of the District. They are known to have a highly destructive impact on forest structures, palatable plants and native land snail populations.
- 3.3.1.8. There are a number of threatened plants in the district, including the New Zealand sea spurge and a rare species of cress (*Lepidium flexicaule*) only two of which are found in the coastal zone. The forest areas also support threatened bird species including the great spotted kiwi, kaka, kereru, blue duck, kea, petrel and rock wren. Other indigenous threatened invertebrate species are also present including the giant land snail.

### **3.3.2. Alpine**

- 3.3.2.1. Above the bush line (at approximately 1,200 metres) a belt of subalpine stunted trees and shrubs merge into alpine grassland and herbfield, bare rock and scree through to snow levels. Despite the harsh environment, alpine habitats support a surprisingly large number and diversity of both plant and invertebrate species. Alpine areas are also highly valued and utilised as a recreation and scenic

resource. Alpine lakes and tarns exist in the Paparoa and Mt Victoria ranges and there are two large valley floor lakes in the District.

### **3.3.3. Wetlands and Pakihi**

- 3.3.3.1. As in other parts of New Zealand, considerable modification of wetland ecosystems has occurred, mainly through drainage and reclamation. These include the estuarine areas of the Buller, Totara, Mokihinui, Orowaiti, Little Wanganui, Oparara, Karamea and Okari Rivers; Kongahu Swamp at Karamea, German Terrace at Fairdown and Birchfield Lagoons.
- 3.3.3.2. Lowland wetland ecosystems (both freshwater and coastal) are of ecological value, despite the fact that they generally occur in areas that have undergone widespread modification since human settlement. The number of wetlands continues to diminish.
- 3.3.3.3. Much of the coastal plains north and south of Westport have been drained for farmland. Coastal swamps and lowlands still provide important natural habitats.
- 3.3.3.4. The wetlands also include natural and induced pakihi, which are areas of wetland supporting a low stunted vegetation community on wet, generally infertile soils. Central parts of the District contain sizeable areas of lowland pakihi and boggy upland which have distinctive ecological communities. Further inland in the general Reefton area most large wetland areas have been cleared and drained except for areas of pakihi swamp that are still extensive on the eastern side of the Paparoa Range. Other pakihi can be found in the coastal lowlands near Charleston. These are characterised by their infertile soils and have scrubby stunted vegetation.
- 3.3.3.5. Coastal and lowland wetlands provide important wildlife habitat and have a role in supporting the District's whitebait fishery.

### **3.3.4. Coastal**

- 3.3.4.1. Large tracts of land in the coastal environment are being farmed. However considerable areas of largely unmodified coastal vegetation do occur, for example, along the Paparoa coastline to the south and between Gentle Annie Point and Little Wanganui Head, and around Kohaihai Bluff in the north of the District.
- 3.3.4.2. Numerous estuaries and coastal stretches are important breeding habitats, especially for birds, and also act as nursery habitats for a variety of fish species. Hector dolphins, little blue penguins and fur seals are also to be found in the coastal environment of the District. The most popular wildlife viewing facility along the West Coast is the seal colony located at Tauranga Bay near Westport.

## **3.4. Tangata Whenua**

### **3.4.1. Early Maori Settlement and History**

- 3.4.1.1. Maori occupation of the Buller (Kawatiri) extends back several centuries. Traditionally settlements have been coastal and associated with nearby rivers, tidal lagoons and estuaries. Favoured locations included land bordering the tidal lagoon at the mouths of the Okari and Totara Rivers along Nine Mile Beach, and other lagoons such as Orowaiti, Bradshaws and the Waimangaroa rivermouths. There is a long history of Maori use of the District's resources including flint from Pahautane for tools, karaka tree berries for medicinal purposes, and other herbs and plants for food, medicines and weaving fibres.
- 3.4.1.2. Upon European arrival in the District, sub-tribes of the main South Island Ngai Tahu tribe were well established, having for example, planted cultivations on the south bank of the Kawatiri (Buller) River.
- 3.4.1.3. Tangata whenua refers to the tribe or sub-tribe of a given place who have manawhenua or authority and responsibility for a particular area. Manawhenua is expressed through Poutini Ngai Tahu representation on Te Runanga O Ngai Tahu which is the decision making body for the whole tribe, and at the district and regional level by decision-making bodies known as runanga. In the Buller District the runanga is known as Te Runaka O Katiwaewae. The Council has a responsibility to consult with the two runanga and Ngai Tahu at the tribal level about resource management matters. This does not preclude the Council from liaising with other Maori groups who have interests in the Buller area but are not affiliated to the two papatipu runanga.

## **3.5. Resource Use And Trends**

### **3.5.1. Agriculture**

- 3.5.1.1. Agriculture is an essential component of the Buller economy with rural communities heavily dependent on farming activities for their social and economic wellbeing. The social structure and lifestyle in rural areas of the District is greatly influenced and shaped by changes in this sector of the economy. Agricultural activities have altered the landscape in Buller District and make a significant contribution to the District's overall character and the economy.
- 3.5.1.2. Agriculture is largely confined to small, discontinuous coastal strips, river valleys and alluvial terraces covering an area of over 131,000 hectares. Dairying is the most common farming activity, accounting for over a quarter of all farms in the District, followed by mixed livestock and beef farming. Some of this land lies idle and has potential for farm and forestry development.

- 3.5.1.3. Some areas of farmed land have the potential for more productive use, through integrated management practices and capital improvement, particularly in the north of the District and around Westport and Reefton. The best land (Class I to III as classified by the New Zealand Land Resource Inventory worksheets) often requires flood protection works.
- 3.5.1.4. Further growth in the farming industry will depend upon the extension of the farmed area and commercial viability and management initiatives. Intensification of agricultural land use has environmental implications both for water quality and habitat protection. The conversion of marginal lands, such as scrublands and wetlands, to production may result in the loss of conservation and wildlife values.
- 3.5.1.5. Other activities such as mining and forestry also exert pressure on the soil resource and can compete with farming where they involve productive soils. Demand by farmers to subdivide existing family properties is steady as is demand for rural-residential “lifestyle” blocks. These blocks are typically between three and four hectares in size.

### **3.5.2. Forestry**

- 3.5.2.1. An estimated 95% of native (or indigenous) forest in the Buller District is under the direct control of the Department of Conservation, who operate primarily under a conservation mandate. One consequence of this is that the resource will not be available for production forestry under present legislation.
- 3.5.2.2. The majority of exotic production forest areas in Buller District, 4,504 hectares, are managed by Timberlands West Coast Limited. The main Timberlands exotic plantation blocks are in the Mokihinui, Charleston and Reefton areas of the District, as well as a smaller block in the Oparara area. There are significant tracts of indigenous forest (20,000 hectares) on private land, and also an increasing number of exotic forest blocks on private land.
- 3.5.2.3. Use of indigenous forest on private land is controlled by Part 3A of the Forests Act 1949.
- 3.5.2.4. The use of the forest resource has long been a source of development finance for farmers, as well as allowing for further areas to be opened up for pastoral activities. Approximately 14,000 hectares of regenerating indigenous forest and wetland exists on private land and may have development or conservation potential.

### **3.5.3. Mining**

- 3.5.3.1. Buller District is relatively well endowed with a variety of mineral resources. They include substantial reserves of bituminous, sub-bituminous and lignite coal, relatively widespread alluvial gold and mineral sand deposits, the latter containing magnetite, ilmenite, zircon and monazite. Smaller quantities of uranium, copper, molybdenum and lead have also been located within the District. Industrial minerals, in particular limestone, are currently extracted in economic quantities.
- 3.5.3.2. Over 1,000,000 tonnes of coal was extracted from the Buller District in 1994, the vast majority being taken from the Stockton mine (860,000 tonnes). The coal mining industry has proposals to increase output to over 2 million tonnes per annum by the year 2000. Significant quantities of limestone, and lesser quantities of sandrock and gravel are also extracted. Ilmenite sands have been identified in the Cape Foulwind area and the viability of extraction is currently being investigated.
- 3.5.3.3. Gold bearing quartz lodes are known to exist in several locations within the District, including the Reefton and Lyell Goldfields. A major gold mine is proposed on the Globe Progress resource, and additional prospects north and south of Reefton are under evaluation. The main alluvial deposits are found in the gravels and river terraces of the major river valleys and their tributaries from the Buller River south.
- 3.5.3.4. The gold industry has historically been of great social and economic importance in the District. Many of the District's towns and communities were founded on the gold mining industry and in particular the gold bearing quartz lode of the Reefton and Lyell Goldfields. A major hard rock gold mining industry existed on those fields during the second half of the last century and the first half of this century. The Ministry of Commerce has calculated that between 1872 and 1973 the Reefton Goldfield has produced 64,678kg of gold. In today's terms of a spot price of \$700/oz, the gold produced would have a value of \$1,455,587,705.
- 3.5.3.5. There remain within the Reefton and Lyell Goldfields enormous gold resources. Almost all of these goldfields are located within land administered by the Department of Conservation. With continual advances in exploration and mining technology and the ability for mineral exploration and extraction to be undertaken in an environmentally responsible way, the District stands to reap social and economic benefits from the industry in the future.
- 3.5.3.6. The cement industry is of important economic and social significance in the Buller District. There is a large limestone quarry and cement works at Cape Foulwind. Operations on the Cape Foulwind site associated with the cement works started in 1957.

Production was at a record level in 1996 as it had been in 1995. The existing Cape Foulwind quarry has assessed reserves of limestone totalling 60 million tonnes. Expansion of the production facility in the future is possible.

- 3.5.3.7. Reserves have also been identified at Waggon and Alpha Creeks. Marl (used in the manufacture of cement), garnet, beryl, mica, potters clay and aggregate rock (used to make roads) are also plentiful.
- 3.5.3.8. The future of the mining industry in Buller will depend on a range of factors including commercial viability, which in turn is affected by overseas markets, mine and transport infrastructure development and environmental policy and control.

#### **3.5.4. Tourism and Recreation**

- 3.5.4.1. The District is well endowed with scenic and historic attractions and has significant land and water-based recreation assets. Tourism is regarded throughout New Zealand as a key area of economic growth with growth in visitor numbers occurring at a rate of 9.6% per year. The New Zealand Tourism Board is aiming for a figure of 3 million visitors to New Zealand by the year 2000, although even an increase to 2 million would still be significant.
- 3.5.4.2. The District's large areas of natural land also provide an extensive resource for low impact recreation for New Zealanders living in the District and from other parts of the country. Overseas backpackers are also visiting remote parts of the District. This recreational activity can be less intensive than mainstream tourism and needs little infrastructure to support it.
- 3.5.4.3. The Council recognises that tourism has significant potential to provide a long-term, sustainable income to many of the District's residents. While large visitor numbers (and associated development) can have potentially detrimental environmental effects, appropriate controls and balanced decision-making will ensure that tourism enables people and communities to meet their present and future needs.

#### **3.5.5. Settlement Growth and Change**

- 3.5.5.1. Westport is the major town and population centre of the District, and has gradually increased in importance as a tourist and holiday attraction. Reefton, to the south-east of Westport, is the second largest town. Some of the smaller settlements have become increasingly dependent on tourism, for example, Karamea and Punakaiki, while others such as Granity, Ngakawau, and Hector are still dependent on coal mining ventures. New ventures of a service nature serve to diversify the employment base.

- 3.5.5.2. The population of Buller District now stands at 10,512 people (1996 Census). The Council believes that there will be a growth rate in population of the order of 0.5% per year in the future. The population is also “ageing” and by 2011 the 50 year and over age group is expected to comprise over 31% of the population.
- 3.5.5.3. Unemployment is high. In 1996 the unemployment rate was 9.6% whilst nationally the rate was 7.7%. Small holdings and the demand for rural-residential properties are two major settlement trends as people seek to combine the advantages of rural lifestyles without the necessity to become involved in full-time farming.
- 3.5.5.4. The transportation network is vital to the sustainable management and development of the Buller District. The state of the harbour, rail, airport and roading infrastructure is a significant part of the physical environment for the movement of people and goods within and beyond the District.
- 3.5.5.5. Population centres are serviced and linked by vital infrastructure resources. These include transportation (road, rail, sea, air), communication, energy and servicing resources. Infrastructure resources have a high capital value with replacement costs in the millions. Provision of these services and resources has traditionally been that of Council and Government departments or agencies. However, privatisation of these functions is increasing so that a variety of commercially orientated organisations have servicing and infrastructure responsibilities.

### **3.5.6. Energy Development**

- 3.5.6.1. There are no significant electricity generating plants in the District, although the potential for hydro-electric power schemes has been identified for a number of rivers in the Buller District and some preliminary investigations have been done. Significant hydro potential exists on the Ngakawau, Buller River tributaries, Whareatea, Ohikanui, Totara, Nile, Mokihinui and Waimangaroa Rivers, Mangatini Stream and Granity Creek. Some rivers, particularly the Ngakawau, have had detailed investigation of their capacity for hydro-electric power generation. The Council recognises that a number of these rivers have been identified for their high wild and scenic values, but is mindful of the need to promote energy independence and efficiency of energy supply in Buller District.
- 3.5.6.2. Other potential energy sources include use of the large coal reserves as fuel for a coal fired power station to produce thermal power generation. Geographical investigations and assessment reports have been done on possible sites. Potential for wind power generation has been considered, however, suitable sites appear to be limited due to wind patterns and existing technology. The development of any energy project will be closely related to national



electricity demand, pricing policies and the structure of the energy generation and supply industry. Due to the constraints on energy development, alternative energy conservation and generation technologies and techniques may require greater consideration in the future.



## **PART 4**

# **SIGNIFICANT RESOURCE MANAGEMENT ISSUES, OBJECTIVES AND POLICIES**

### **4.1. Introduction**

- 4.1.1. The important resources and the major activities which utilise or impact on the natural and physical resources of the Buller are identified and discussed in Part Three of the Plan. The effects of these activities on the natural and physical environment differ in both scale and magnitude depending on the characteristics of the resource, including its vulnerability or resilience to change. Issues arise when the different demands which people and communities place on resources conflict and/or where there are major environmental effects arising from a particular activity.
- 4.1.2. Resource management issues significant to the Buller District are identified and discussed, followed by specific objectives and policies which relate to each issue. The methods of implementing these objectives and policies are then outlined.
- 4.1.3. Accordingly Part 4 takes the following form:

#### **4.1.3.1. Key Resource Management Issue**

The issue, as it relates to a natural or physical resource, is stated and explained together with reasons for its significance in the Buller District.

#### **4.1.3.2. Objectives**

Objectives relate directly to the issues and reflect the specific outcomes desired by the community.

#### **4.1.3.3. Policies**

Policies identify specific areas in which the Council intends to take action in working towards objectives.

#### **4.1.3.4. Methods of Implementation**

The main methods for the implementation of objectives and policies are identified. These include both regulatory, that is rules and regulations, and non-regulatory methods such as economic instruments, information, consultation, advocacy and works and services. A monitoring strategy will be introduced by the Council addressing its responsibilities under Section 35 of the Act.

#### **4.1.3.5. Explanation/Reasons**

Objectives and policies are explained as being necessary in terms of promoting sustainable management and fulfilling the Council's functions and responsibilities under the Act.

#### **4.1.3.6. Intended Environmental Outcomes**

These state the environmental outcomes relating to an issue which the Council intends to achieve or work towards through implementation of the stated objectives and policies. Outcomes are based on community expectations with regard to the environment, and the expected result from the policies and methods in the Plan. They are also intended to form a measurable basis for monitoring the effectiveness of the District Plan in achieving the overall goal of sustainable management.

#### **4.1.3.7. Monitoring**

The monitoring which the Council will undertake is based on the intended environmental outcomes.

## **4.2. Infrastructure**

### **4.2.1. Key Issue**

4.2.1.1. The need to provide for the efficient development, use and maintenance of infrastructure, in a manner which has regard to the avoidance, remediation, or mitigation of adverse effects, and the need to protect infrastructure services from the adverse effects of other activities.
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4.2.2. Transport, water supply, electricity, telecommunications, stormwater, sewage and waste disposal are all key services required for the efficient functioning of the District. While not all of these activities are the Council's responsibility, each can have adverse effects on the environment, which in turn can be controlled through the District Plan process. The significance and ease of mitigation of effects will be part of the criteria used to assess the urgency or priority of works and services.

4.2.3. Waste disposal especially at landfills is also of concern, especially where leachate enters rivers or other water bodies. Other services such as transmission towers and roading, can have an adverse effect on scenic landscape and/or visual amenities.

4.2.4. Infrastructure, service and communications resources represent a significant financial investment and are also highly valued by the community, and business and industry. Activities which impact on this resource in a detrimental manner should therefore be controlled.

#### 4.2.5. Objectives

- 4.2.5.1. To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.**
- 4.2.5.2. To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.**

#### 4.2.6. Policies

- 4.2.6.1. *Development in areas which, due to physical characteristics, are difficult to service shall be permitted where appropriate technical solutions are provided to avoid, remedy or mitigate against adverse effects.*
- 4.2.6.2. *To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.*
- 4.2.6.3. *To utilise a roading hierarchy which enables the effects of activities on the roading resource to be avoided, remedied or mitigated depending on the status of the road in the hierarchy.*
- 4.2.6.4. *The importance of Westport Airport, the Port of Westport and the railway network as communications links shall be recognised by ensuring the safe and efficient operation of these resources is not jeopardised by the effects of surrounding land use activities.*

#### 4.2.7. Methods of Implementation

- 4.2.7.1. Support Regional Council initiatives and policies on waste management.
- 4.2.7.2. Support the development of a regional facility for the collection, recycling, storage, treatment or disposal of hazardous substances.
- 4.2.7.3. Promote the concept and benefits of waste minimisation, energy conservation and recycling and encourage community participation in any programme.
- 4.2.7.4. Programme works and service maintenance and construction into the annual budget.
- 4.2.7.5. Liaise with New Zealand Transport Agency on matters related to the state highway network.
- 4.2.7.6. Provide information on technical aspects of service provision, in particular for on-site sewage disposal and water supply.

- 4.2.7.7. Include rules in the District Plan to ensure the safe and efficient operation of Westport Airport.
- 4.2.7.8. Rules and performance standards.
- 4.2.7.9. Recognition of appropriate industry Codes of Practice.
- 4.2.7.10. Liaison with infrastructure service providers, in particular New Zealand Transport Agency, Tranz Rail, Westport Airport, Westport Harbour Committee, Telecom New Zealand and Transpower New Zealand.

#### **4.2.8. Explanation/Reasons**

- 4.2.8.1. The Council's annual budget identifies and prioritises the further provision (and/or upgrading) of services, taking into account human health and safety, environmental effects and financial criteria. Appropriate servicing is critical to ensuring that development does not have adverse environmental effects. In this respect, the Council will require that an approved sewage disposal system is installed with any new residential or commercial development, that an adequate potable water supply is available to the site and that stormwater flows are channelled off-site (unless otherwise specified) in a manner which does not cause scouring or flooding on neighbouring properties. These aims shall be achieved through the enforcement of a number of regulations, which together will ensure that an effective and appropriate level of servicing is provided to a site.
- 4.2.8.2. The provision and maintenance of services and infrastructure in the District is addressed throughout Section 5 of the Plan, in particular in Sections 5.2 to 5.5, Part 6, Part 7 and Part 8.

#### **4.2.9. Intended Environmental Outcomes**

- 4.2.9.1. Development of areas where services can be provided easily, in terms of cost and environmental effects.
- 4.2.9.2. The efficient use of existing resources where services are not utilised to their full capacity.
- 4.2.9.3. Protection of existing infrastructure from damage or destruction by other activities.

#### **Monitoring**

- 4.2.10.1. Council staff will prepare reports to Council at appropriate intervals identifying areas where services are not utilised to their full capacity and reviewing the cost and effects of new services provided by the Council.

4.2.10.2. A register will be kept of damage to infrastructure as a result of land use activities in order to assess whether further controls are needed to protect infrastructure resources.

## **4.3. The Built Environment**

### **4.3.1. Key Issue**

4.3.1.1	Avoidance, remediation, or mitigation of the adverse effects of inappropriate development on the distinctive character and heritage values of Buller settlements.
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4.3.2. The District's largest settlements are Westport (5,006 people) and Reefton (1,046 people) (1996 Census).

4.3.3. Both Westport and Reefton are historic towns and have retained much of their original historic character, particularly in relation to commercial main street character. The two main street commercial centres act as focal points for the towns and exhibit considerable harmony in terms of their commercial architecture. Generally speaking, in Reefton it is the character of the town that is important rather than individual buildings. In Westport, however, particular buildings are also significant. The main street commercial centre in Westport is defined as those blocks on Palmerston Street from Rintoul to Henley Streets, and in Reefton as those blocks on Broadway from Bridge to Sinnamon Streets.

4.3.4. The northern-most part of Buller District is serviced by Karamea, approximately 95km north of Westport. In addition to its rural servicing functions, Karamea is the Buller base for the north-west Nelson region and is the last settlement before the Heaphy Track and Oparara River cave system. The town is increasing in importance as a base for adventure and nature tourism.

4.3.5. Other settlements in the District include the belt of coastal settlements north of Westport which have a rich mining history. These include Waimangaroa, Ngakawau, Hector and Granity. Inland mining towns include Millerton, Stockton, Denniston and Seddonville. Coastal holiday/retirement settlements in Buller are principally Punakaiki, Ross Subdivision, Charleston, Little Wanganui, Tauranga Bay and Carters Beach. Carters Beach is located close to Westport, and also provides an alternative permanent residential living opportunity to persons working in Westport.

### **Objective**

<b>4.3.6.1. To recognise, and where possible, protect the distinctive character and heritage values of Buller settlements from the adverse effects of inappropriate development.</b>
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#### **4.3.7. Policies**

- 4.3.7.1. *The main street commercial centres shall be defined in order to ensure a readily discernible community focal point and commercial heart to the main towns of the District.*
- 4.3.7.2. *Retention of the main street character of the Buller commercial centres shall be encouraged by rules in the District Plan.*
- 4.3.7.3. *Historic buildings and trees as appropriate shall be listed in Council records as protected items as these come to the attention of Council.*
- 4.3.7.4. *The design and height of residential buildings within the Paparoa Character Area and Punakaiki and Ross Subdivision (located within the Urban Character Area) shall be controlled with criteria for assessment designed to ensure that the landscape setting rather than the building remains the dominant visual perspective, in this scenically spectacular location.*
- 4.3.7.5. *Commercial advertising shall be controlled in order to ensure that it harmonises with the architecture of buildings and the streetscape.*
- 4.3.7.6. *All land and building shall be maintained so as to preserve the amenities of the environment in which they are situated.*

#### **4.3.8. Methods of Implementation**

- 4.3.8.1. Develop and include rules and standards in the Plan which recognise and protect the character of settlements in Buller District.
- 4.3.8.2. Develop and include rules to protect the main street character of Westport and Reefton including:
  - 4.3.8.2.1. Requiring building frontages to have an entrance on the main street and have a commercial activity at ground floor level.
  - 4.3.8.2.2. Requiring verandahs on all commercial buildings with a main street frontage when building work is undertaken or resource consent is required.
  - 4.3.8.2.3. Requiring new buildings and alterations to existing buildings to be built up to the street frontage.
- 4.3.8.3. Develop and include rules to protect the character of the Paparoa area including:
  - 4.3.8.3.1. Controls with respect to the design and appearance of new buildings and alteration to existing buildings.



- 4.3.8.3.2. Subdivisions for rural-residential, residential or urban purposes shall be discretionary with criteria for assessment to ensure integration with the landscape form and pattern.
- 4.3.8.4. Promote and provide information on appropriate design techniques for the main streets of settlements.
- 4.3.8.5. Investigate the relevance and potential of "Main Street" programmes within Buller settlements.
- 4.3.8.6. Investigation of the use of design guidelines for the Westport and Reefton main street areas, the Paparoa Character Area, Punakaiki and the Ross Subdivision.
- 4.3.8.7. Encourage the incorporation of historic features into new developments.
- 4.3.8.8. Provide information to landowners on protection options for historic places in settlements.

#### **4.3.9. Explanation/Reasons**

- 4.3.9.1. Securing settlement character is important in maximising the variety of residential opportunities and encouraging local identity and a sense of place. It adds to the attractiveness of settlements to residents and visitors alike and is important in developing a tourist image, for example the coal mining heritage of a number of the Buller settlements.
- 4.3.9.2. The settlements of the Buller District are of varied character, in most cases with strong historical associations and are located in areas of varying degrees of scenic significance. Scenic significance depends both on the quality of the landscape setting and also its visibility. The policies aim to maintain and enhance the distinctive character of the Buller settlements and are complementary to other non-regulatory measures, including, for example, the "Main Street" concept. This project involves planting appropriate trees and shrubs in strategic locations, painting shops in heritage colours and the display of historic relics.
- 4.3.9.3. Development within the coastal settlements located within the Paparoa Character Area is given special attention in terms of the design and appearance of buildings and the control of subdivision in order to ensure compatibility and harmony with the landscape setting.
- 4.3.9.4. Rules and other methods aimed at implementing the above objectives and policies are contained in Part 5.2 for the Urban Character Area and Part 5.4 for the Paparoa Character Area.

**4.3.10. Intended Environmental Outcomes**

4.3.10.1. Protection and enhancement of the distinctive character of the Buller settlements.

4.3.10.2. Improved environmental quality and amenities.

**4.3.11. Monitoring**

4.3.11.1. The Council may require, as a condition on any resource consent involving erecting new large buildings with the potential to detrimentally affect the character of a settlement, the provision of monitoring information such as photos to use in the assessment of other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective at protecting and enhancing the character of the Buller settlements.

4.3.11.2. The Council will keep a register of any complaints concerning environmental quality and amenity.

**4.3.12. Key Issue 2**

4.3.12.1. How to accommodate future settlement growth while avoiding, remedying or mitigating against the adverse effects of such growth on the environment.
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4.3.13. Population growth in the District is not expected to be great over the next 20 years. Between the 1986-1991 Census periods, overall the District's population declined by 2% or 275 people, the largest percentage loss being at Reefton (9.6%). Since 1991 however, it appears that the population has grown by 0.5% and if this continues as expected, the District will grow by 1,600 people by 2011, and there will be a consequent growth in the number of new households. The population structure is expected to alter significantly with a decline in the population of those in the under 40 age group and significant percentage growth in the 40-60 age group. The trends reflect high emigration of the younger working groups and a general nation-wide trend towards an ageing population.

4.3.14. If the population declines, either overall or in specific areas, it would affect the viability of community facilities and services and the economic and social wellbeing of people, particularly smaller communities.

4.3.15. Population change has been uneven across the District, despite the overall static situation. There is likely to be further demand for certain types of residential accommodation, including rural-residential, particularly in areas close to Westport; holiday, retirement and alternative lifestyle houses in scenically attractive areas; residential development on the periphery of the townships; and houses on small lots, particularly for the elderly. Based on a 0.5% growth rate, it appears that generally the areas for land zoned residential in the existing Transitional District Plan are sufficient to meet the

projected demands over at least the next ten years with the exception of Waimangaroa and Inangahua where minor zoning changes have added residential land. Additional land has been zoned for commercial purposes at Punakaiki near the Pancake Rocks and at Westport for commercial and industrial purposes.

- 4.3.16. The Act is concerned with controlling the effects of activities on the environment, rather than directing development. However, controls on the direction of settlement may be necessary in some instances to control effects. For example, although resources to overcome servicing constraints can be programmed into the Annual Plan there can be sufficient justification for limiting, through the District Plan, further settlement growth. Similarly, if alternative locations are available, development should not prejudice the long-term sustainable use of high quality versatile soils. The form of urban growth can also impact on the character of settlements and adjoining rural areas. Ribbon or sporadic growth can dilute the contrast between the urban and rural landscape. Existing bach settlements on road reserve, for example at Fox River, cannot grow. Such settlements may constrain public access to the margins of rivers, lakes and streams, and may have adverse effects on landscape values and natural character. There are also potential adverse effects arising from effluent disposal.

**4.3.17. Objective**

**4.3.17.1. To ensure that further settlement growth takes place in a manner and location which does not have significant adverse environmental effects.**

**4.3.18. Policies**

- 4.3.18.1. *Existing settlements will be defined as zoned urban and their outer edges defined accordingly.*
- 4.3.18.2. *Further development of existing bach settlements on unformed parts of roads will not occur.*
- 4.3.18.3. *To ensure that rural-residential development is either adequately serviced or capable of meeting its own requirements.*

**Methods of Implementation**

- 4.3.19.1. Develop and include rules and standards in the Plan which ensure that settlement growth does not have significant adverse environmental effects.
- 4.3.19.2. Enforce the provisions of the Building Act, in particular, Sections 71-74 of that Act.

#### **4.3.20. Explanation/Reasons**

4.3.20.1. Further settlement growth can, without controls, have a number of potential adverse effects, contrary to the Act's purpose of promoting the sustainable management of natural and physical resources. Effects may arise in relation to natural hazard risks; protection of the productive potential of high quality, versatile soils; maintenance of the visual contrast between, and character of, the rural and urban landscapes; and efficient and economic servicing. Accordingly, growth beyond areas defined in the District Plan will require a resource consent or Plan Change application. Containing the outer edges of settlements in this manner will also maintain and enhance the visual character and contrast between the rural and urban environments.

4.3.20.2. Rural-residential developments will generally be located on the outskirts of existing settlements or as separate entities within the Rural Character Area. As such it is unreasonable to expect a standard of servicing equivalent to that of full residential development for these areas and accordingly the Council, while encouraging such development, will ensure that an appropriate level of servicing is provided for each site by the developer.

#### **4.3.21. Intended Environmental Outcomes**

4.3.21.1. Clear definition of the edge of towns, and the distinction between urban and rural settings.

4.3.21.2. Where alternative locations for multiple lot residential development are available, protection of the productive potential of high quality soils.

#### **4.3.22. Monitoring**

4.3.22.1. The Council will keep a record of all resource consents given for urban activities beyond the boundaries of settlements to use in assessing whether there is a need to change the zoning boundaries of the settlements.

#### **Key Issue 3**

4.3.23.1 The extent to which activities within the urban environment can be "intermingled" rather than segregated, without adversely affecting amenity values and environmental quality particularly of predominantly residential areas.
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4.3.24. Under the Act, the emphasis is on controlling the effects of activities rather than directing and controlling development as such. It is on this basis only that segregation of land use activities is justified. For example, residential living in commercial areas affords greater security, with people in the area on

a 24 hour basis, and also gives local residents ready pedestrian access to facilities and services. Conversely, greater opportunities for commercial and industrial activity within residential environments enables people to work close to their home, with lifestyle and transport energy saving benefits, and avoids the monotony of suburbia.

4.3.25. Intermingling of activities must be handled carefully, in order to protect residential amenities, and ensure that commercial and industrial operations are not unduly restricted because of the concerns of residential neighbours. The limits of acceptability of "intermingling of activities", can differ from one community to the next.

4.3.26. The commercial centres of settlements have traditionally been tightly contained by zoning. The co-location of commercial services and facilities is convenient for customers and acts as a focal and reference point for a town. The tight containment policy has been favoured by commercial operators for purely commercial reasons, effectively restricting business competition and ensuring an "even playing field" (all businesses pay comparable commercial rates and rentals). The latter is not a valid concern under the Resource Management Act, except to the extent that the wellbeing of business and hence employment opportunities is affected by the locational opportunities for setting up business (that is how the built resource is managed) and this in turn assists in meeting people's social and economic needs. Also, unrestrained ad hoc development outside existing commercial centres can affect the overall viability and sustainability of the existing area, which represents a substantial investment in land, buildings, and supporting infrastructure. Such a laissez-faire approach may conflict with the requirement under Section 7 of the Act to have regard to the efficient use and development of natural and physical resources.

**4.3.27. Objective**

**4.3.27.1. To facilitate the "intermingling" of land use activities within the District's settlements and towns to the extent that this is compatible with protection of amenity values and the sustainability of existing natural and physical resources in urban areas.**

**Policies**

4.3.28.1. *A distinct central commercial core to the District's main settlements shall be provided for the convenience of customers and to act as a town reference and focal point.*

4.3.28.2. *The adverse effects of industrial and commercial operations, including noise, traffic, glare, shading, vibration, odour, effluent and waste emissions shall be minimised.*

4.3.28.3. *Industries with the potential for significant adverse effects shall be segregated from sensitive activities, for example, residential uses, health and educational institutes.*

4.3.28.4. *A wide range of business activities shall be permitted to establish within residential activity areas, provided that the scale of activity is appropriate and does not cause conflict with adjoining activities or the sustainability of existing centres.*

4.3.28.5. *A diversity of residential living opportunities shall be provided for in residential activity areas.*

4.3.28.6. *Performance standards shall be set that protect the environmental quality of residential living environments.*

4.3.28.7. *To achieve integrated development within Sergeants Hill Industrial Area, including addressing the effects of development through compliance with specific rules in Part 5.2.6 and the Concept Plan in Part 5.2.6.7.*

#### **4.3.29. Methods of Implementation**

4.3.29.1. Develop rules in the Plan to control the effects of activities with potential to have significant adverse impacts and to ensure that intermingling of activities does not detrimentally affect neighbours or the character of settlements.

#### **4.3.30. Explanation/Reasons**

4.3.30.1. Segregation of activities can generally only be justified on the grounds of avoiding, remedying or mitigating environmental effects. The District Plan aims to identify the character of different activity areas within the settlements, and include policies and rules to ensure protection of the associated environmental qualities.

4.3.30.2. The District Plan policies aim to achieve maximum flexibility in the location and operation of the full range of urban activities whilst protecting and enhancing environmental quality.

4.3.30.3. Implementation of the objectives and policies for this issue involves the use of zones or activity areas. Specific rules for these zones are contained in Part 5.2 of the Plan.

#### **4.3.31. Intended Environmental Outcomes**

4.3.31.1. Protection and improvement in environmental quality of settlements within Buller District.

#### 4.3.32. Monitoring

- 4.3.32.1. The Council will keep a register of complaints regarding amenity within settlements in order to assess whether the Plan rules or conditions on resource consents are effective at protecting and improving environmental quality.

### 4.4. Rural Land And Water Resource

#### 4.4.1. Key Issue

4.4.1.1. Managing the adverse effects of activities on the rural land resource in a manner which ensures the long-term productive value of the soil resource but which encourages increased population within the rural environment and maintenance of viable rural communities.

- 4.4.2. Development in rural areas can compromise the natural, scenic and amenity values of an area. Similarly some types of rural development can affect the operation of activities on neighbouring land and use of that land. Depopulation of rural areas has occurred. Alternative uses to traditional agricultural activities are one way of increasing rural population.

- 4.4.3. There is demand for rural-residential development opportunities in the rural area and for other activities which do not rely on soil quality. Permanent or irreversible loss of productive land may occur by allowing such uses into rural areas. However, these activities may make a significant contribution to a community's social or economic wellbeing, including supporting rural services. A balance is required between the benefits of increased population and the impacts on traditional rural activities in order to sustainably manage the rural land resource.

#### 4.4.4. Objective

**4.4.4.1. To ensure that the overall integrity and character of the rural environment and productivity of rural land resources is protected while enabling rural communities to provide for their social, economic and cultural wellbeing.**

#### Policies

- 4.4.5.1. *A wide range of compatible activities which do not individually or cumulatively adversely affect the sustainability of rural land resources shall be generally permitted to locate in the rural area.*
- 4.4.5.2. *Sustainable land management practices which maintain and/or enhance the productive values of soils and amenities and character of the rural area shall be encouraged and promoted.*

#### **4.4.6. Methods of Implementation**

- 4.4.6.1. Encourage other interested and appropriate agencies to carry out research on soil and land use issues relevant to Buller District.
- 4.4.6.2. Encourage and support the provision and co-ordination of information on rural land management by the relevant agencies in Buller District.
- 4.4.6.3. Liaise with the Ministry of Agriculture and Forestry and the Regional Council on the provision of guidelines/information to rural industry.
- 4.4.6.4. Support Regional Council initiatives and policies aimed at combating soil erosion and loss of good quality soils.
- 4.4.6.5. Develop and include rules in the District Plan which avoid or mitigate adverse effects of activities on soil resources, including erosion arising from the subdivision, use and development of land.

#### **4.4.7. Explanation/Reasons**

- 4.4.7.1. The rural land resource is capable of supporting a range of activities. Generally activities should not be restricted unless they compromise the sustainability of rural land, (that is, the ability of further activities to utilise the resource after the current activity has ceased) or have other actual or potential adverse effects on the environment. Controlling the environmental effects of activities, including aspects of location and scale, is an effective means of ensuring that this aim is achieved.
- 4.4.7.2. High quality soils are a limited resource in the Buller District. The wellbeing of people and communities in rural areas is to a considerable extent dependent upon activities such as farming and forestry, dependent on this resource. Therefore it is consistent with the Act to control the effects of activities which jeopardise the ability of the soil resource to meet the needs of future generations. While some activities rely specifically on high quality soils, for example, dairying and cropping, others do not, such as factory farming, mining, rural-residential living and processing industries. The Act promotes the efficient use and development of natural and physical resources. Given this directive, the Council believes it is justified in ensuring that activities which rely directly on higher quality soils should be permitted unless there are significant adverse environmental effects arising from that activity. The Council also recognises that in some instances activities which do not rely on soil quality such as mining and rural-residential living should also be allowed. This is provided such activities do not give rise to significant adverse environmental effects that cannot be mitigated.



4.4.7.3. The approach to management of the rural land resource has arisen through the process of consultation with local communities. It was determined that providing flexibility to accommodate a diversity of employment and residential living opportunities, will encourage people to come and stay in the Buller District, enhance population growth and better enable people and communities to provide for their social, and economic wellbeing rather than limiting activities to primary production only.

4.4.7.4. Implementation of the objectives and policies for the rural land resource through rules is in Part 5.3 of the Plan.

#### **4.4.8. Intended Environmental Outcomes**

4.4.8.1. Maintenance and enhancement of the biophysical character of soils, that is, soil quality.

4.4.8.2. Protection of rural character and amenities.

4.4.8.3. Efficient and realistic servicing and provision of infrastructure for rural activities.

#### **4.4.9. Monitoring**

4.4.9.1. The Council may require, as a condition on any resource consent with the potential to detrimentally affect the character or amenities of the rural environment, the provision of monitoring information such as photos to provide information to use for other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective.

4.4.9.2. The Council will liaise with the Regional Council to ensure that there is no overlap in monitoring undertakings.

#### **Key Issue 2**

4.4.10.1. Managing the adverse effects of rural land activities and activities on the surface of water in a manner which protects and enhances the life supporting capacity of the water resource and takes account of the reasonable expectations of water users, and instream values.
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4.4.11. The effects of land use activities and activities on the surface of water can adversely affect the ecological values associated with water resources and their present and future use and value to the Buller community. Localised impacts have the potential to be quite detrimental to ecological values located in the immediate vicinity. Some water resources in the Buller District are substantial and have the capacity, in some cases, through dilution to mitigate adverse effects.

4.4.12. Degraded water quality is of particular concern to tangata whenua. Water is an essential component of Maori culture and lifestyle and is an important source of mahinga kai.

**4.4.13. Objective**

**4.4.13.1. Promote land use activities which maintain or improve the water quality of the District's rivers and do not adversely affect water quantity, in order to safeguard the life supporting capacity of water.**

**4.4.14. Policies**

4.4.14.1. *Consultation and liaison with relevant interested parties contained in a non statutory register shall continue on matters relating to the land/water quality management interface within Buller District.*

4.4.14.2. *Significant ecological, cultural and heritage sites related to the water resource shall be recognised and wherever possible protected through the encouragement of integrated land management practices.*

4.4.14.3. *To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats for indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.*

4.4.14.4. *The protection of water resources from adverse effects of land based activities shall be encouraged and promoted.*

4.4.14.5. *The establishment of buffers for example, in the form of esplanade reserves or strips along the margins of lakes, rivers and the Coastal Marine Area shall be promoted and encouraged as a means of maintaining and enhancing water quality.*

4.4.14.6. *Council has identified the following lakes, coastal estuaries and other waterways as places where the use of motorised craft is inappropriate because of the disturbance to wildlife, conflict with other users, degradation of natural character and disruption of natural quiet*

- 4.4.14.6.1. *There be no provision for motorised craft use on:*
- *Lake Christobel*
  - *Lake Hanlon*
  - *Kohaihai River*

4.4.14.6.2. *In the following water bodies, the use of motorised water craft with an engine capacity of less than 5 horse power is permitted:*

- *Lake Daniells*
- *Punakaiki River: upstream of the road bridge.*
- *Pororari River: upstream of the road bridge.*
- *Otomahana Lagoon*
- *Orowaiti River: upstream of the rail bridge.*
- *Okari: upstream of the road bridge.*

4.4.14.7. *To protect and enhance riparian margins adjacent to rivers, streams, lakes, wetlands and the coast for the purposes of:*

- (i) Maintenance of the natural character of waterways, natural habitats and water quality including the mitigation of adverse effects of contaminant discharges and other natural and aesthetic and amenity values associated with the adjacent waterway.*
- (ii) Public recreation.*
- (iii) Public access.*
- (iv) Maintenance of bank stability and reduction in sedimentation.*

*Refer also to policies in 4.8*

#### **4.4.15. Methods of Implementation**

4.4.15.1. Liaise with the Regional Council and generally support and encourage joint hearings particularly where this facilitates integrated land water and air management.

4.4.15.2. Provide information to landowners on the benefits of buffer/riparian management in conjunction with the Regional Council.

4.4.15.3. Limit access by motorised craft and vehicles to lakes and rivers where these are not appropriate.

4.4.15.4. Encourage and support the preparation of integrated management plans for water resources in Buller District.

4.4.15.5. Develop and include in the Plan rules and standards to avoid, remedy or mitigate the adverse effects of land use activities on natural and physical resources, including water.

4.4.15.6. Resource consent applications will be assessed in terms of recognising and providing for the active protection of:

- ecologically important areas
- significant indigenous vegetation and habitats
- popular open spaces
- significant cultural, recreational or scientific values.

4.4.15.7. Identify a riparian margin adjacent to the beds of rivers and streams, lakes, wetlands and the coast.

4.4.15.8. To recognise and provide for the protection of natural wetlands through plan rules, decisions on resource consent applications, and public education.

#### **4.4.16. Explanation/Reasons**

4.4.16.1. The quality of water resources is intricately linked to land use activities in the surrounding catchment such as mining, farming, forestry and settlements. While the Regional Council has responsibility for setting rules directly relating to the quality and quantity of the water resource, the District Council through controls on land use, especially activities adjacent to waterways, can also improve and protect water quality.

4.4.16.2. The policies recognise that other agencies also have a role in water quality management. An integrated and cost effective approach to addressing water quality issues which reflects community desires can only be achieved through liaison and co-operation with these agencies.

4.4.16.3. Improved management of the riparian areas adjacent to water bodies can significantly reduce the impacts of surrounding land use on water quality and increases the compatibility of the land and water resource uses. Promoting improved management of riparian margins is an area where the Council can have a positive effect on water quality management.

4.4.16.4. Some activities have the potential to affect water quality to a far greater extent than others and should therefore be controlled. Lakes, rivers and streams also have important natural, scenic and cultural values and represent a valuable amenity to the community. In some cases it may be appropriate for the Council to control the activities carried out on the surface waters of such lakes, waters and streams. Coastal waters, including wetlands and estuaries are particularly vulnerable to degradation. These areas can support major whitebait spawning habitat. Estuaries are also major fish and bird habitats important for feeding and breeding activities. While some of these areas may be within the Coastal Marine Area controlled by the Department of Conservation and the Regional Council, the land adjoining the Coastal Marine Area is controlled by the District Council. Special consideration must therefore be given to the land adjoining this sensitive area.

4.4.16.5. Rules for the implementation of the objectives and policies for water resource management are found throughout the Plan. See particularly Parts 5 and 7.

#### **4.4.17. Intended Environmental Outcomes**

4.4.17.1. In the event of localised pollution problems due to the effects of land-based activities, improvement in the quality of the water resources in those areas.

4.4.17.2. Integrated and co-ordinated management of the District's water resources.

#### **4.4.18. Monitoring**

4.4.18.1. The Council may require, as a condition on any resource consent with the potential to detrimentally affect the quality of water resources, the provision of monitoring information such as water quality samples in order to provide information to use for other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective.

### **4.5. Mineral Resources**

#### **4.5.1. Key Issue**

<p>4.5.1.1. Mineral resource investigation and utilisation is important to community wellbeing and viability, but must be carried out in a manner consistent with the Resource Management Act, in particular, safeguarding the life supporting capacity of air, water, soil and ecosystems and avoiding, remedying and mitigating adverse effects.</p>
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4.5.2. Buller District is relatively well endowed with a variety of mineral resources. They include substantial reserves of bituminous, sub-bituminous and lignite coal, relatively widespread alluvial gold and hard rock gold and mineral sand deposits, the latter containing magnetite, ilmenite, zircon and monazite. Smaller quantities of uranium, copper, molybdenum and lead have also been located within the District. Industrial minerals, in particular limestone, are currently extracted in economic quantities. The existing Cape Foulwind quarry has assessed reserves of limestone totalling 60 million tonnes. Reserves have also been identified at Waggon and Alpha Creeks. Marl (used in the manufacture of cement) and aggregate rock (used to make roads) are also plentiful.

4.5.3. Coal and gold are both commercially mined in Buller with the number of gold mining licences generally increasing over recent years. Access to mineral resources is a significant concern in Buller, in particular, the difficulties associated with land ownership, and therefore the availability of the resource. A high percentage of land managed under a conservation mandate, has high scenic values, or is utilised for food production. Mining activities do have the potential to significantly impact on water and land resources. However in

some cases, mined land can be rehabilitated and used for other productive purposes such as grazing.

#### 4.5.4. Objective

- 4.5.4.1. To enable people and communities to provide for their economic and social wellbeing through the efficient utilisation and development of mineral resources.**
- 4.5.4.2. To safeguard the life supporting capacity of air, water, soil and ecosystems and avoid, remedy or mitigate adverse effects from the use and development of mineral resources.**

#### 4.5.5. Policies

- 4.5.5.1. *The adverse effects of activities related to the utilisation of mineral resources shall be avoided, remedied or mitigated.*
- 4.5.5.2. *The rehabilitation of mining sites shall be required where practicable.*
- 4.5.5.3. *Co-ordination and liaison with the West Coast Regional Council shall be maintained on matters relating to mining activities where water resources and soil conservation are affected.*
- 4.5.5.4. *To enable the investigation of the District's known mineral potential and the utilisation of mineral resources of regional significance while safeguarding the life supporting capacity of air, water, soil and ecosystems and ensuring the adverse effects of activities related to the investigation and utilisation of mineral resources are avoided, remedied or mitigated.*
- 4.5.5.5. *To require mineral resource related activities to incorporate measures to protect water quality and ecosystems, and provide for the rehabilitation of disturbed areas to generally their original condition or another suitable condition as approved by Council.*
- 4.5.5.6. *When rehabilitation plantings are carried out pursuant to a resource consent, preference should be given to the use of indigenous species where appropriate, with a further preference for local genetic stock where indigenous species are to be used.*
- 4.5.5.7. *To ensure that in locations where there are known mineral resources of regional significance that the presence of minerals is a relevant consideration in decision making by encouraging other land use or subdivision activities which would have the effect of rendering unusable known mineral resources of regional significance and which have the ability to locate elsewhere to do so.*

#### **4.5.6. Methods of Implementation**

- 4.5.6.1. Ensure that significant adverse effects of mineral related activities are avoided, remedied or mitigated with regard to the matters contained in Part II of the Resource Management Act 1991.
- 4.5.6.2. Liaison with the Regional Council, and the Energy and Resources Division of the Ministry of Commerce on the implementation of policies and procedures prepared by the Council and these organisations.

#### **4.5.7. Explanation/Reasons**

- 4.5.7.1. The objectives recognise that mineral resources within the District represent resources of significance to the District, the utilisation and management of these representing a key issue that has been addressed in the District Plan. The policies reflect the need to ensure that the impact of mineral related activities on environmental quality, including land and water resources, is avoided, remedied or mitigated. The Council is particularly concerned about long-term effects on resources while recognising that mining, by its very nature, will generally have some short term effects.
- 4.5.7.2. In addition to immediate effects on resources, mining may jeopardise future use of that resource, for example, through contamination or removal of topsoil. Rehabilitation does provide an alternative where appropriate technology and expertise allow for the effective mitigation of adverse environmental effects.
- 4.5.7.3. Mining activities, particularly those on a large scale, can have significant impacts on local rural communities, in particular on social and economic factors. Increased population, employment opportunities and support of local facilities can be benefits in the short term. However mineral resources are finite and in the long-term the continued sustainability of the community and local natural and physical resources must be taken into account.

#### **4.5.8. Intended Environmental Outcomes**

- 4.5.8.1. Maintenance and protection of environmental quality in the long-term on mineral extraction sites.
- 4.5.8.2. Utilisation of mineral resources in a way which avoids, remedies or mitigates significant adverse effects on natural character, outstanding landscapes and natural features, significant indigenous vegetation, significant habitats of indigenous fauna and the life supporting capacity of ecosystems.
- 4.5.8.3. Rehabilitation of mined areas to standards which take into account what is practically achievable, desired by the community and environmentally appropriate.

#### **4.5.9. Monitoring**

- 4.5.9.1. The Council will keep a record of all mined and rehabilitated areas that have been granted resource consent, and will visit each active area at least once every two years to assess the effects of the activity on the environment.
- 4.5.9.2. The Council may require, as a condition on any resource consent for a new mine, the provision of monitoring information including yearly reports on the environment mitigation measures undertaken, in order to provide information to assess whether the rules in the District Plan and conditions of resource consents are sufficiently effective in remedying adverse effects.
- 4.5.9.3. The Council will keep a register of any complaints concerning mines and will ensure that these are investigated where appropriate.

### **4.6. Cultural/Historic Resources**

#### **4.6.1. Key Issue**

4.6.1.1. Access to, or development near, cultural and historic sites may adversely impact on their cultural and historic values.
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- 4.6.2. The history of both Maori and European settlement of Buller has resulted in a rich cultural and historic heritage. Both natural and physical resources were heavily relied upon for food, shelter, medicines and fibre. Te Tai Poutini (the West Coast) is renowned for its minerals, including pounamu, and natural resources which exist within wetlands, lagoons, swamps and mountains.
- 4.6.3. Areas and sites of importance occur largely around the coast, wetlands and rivers and in forested areas. Historic resources dating from the time of European settlement are largely concentrated in the existing settlements (see 4.3 - The Built Environment) although significant areas associated with mining and forestry activities still remain. These sites include old coal shafts and railways, for example the Denniston incline, abandoned settlements and sites where important events took place, for example at Cannibal Gorge and the Buller Gorge.
- 4.6.4. In the past, sites of historical or cultural significance have been destroyed by insensitive development or land use. The Historic Places Trust maintains a register of historic places, areas, and waahi tapu which it supplies to the Council. However, final registration under the Historic Places Act does not prevent demolition or damage to an historic place. That form of protection can be achieved by the Historic Places Trust or the Council by using the heritage order procedures under the Resource Management Act. The District Plan provisions also provide a measure of protection and in particular allow for proposals which might affect historic places to be scrutinised through the resource consent process.



4.6.5. The Council has a good record of historic sites within the District, which include a number of sites or places of Maori cultural value. However there are other cultural sites, including waahi tapu, the location of which tangata whenua do not wish to make public. Waahi tapu are sacred places of spiritual and cultural significance to Maori and relate to their association with tupuna (or ancestors) and historical events. Waahi tapu can include urupa (burial grounds), tuhituhi nehera (rock drawing sites), maunga (mountains), waahi rua (food storage areas), waiwera (hot water for healing purposes and recreation) and waipuna (important fresh water springs). Of all waahi tapu it is most important to ensure that the urupa are protected. By protecting the urupa, the mana of the ancestors and their descendants are remembered.

4.6.6. Tangata whenua are concerned that their urupa are not disturbed and that appropriate mechanisms and procedures are put in place which guarantees their protection and ensures that when accidental disturbance occurs tangata whenua are consulted.

#### 4.6.7. Objective

**4.6.7.1. To protect places and sites of historical and cultural value from the adverse effects of land use activities and to ensure where appropriate, access to historic and cultural sites is maintained and enhanced.**

#### 4.6.8. Policies

4.6.8.1. *A close and on-going relationship with tangata whenua and the Council shall be maintained, including the maintenance of confidential records in ways which accord with the tikanga of tangata whenua of known waahi tapu.*

4.6.8.2. *Evaluate and protect heritage resources by identifying those resources of historic, cultural or architectural value or of special significance to the District.*

4.6.8.3. *As and when cultural and/or historical sites of importance to tangata whenua are identified by respective Kaitiaki in Buller District, the Council shall facilitate the recording of such sites in ways which accord with the tikanga of local iwi.*

4.6.8.4. *4.6.8.4. Assessment of resource consent applications shall include their potential impact on known places of historic and/or cultural value.*

4.6.8.5. *Continued access to sites of special cultural significance to tangata whenua shall be supported.*

4.6.8.6. *Upon accidental discovery of urupa or skeletal remains, consultation with the tangata whenua shall be required.*

#### **4.6.9. Methods of Implementation**

- 4.6.9.1. Provide information and/or guidelines to the public on the process and protocol for tangata whenua consultation including appropriate contacts.
- 4.6.9.2. Support tangata whenua in developing silent and/or confidential files on waahi tapu within the Buller District, and where necessary and appropriate, inform landowners of the general area of any known waahi tapu or historic sites on their land so that accidental damage is prevented.
- 4.6.9.3. Support the Historic Places Trust in registering historical and cultural sites or places within Buller District.
- 4.6.9.4. Encourage the use of heritage orders for the protection of significant cultural and/or historical resources and sites.
- 4.6.9.5. Develop and include as rules in the Plan methods to protect cultural/historic sites.
- 4.6.9.6. Encourage and facilitate liaison between landowners and relevant agencies on heritage protection, including the New Zealand Historic Places Trust and tangata whenua.

#### **4.6.10. Explanation/Reasons**

- 4.6.10.1. The objective and policies recognise the importance and value of historical and cultural sites in Buller District and aim to ensure that as far as possible places of significance are identified ahead of any development taking place. For this reason historic and cultural sites are identified on the planning maps where they are known to Council. Methods of implementation contained in Part 5 and 6 of the Plan aim to ensure that the impact of activities on historic and cultural sites is assessed. Where accidental disturbance occurs to sites previously unknown, the Council aims to ensure appropriate action is then undertaken.
- 4.6.10.2. The policies recognise that while it may be appropriate to identify some waahi tapu sites, for others it may not. The establishment and maintenance of "silent" or confidential files by tangata whenua is encouraged and supported by the Council. The land, water and living resources of a particular area are representative of the people who reside there. As such they are closely linked to the mana of those people. Managed access to these resources, and the maintenance of this access are central to traditional Maori resource management. Regular and meaningful consultation with tangata whenua forms an integral part of ensuring that the management of the District's resources gives appropriate recognition of Maori concerns.

#### **4.6.11. Intended Environmental Outcomes**

- 4.6.11.1. Increased recognition and protection of sites/areas of historic/cultural significance.
- 4.6.11.2. Improved opportunities for use and access to traditional Maori sites by tangata whenua.
- 4.6.11.3. Incorporation and recognition of cultural and historic values and increased participation of tangata whenua in resource management decision making.

#### **4.6.12. Monitoring**

- 4.6.12.1. The Council will formally consult with local runanga at least once a year in order to receive their views on whether use and access to traditional Maori sites is improved and whether their values are being incorporated and recognised in resource management decision making.
- 4.6.12.2. The Council will inspect listed sites and areas at appropriate intervals in order to assess whether they are being protected.

### **4.7. The Coastal Environment**

#### **4.7.1. Key Issue**

4.7.1.1. Some land use activities require a coastal location, but such land use may adversely affect the maintenance and enhancement of the natural character of the coastal environment and people's enjoyment of it.
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- 4.7.2. The small distance between the sea and mountains in Buller means that the coastal environment exerts a significant influence over the landscape, character and amenities of the District. The District Council's jurisdiction within the coastal environment extends down to Mean High Water Springs (MHWS). Within the Coastal Marine Area, most resource management responsibilities are held by either the Regional Council or the Minister of Conservation.
- 4.7.3. Tourism, especially nature-based tourism, and the demand for residential opportunities, could potentially conflict with the need to preserve the natural values and character of the coast. The major tourist route within the District, that is the Paparoa highway, runs through the coastal environment and as such has a higher profile than other less visited parts of the Buller.
- 4.7.4. Activities which could result in significant adverse effects on the coastal environment, include discharges of contaminants to the sea and rivers from coastal settlements (including raw sewage, run-off and landfill leachate), the erection of buildings along the coast, mining, marine farming, reclamations

and development of port facilities. Excessive recreational use can deplete marram grass as a dune stabiliser, and contribute to sand dune erosion. However, many of these activities require a coastal location and appropriate locations within the coastal environment are possible. Coastline most suited for development is mostly under Council jurisdiction, although development in these areas will need to consider the effects on surrounding public conservation land and the coastal marine area. This factor offsets the development of some coastal areas, while some change to the natural character is anticipated and accepted as appropriate.

#### **4.7.5. Objective**

**4.7.5.1. To maintain or enhance the natural character of the coastal environment by avoiding, remedying or mitigating the adverse effects of land use activities and subdivision requiring a coastal location.**

#### **4.7.6. Policies**

- 4.7.6.1. *The subdivision, use and development of land in the coastal environment shall be tightly controlled within the Paparoa Character Area.*
- 4.7.6.2. *Sensitive coastal environments including areas of importance for mahinga kai shall be protected from the adverse effects of land use activities.*
- 4.7.6.3. *The protection and enhancement of whitebait spawning habitats shall be encouraged in conjunction with the other regulatory agencies.*
- 4.7.6.4. *The maintenance and enhancement of public access to and along the coastline shall be encouraged except where restrictions are necessary to ensure public safety or to avoid the potential adverse effects of people and/or vehicles on the coastal environment.*
- 4.7.6.5. *Alternative methods of refuse and sewage disposal for settlements within the coastal environment shall be investigated where landfill discharges enter waterways and/or where raw sewage is discharged directly to the sea.*
- 4.7.6.6. *Co-operation and co-ordination with the West Coast Regional Council in noise management within the Coastal Marine Area.*
- 4.7.6.7. *The needs of existing and future activities requiring a coastal location shall be recognised.*

#### **4.7.7. Methods of Implementation**

- 4.7.7.1. Continue liaison and consultation with the Regional Council, Poutini Ngai Tahu and the Department of Conservation on matters related to the coastal environment particularly issues related to the protection of whitebait spawning areas and wetlands.
- 4.7.7.2. Develop a works programme within the Council's Corporate Plan annual budget which sets a timetable for the upgrading and provision of sewage treatment facilities.
- 4.7.7.3. Include rules and standards within the Plan which require development proposals to take into account the natural character of the coastal environment and generally protect against inappropriate subdivision, use and development of the coastal environment.
- 4.7.7.4. Promote and encourage landowners and interested/affected parties to arrive at negotiated agreements for access to the coast.
- 4.7.7.5. Include a rule to require esplanade strips on land adjoining the Coastal Marine Area.
- 4.7.7.6. Co-operation and co-ordination with the West Coast Regional Council in noise management within the Coastal Marine Area.
- 4.7.7.7. Have regard to the New Zealand Coastal Policy Statement where appropriate.

#### **4.7.8. Explanation/Reasons**

- 4.7.8.1. The preservation of the natural character of the coastal environment is listed as a matter of national importance in Section 6 of the Act. The Council is also required to protect this area from inappropriate subdivision, use and development, to provide for public access and to recognise and protect Maori values associated with the coastal environment. The coastal areas of Buller have great importance for mahinga kai and contain a number of significant archaeological cultural sites.
- 4.7.8.2. The objective and policies focus on ensuring that activities carried out in the sensitive areas of the coast, for example the Paparoa Character Area and wetlands, have the greatest degree of control over the effects of that activity. More modified areas, for example around the settlements or agricultural land will generally exhibit a greater resilience to change compared with more sensitive areas. Large two storey buildings, for example, may be appropriate within the Urban or even Rural Character Area but less so within the Paparoa Character Area. Therefore a different management approach is required.

4.7.8.3. The policies acknowledge both the emphasis placed on public access to the coast and the importance of securing coastal access for recreational and tourist activities in Buller.

4.7.8.4. The Paparoa Character Area (identified on the Planning Maps) extends from Dolomite Point to Needle Point. Part 5.4 of the Plan sets out specific rules and standards in this area. Outside of this zone rules for the Rural or Natural Environments Character Areas (see Part 5.3 and 5.5) apply except in coastal settlements where rules for the Urban Character Area (see Part 5.2) should be referred to.

#### **4.7.9. Intended Environmental Outcomes**

4.7.9.1. Siting and development of activities in a manner and scale which is in harmony with and/or enhances the character of the coastal environment.

4.7.9.2. Improved quality of the coastal environment.

4.7.9.3. Improved access to, and public appreciation of, the coastal environment.

#### **4.7.10. Monitoring**

4.7.10.1. The Council may require, as a condition on any resource consent with the potential to detrimentally affect the character of the coastal environment, the provision of monitoring information such as photos to provide information to use for other applications for resource consents on similar activities and to assess whether the rules in the District Plan are sufficiently effective.

4.7.10.2. The Council will keep a register of any new accesses to the coast created for public use and any existing accesses which are closed to assess whether access is improved.

4.7.10.3. The Council may send out a questionnaire to a sample of ratepayers at appropriate intervals asking for comments on the Council's environmental performance. This questionnaire will include a question on whether access to the coast is perceived as being sufficient.

### **4.8. Ecosystems And Natural Habitats**

#### **4.8.1. Key Issue**

<p>4.8.1.1. Recognising the importance of ecosystems and natural habitats and their contribution to the character and quality of the natural and physical environment, and to the wellbeing of the people and communities of Buller.</p>
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- 4.8.2. Buller District is particularly well endowed with a range of natural habitats and ecosystems, much of which is managed by the Department of Conservation. Areas of significant wetland and forest may also be present on private land.
- 4.8.3. The key considerations are:
- 4.8.3.1. The preservation of the natural character of wetlands and coastal and freshwater ecosystems and habitats.
  - 4.8.3.2. The protection of such ecosystems and natural habitats from inappropriate use, subdivision and development.
  - 4.8.3.3. The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna contained in those ecosystems.
- 4.8.4. Natural areas hold a number of different values; economic, aesthetic, ecological, recreational and visual for people and communities in Buller and for visitors from other parts of New Zealand and overseas. While some of these values or uses may be complementary, others conflict. For example introduced wild and domestic plant and animal species and activities which modify the land can potentially have an adverse effect on indigenous bird species, regenerating forest, lowland riparian vegetation, wetlands and estuaries.
- 4.8.5. The natural "untouched" character of much of the District represents a significant tourist asset. Tourism as an activity, particularly nature-based tourism, is recognised as having significant growth potential for Buller. Other potential and actual users of the resource include forestry, sphagnum moss harvesting, recreation and primary industry.

**4.8.6. Objective**

**4.8.6.1. To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.**

**Policies**

- 4.8.7.1. *The adverse effects of land use activities on natural habitats and ecosystems shall be taken into account when considering development proposals which impact on these areas.*
- 4.8.7.2. *The protection and enhancement of the natural values of wetlands, estuarine habitats, whitebait spawning areas, significant indigenous vegetation and significant habitats of indigenous fauna shall be encouraged.*

- 4.8.7.3. *To control the modification of significant natural wetlands to protect their natural character, landscape values, and their significance as areas of indigenous vegetation and habitats of indigenous fauna, and to sustain their life supporting capacity as indigenous ecosystems.*
- 4.8.7.4. *For the purposes of Section 6(c) of the Resource Management Act 1991, the following criteria will be used as guidelines to identify areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
1. **Representativeness:** *The area is one of the best examples of an association of species which is typical of the ecological district.*
  2. **Distinctiveness:** *The area has indigenous species or an association of indigenous species which is unusual or rare in the ecological district, or endemic, or reaches its distribution limit.*
  3. **Intactness:** *The area has a cover of predominantly indigenous vegetation, is little modified by human activity, and is not affected in a major way by weed or pest species.*
  4. **Size:** *The area of indigenous vegetation or habitat is 5ha or more in size or together with adjacent indigenous habitat is larger than 5ha; or in the case of natural wetlands is larger than 1ha in size.*
  5. **Protected Status:** *The area has been set aside by statute or covenant for protection or preservation.*
  6. **Connectivity:** *The area is connected to one or more other significant areas in a way (through ecological processes) which make a major contribution to the overall functioning of those areas.*
  7. **Threat:** *The area supports an indigenous species or community of species which is threatened within the ecological district or ecological region or threatened nationally.*
  8. **Migratory Habitat:** *The area is important as habitat for significant migratory species or for feeding, breeding or other vulnerable stages of indigenous species, including indigenous freshwater fish.*
  9. **Scientific or Cultural Value:** *The area is a scientific reference area, is listed as a geopreservation site, or has significant amenity value.*
- 4.8.7.5. *Using the significance criteria identified above as a guideline for forming a schedule, Council will compile a schedule of significant natural areas.*
- 4.8.7.6. *In the interim the Council will make decisions on resource consent applications which recognise and provide for the protection of:*
1. *Significant indigenous vegetation and indigenous habitat;*
  2. *Natural values associated with riparian margins.*



4.8.7.7. *To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate use, subdivision and development.*

4.8.7.8. *To encourage the retention of existing indigenous vegetation on the margins of waterways, wetlands and the coast and the enhancement of these areas through the use of indigenous vegetation where rehabilitation plantings are to be carried out.*

4.8.7.9. *For the purpose of Rule 7.9.8, the following criteria will be used for identifying Notable Trees:*

1. *Historic significance to the community*
2. *Scientific or botanical importance*
3. *Cultural or spiritual significance*
4. *Recreational significance*
5. *Landscape significance*
6. *Functional value*
7. *Size or age*

*A tree may be notable for a combination of these factors or because it is outstanding in one respect.*

#### **4.8.8. Methods of Implementation**

4.8.8.1. Rules and performance standards.

4.8.8.2. Land acquisition, land swaps, voluntary covenants, and applications to the Forest Heritage Fund and Nga Whenua Rahui.

4.8.8.3. Decisions on resource consent applications and imposition of conditions of consent.

4.8.8.4. Promotion of appropriate land management techniques.

4.8.8.5. Public education.

4.8.8.6. Identification of priority riparian margins, significant areas of indigenous vegetation and significant indigenous fauna on a GIS database freely accessible to the public, including sites or features identified as being of significance through the resource consent process.

4.8.8.7. Cost sharing of applications.

4.8.8.8. To recognise and provide for the protection of natural wetlands through plan rules, decisions on resource consent applications, and public education.

#### **4.8.9. Explanation/Reasons**

- 4.8.9.1. The District is comprised of large and varied habitat. Many of these areas have significant wildlife values and represent unique vegetation associations.
- 4.8.9.2. The objectives and policies outlined above ensure that these values are taken into account when considering resource consent applications. This is particularly important when considering the effects of activities located adjacent to significant natural areas managed by the Department of Conservation and also for habitats and natural areas under-represented in the reserve system, for example wetlands.
- 4.8.9.3. The Council has little direct management control over many natural areas. Primary management responsibility rests with the Department of Conservation. Any activity carried out on public conservation land requires a concession, licence, permit or lease from the Department. The process requires an assessment of effects on the environment. Given the Department's conservation/advocacy role and statutory responsibilities it is unlikely that any permission would be granted for an activity that was considered to generate significant adverse effects on ecosystems and natural habitats. A considerable proportion of natural areas has protected status under Department of Conservation management.
- 4.8.9.4. Except where there are very high conservation values present, a wide range of activities can be accommodated, with appropriate standards to ensure that the effects of these activities are avoided, remedied or mitigated.
- 4.8.9.5. There are a number of management tools which enable the protection of natural areas without resulting in an undue financial loss or burden to the land owner. These include private and public covenanting and purchase, for example via the Forest Heritage Trust and Nga Whenua Rahui, the provision of information on sites of importance, rates relief, and land swaps.
- 4.8.9.6. Land currently managed by the Department of Conservation includes stewardship land which may not have had its conservation value assessed.
- 4.8.9.7. Parts 5.2, 5.3, 5.4 and 5.5 include specific rules for the implementation of the policies and objectives stated above.

#### **4.8.10. Intended Environmental Outcomes**

- 4.8.10.1. Protection and improvement in the management of natural habitats and ecosystems.

4.8.10.2. Practical recognition of natural areas and their importance to the community as potential sources of revenue and income.

4.8.10.3. Protection of environmental quality and amenities.

#### **4.8.11. Monitoring**

4.8.11.1. A register will be kept of agreements to protect habitat sites outside of conservation areas to assess the use of non-statutory methods.

4.8.11.2. Liaison meetings will be held with the Department of Conservation concerning any questions of common concern regarding the management of natural habitat sites.

4.8.11.3. The Council may require, as a condition on any resource consent with the potential to detrimentally affect scheduled sites of significant natural vegetation or habitat, the provision of monitoring information such as photos to assess those sites and to provide information to use for other applications for resource consents for similar activities.

### **4.9. Landscapes And Natural Features**

#### **4.9.1. Key Issue**

4.9.1.1. Protection of the outstanding landscape values and natural features of Buller District from the adverse effects of inappropriate subdivision, use and development.

4.9.2. The Buller District has a distinctive character which owes much to the landscape pattern and outstanding natural features. Rugged mountains grade to forested foothills, river valleys and terraces, down to the coast, with estuaries, rocky outcrops, cliffs and sandy beaches. The climate, topography and soils of the District mean the effects of inappropriate development may be quite pronounced or lack harmony with the surrounding environment. Outstanding natural features and landscapes represent an important tourist attraction and recreation asset and contribute to a sense of District identity. Particular features include karst areas, wetland systems, the Buller Gorge, the Paparoa and Karamea landscapes, the Buller coal measures and coastal dune systems.

#### **4.9.3. Objective**

**4.9.3.1. To protect the distinctive character and unique values of outstanding landscapes and natural features.**

#### **4.9.4. Policies**

4.9.4.1. *To discourage activities which would significantly alter the character of outstanding landscapes.*

4.9.4.2. *Character areas shall be identified in the Plan and shall reflect the distinctive landscape elements and natural values held for each region.*

#### **4.9.5. Methods of Implementation**

4.9.5.1. Rules and performance standards and assessment of resource consent applications.

4.9.5.2. In consultation with the community, develop an inventory of outstanding landscapes and natural features in the District by December 2002.

#### **4.9.6. Explanation/Reasons**

4.9.6.1. The Act requires that outstanding natural features and landscapes be protected from the effects of inappropriate subdivision, use and development. This is particularly important in Buller where the value of these features to the tourism industry and to the District's identity is significant.

4.9.6.2. Other natural features are also of importance within the District, usually on a local level. However, the policies and objectives give particular emphasis to outstanding features in recognition of their inclusion as a Matter of National Importance in Section 6 of the Act.

4.9.6.3. Some areas of the District make a greater contribution than others to the District's character. Rules in the Plan aim to implement stricter controls and standards for activities in these areas. While individual outstanding sites are recognised, on a broader level the District has been divided into four "character areas" based on the natural and physical landscape and on the degree of susceptibility to change within each area (see Parts 5.2, 5.3, 5.4 and 5.5).

#### **4.9.7. Intended Environmental Outcomes**

4.9.7.1. Identification and recognition of important landscapes and natural features.

4.9.7.2. Protection and enhancement of the character of different landscapes.

#### **4.9.8. Monitoring**

4.9.8.1. The Council may require, as a condition on any resource consent with the potential to adversely affect important landscapes or natural features, the provision of monitoring information such as photos in order to assess whether the Plan or practice of granting resource consents for similar activities needs to be changed.

## 4.10. Natural Hazards

### 4.10.1. Key Issue

4.10.1.1. Risks to human life and natural and physical resources within natural hazard prone areas and means of avoiding or mitigating any actual or potential effects of activities which increase the likelihood of natural hazards occurring.

- 4.10.2. Significant areas of the District are potentially at risk from natural hazards. Existing settlement patterns exacerbate the potential effects of these hazards, for example, Westport's location on the banks of the Buller River makes it particularly susceptible to severe flooding. The dredging or gravel extraction from the bed of the river reduces the risk of flooding. The coastline between Hector and Miko is affected by debris flow. Aside from the risk to individual safety, natural hazards can also result in damage to natural and physical resources, including the rural land resource, infrastructure and the built environment.
- 4.10.3. Significant natural hazard risks occur along the Buller Coast. Mokihiui is susceptible to flooding, and active coastal erosion is occurring along most of the coast. In addition, there is the risk of impacts from rising sea levels or inundation from storm events in coastal locations.
- 4.10.4. Faultlines which cross the Buller District make it susceptible to earthquakes. While earthquakes are not predictable, the impacts on property or health can be reduced by directing development away from locating on faultlines, and requiring buildings to meet earthquake standards.
- 4.10.5. Buildings and infrastructure elements are also affected by slope stability. Many areas of the District could be affected by slumping or falling rocks especially if the land surface was disturbed by building works. Two settlements are particularly affected in this regard; Punakaiki where some of the settlement is threatened by rock fall and Little Wanganui Subdivision which is affected by rock fall and debris flow. In the case of Little Wanganui Subdivision, existing residents and landowners have indicated a willingness to accept the risks associated with continued residence in a hazard prone area.

### 4.10.6. Objective

**4.10.6.1. Taking into account community views, to reduce the risks to people and communities from natural hazards, and to avoid the establishment of activities which increase the likelihood of natural hazards occurring.**

### 4.10.7. Policies

- 4.10.7.1. *Areas where natural hazards represent a significant threat to the health and safety of individuals and communities and/or to buildings*

*or structures shall be identified as information becomes available and used in the consideration of applications for resource consent.*

4.10.7.2. *An assessment of natural hazard risk shall be provided where appropriate with all applications for resource consents.*

4.10.7.3. *Increased public awareness of causes of natural hazards and their potential impacts in specific areas of the District shall be promoted.*

4.10.7.4. *Mitigation works to minimise the risks of natural hazards to the safety of people and communities shall be assessed according to the degree of risk.*

4.10.7.5. *Subject to the relevant statutory provisions in the Resource Management Act and Building Act, further development in identified hazard prone locations will be restricted.*

#### **4.10.8. Methods of Implementation**

4.10.8.1. Include known hazard areas including coastal hazard zones identified in the Regional Coastal Plan in the GIS database.

4.10.8.2. Enforce Sections 71-74 of the Building Act 2004 relating to hazard prone land.

4.10.8.3. Encourage the Regional Council to produce and update detailed hazard risk maps.

4.10.8.4. Encourage and support Regional Council monitoring and research on natural hazards in the District.

4.10.8.5. Maintain and test civil defence procedures.

4.10.8.6. Encourage the maintenance and improvement of the District's flood warning systems by making provision where practicable for preventative works regarding flood hazards.

4.10.8.7. Promote public awareness of potential hazard areas, through the provision of information and advice, especially where there is a potential risk to buildings and human life.

4.10.8.8. Develop criteria for identifying hazard prone areas and assessing the degree of hazard risk through consultation with the Regional Council.

#### **4.10.9. Explanation/Reasons**

4.10.9.1. The policies and implementation methods for natural hazards aim to minimise, avoid and mitigate where practical the impacts of natural hazards by managing activities within hazard prone areas and managing activities which increase the likelihood of natural hazards

occurring. Applications for development must include full details and assessment of hazard risk. In some situations where a resource consent is required, it may be that particular land use activities are unsuitable. Even in the case of permitted activities, any proposal to erect a building will need to be assessed in terms of Sections 71-74 of the Building Act and the building code.

4.10.9.2. Policies and other management tools aim at controlling the siting, extent and type of activities permitted in hazard prone areas. Specific hazard areas have been identified at Punakaiki (rock fall), Little Wanganui Subdivision (rock fall and debris flow), Mokihiui (flooding) and Hector-Miko coastline (debris flow). These areas are to be identified on the planning maps because development proposals are likely in these areas and it is necessary to make it clear that they are particularly susceptible to natural hazards. It is acknowledged however, that there are many other areas in the District which are susceptible to natural hazards and therefore any resource consent application, including outside identified hazard areas, must provide to Council an assessment of the hazard risk for the site.

4.10.9.3. The Council will gather information on natural hazards in conjunction with the Regional Council which also has a responsibility for natural hazard management. It is envisaged that public information, public works and civil defence testing will play a significant role in making people aware of natural hazards in the area and will help to encourage development to locate away from particularly hazard prone areas.

#### **4.10.10. Intended Environmental Outcomes**

4.10.10.1. Increased public awareness of natural hazard risks and their impacts.

4.10.10.2. A reduction in the magnitude and scale of the impacts of natural hazards on people and on natural and physical resources.

#### **4.10.11. Monitoring**

4.10.11.1. The Council will keep a record of reported instances where natural hazards detrimentally affect property or health, and mutually exchange such information with the Regional Council.

4.10.11.2. The Council may send out a questionnaire to a sample of ratepayers at appropriate intervals asking for comments on the Council's environmental performance. This questionnaire will include a question on awareness of natural hazard risks and their impacts.

## 4.11. Hazardous Substances

### 4.11.1. Key Issue

4.11.1.1. Management of the potentially adverse effects of hazardous substances on natural and physical resources.

- 4.11.2. The storage, use and transport of hazardous substances is an integral part of some land use activities in Buller. Control is undertaken under various legislation and by both the Regional Council and the District Council. The Regional Council has implemented recommendations for the upgrading and closure of landfill sites which are identified as contaminated in co-operation with the District Council. The District Council is primarily concerned with preventing or mitigating any adverse effects of any use of land involving these substances. Emphasis in management should concentrate on safety and prevention of accidents or spills but also provide appropriate contingency planning.
- 4.11.3. The disposal of hazardous substances on the West Coast is of particular concern. Current disposal practices are inadequate in Buller. Hazardous substances cannot be disposed of in landfills. The public are advised to store wastes privately until a regional hazardous substance management strategy and collection or treatment facility is developed. It is acknowledged that private storage of hazardous waste is an unsatisfactory short-term measure, and creates the potential for adverse environmental effects to occur from illegal dumping of hazardous wastes.
- 4.11.4. Poor siting and lack of leachate containment are particular problems with old refuse disposal sites.

### Objective

**4.11.5.1. To encourage and promote the safe and efficient handling and disposal of hazardous substances throughout the District.**

### 4.11.6. Policies

- 4.11.6.1. *Compliance with approved codes of practice and national guidelines and standards shall be required for all activities involving the use, storage and transport of hazardous substances.*
- 4.11.6.2. *Appropriate contingency planning shall be required for all operators of hazardous facilities, including disposal sites.*
- 4.11.6.3. *Assistance with and support in the establishment of a regional hazardous waste disposal site.*



**4.11.7. Methods of Implementation**

- 4.11.7.1. Develop and implement rules in the Plan where appropriate relating to the use, storage, disposal and transport of hazardous substances.
- 4.11.7.2. Support Regional Council initiatives on matters related to hazardous substance management.
- 4.11.7.3. Promote the adherence to, and use of, national guidelines and standards of practice dealing with hazardous substances management.
- 4.11.7.4. Encourage the development of contingency planning, and site rehabilitation schemes for activities which involve hazardous substances.

**4.11.8. Explanation/Reasons**

- 4.11.8.1. The management of hazardous substances is controlled by a number of specific industry guidelines and codes of practices. The District Plan rules (see Section 6) reflect and refer to these guidelines and are considered the most appropriate means of controlling the handling of hazardous substances and facilities in Buller in conjunction with the Regional Council. The risk some hazardous substances pose to people and communities can be significant. Even if this is perceived risk only, it still has the potential to adversely affect the health of people and communities.

**4.11.9. Intended Environmental Outcomes**

- 4.11.9.1. Management and disposal of hazardous wastes in environmentally safe and acceptable ways.
- 4.11.9.2. A reduction in the number of accidents and incidents of deliberate misuse involving hazardous substances.

**4.11.10. Monitoring**

- 4.11.10.1. A register will be kept of any accidents or incidents involving hazardous substances in order to assess whether the methods of control are sufficient.



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## PART 5 CHARACTER AREA AND ZONE RULES

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### 5.1. Introduction

5.1.1. For the purposes of implementation of the Plan, a range of methods has been adopted to give effect to the objectives and policies stated in Part 4. Part 5 of the Plan represents the regulations or rules that will be used to implement the objectives and policies.

5.1.2. The District has been divided broadly into character areas, within which more specific activity zones have been defined where appropriate. The approach is consistent with the methods and direction for management given in Part 4.

5.1.3. Four character areas are identified in Buller namely:

**Urban** Covers the settlements and towns in the District. Includes the Port Zone.

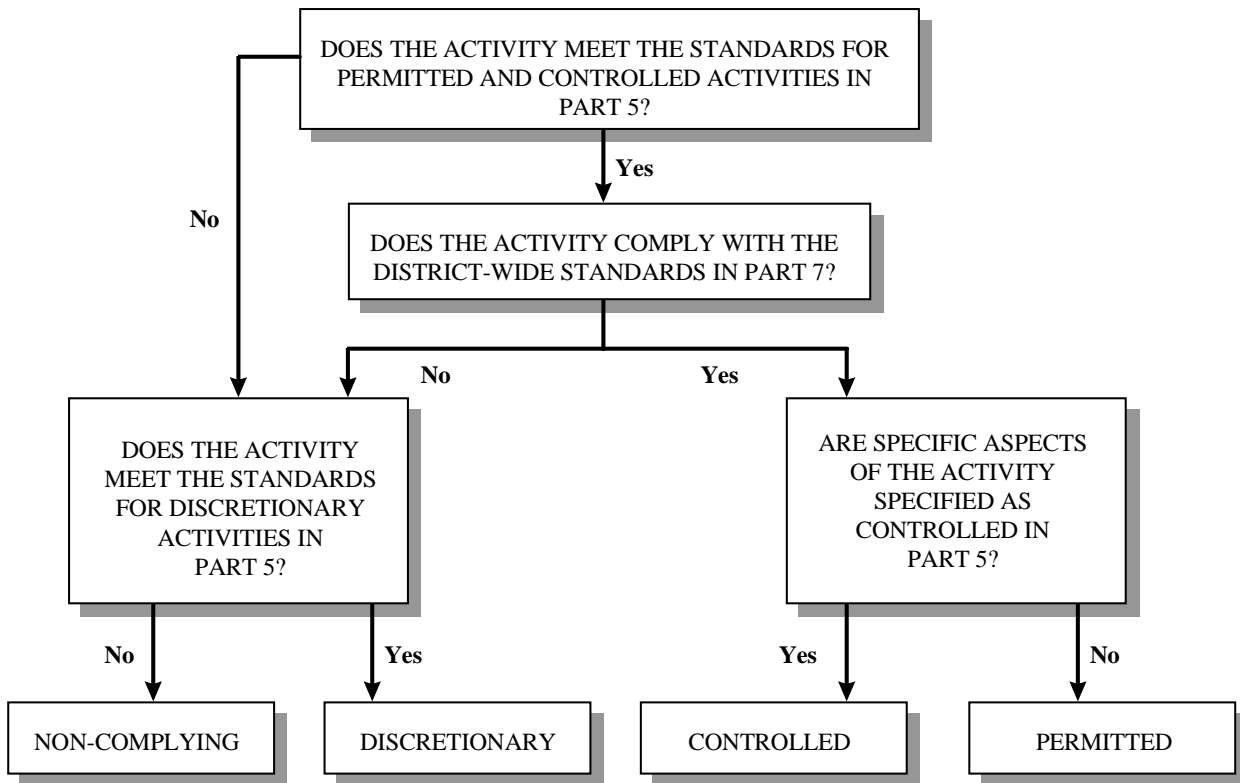
**Rural** Includes the non-urban land in the District (other than the Paparoa or Natural Environments areas) which is recognised as having a distinctive rural and open space character, as well as the airport. Includes the Cement Production Zone.

**Paparoa** Encompasses the area of the Paparoa coast where the scenic values of the coastal landscape are particularly high.

**Natural Environments** Covers those parts of the District with high conservation values where protection of conservation values is the primary management aim. Generally these areas will be on public conservation land.

5.1.4. Rules apply to each of these areas which aim primarily to avoid, mitigate or remedy any adverse environmental effects arising from activities. Activities will fall into either the permitted, controlled or discretionary categories (see Figure 5.1). Where an activity does not it shall automatically become non-complying.

Figure 5.1: Classification of Activities



- 5.1.5. The rules apply in the following way:
  - 5.1.5.1. Permitted activities are those which:
    - 5.1.5.1.1. Fit within the definition of permitted activities.
    - 5.1.5.1.2. Do not fit within the definition of controlled activities or discretionary activities.
    - 5.1.5.1.3. Comply with the standards for permitted activities.
  - 5.1.5.2. Controlled activities are those which:
    - 5.1.5.2.1. Fit within the definition of controlled activities.
    - 5.1.5.2.2. Do not fit within the definition of discretionary activities.
    - 5.1.5.2.3. Comply with the standards for controlled activities.
  - 5.1.5.3. Restricted Discretionary activities are those which:
    - 5.1.5.3.1. Fit within the definition of limited discretionary activities.
    - 5.1.5.3.2. Do not fit within the permitted or controlled activities and are not a discretionary or non-complying activity.
  - 5.1.5.4. Discretionary activities are those which:
    - 5.1.5.4.1. Fit within the definition of discretionary activities
    - 5.1.5.4.2. Do not fit within the permitted, controlled or limited discretionary activities and are not a non complying activity.
  - 5.1.5.5. Non-complying activities are those which:
    - 5.1.5.5.1. Do not fit within the definition of permitted, controlled or discretionary activities.
    - 5.1.5.5.2. Fail to comply with the standards for discretionary activities.
  - 5.1.5.6. Prohibited activities are those which:
    - 5.1.5.6.1. Are expressly prohibited by Section 105(2)b of the Historic Places Act 1993.
    - 5.1.5.6.2. Are identified in the Plan as Prohibited activities.
    - 5.1.5.6.3. No resource consent shall be granted.
- 5.1.6. A resource consent application will be required for a controlled, discretionary, limited discretionary or non-complying activity.

- 5.1.7. In addition to the standards applying to activities in each character area, additional rules which apply to all activities within the District are included in Part 7 of the Plan. These relate specifically to the effects on the environment of subdivision, noise and transportation among other matters. Specific rules and procedures relating to telecommunication reticulation during subdivision are also set out in Part 7. All subdividers should follow these procedures and the matters in Part 13 when applying for subdivision consents.
- 5.1.8. The extent of each character area, and the site specific activity zones within each area, are marked on the Planning Maps and should be referred to initially to determine which set of rules and standards will apply to a particular activity.
- 5.1.9. Infrastructure, service activities/facilities and other activities (such as hazardous substances and signs) are subject to rules and performance standards which are separate to those in the zones comprising the character areas. These rules and standards are specified in Part 6 of the Plan and apply to all zones unless otherwise specified.

**5.1.10. Interim Provisions**

- 5.1.10.1. The Council has sought a range of interim provisions while it prepares a Significant Natural Areas (SNA) survey. These recognise the importance of ecosystems, natural habitats and landscapes in the Buller District in regard to Section 6 (and Part II matters) of the RMA. It is the intention of Council that the District Plan provide a scheduled approach to manage all significant natural areas. However, at the present time the Council has insufficient information upon which to identify them. Upon completion of the Significant Natural Areas survey Council will review the effectiveness of the interim Policy and standards and then promulgate a Plan Change.
- 5.1.10.2. Indigenous forestry will become a permitted activity outside the identified significant areas when these have been identified by a survey and compilation exercise. This will occur within a three year period and will be subject to the operator having a Sustainable Management Plan. At that time indigenous forestry inside the identified areas becomes a discretionary activity and a resource consent will be required. Until significant natural areas have been identified and included in the plan in accordance with policy 4.8.7.5, indigenous forestry harvesting carried out in accordance with Part IIIA of the Forests Act, or in the case of Timberlands West Coast, a sustainable management plan approved by the Ministry of Agriculture and Forestry as complying with the requirements of Part IIIA of the Forests Act, will be classified as a restricted discretionary activity. Other indigenous forestry harvesting will be a fully discretionary activity.

## **5.2. Urban Character Area**

### **5.2.1. Introduction**

5.2.1.1. The Urban Character Area incorporates all of the District's major settlements and most of the smaller settlements. Excluded are a number of bach settlements on road reserve and several smaller settlements where development is not considered appropriate, due in the main, to servicing constraints.

5.2.1.2. In the larger towns of Westport and Reefton, the Urban Character Area is divided into three broad zones, the commercial zone, residential zone and industrial zone. Westport also has a Port Zone. In the smaller towns there is no differentiation between zones so that the settlements are all zoned residential. A scenically sensitive residential zone covers Punakaiki and Ross Subdivision where additional controls on building design and appearance and amenity values are considered necessary in order to maintain their distinctive character. A scenically sensitive commercial zone will enable further development particularly for tourist related facilities in the Punakaiki area.





## 5.2.2. Residential Zone

5.2.2.1. Any activity in the Residential Zone is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.1. It must also comply with the District Wide rules in Part 7.

### 5.2.2.2. Permitted Activities

5.2.2.2.1. Network utilities, subject to compliance with Part 6 (Infrastructure).

5.2.2.2.2. Vehicle Trips

5.2.2.2.2.1. Non-residential activities must not involve more than 4 heavy vehicle trips per day to or from a site, where the site immediately adjoins a boundary of, or is separated only by a road and is directly opposite, a residential property.

5.2.2.2.2.2. Non-residential activities must not involve, for sites with frontage to a strategic route, arterial or collector route as listed in Part 13, total generation of 40 vehicle trips per day to or from the site, and on all other sites, no more than 30 vehicle trips per day.

**Table 5.1 Residential Zone Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Front Sites</b> 5m setback from road boundaries.</p> <p>1m setback from all other boundaries.</p> <p><b>Rear Sites</b> One yard of 5m.</p> <p>1m setback from all other boundaries.</p> <p><b>Roof Overhangs</b> May encroach into the yard by up to 750mm.</p>	<p><b>Front Sites</b> Not applicable for road boundaries.</p> <p>Not more than 10m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Rear Sites</b> Not applicable for the yard of 5m.</p> <p>Not more than 10m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Roof Overhangs</b> May encroach into the yard by up to 750mm.</p>	<p><b>Front Sites</b> 3.5m setback from road boundaries.</p> <p>Not more than 20m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Rear Sites</b> One yard of 3.5m.</p> <p>Not more than 20m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Roof Overhangs</b> May encroach into the yard by up to 750mm.</p>

		<p>For all Controlled activities in relation to Boundaries in the Residential Zone the matters over which control is reserved are:</p> <ul style="list-style-type: none"> <li>• The position, design and external appearance of buildings.</li> <li>• The position of buildings in the landscape setting.</li> <li>• The imposition of financial contribution conditions as provided for in Part 8 of the Plan.</li> </ul>	
<b>Building Height</b>	Maximum building height is 10m.	Not applicable.	Maximum building height is 12m.
<b>Buildings</b>	Two Habitable Buildings per site.	<p>Where a site meets all of the following criteria:</p> <ul style="list-style-type: none"> <li>• It is connected to or is capable of being connected to reticulated sewerage by gravity mains;</li> <li>• It is capable of containing three or more notional sites each able to contain a square measuring at least 15m x 15m;</li> <li>• All existing buildings can comply with the permitted or controlled activity standards for the Residential Zone in relation to Boundaries, Building Height, Parking, Recession Planes, Site Coverage and Stormwater Disposal within the notional sites, or, where an</li> </ul>	Up to four Habitable Buildings per site provided that all of the buildings comply with the permitted activity standards for the Residential Zone in relation to Boundaries, Building Height, Parking, Recession Planes, Site Coverage and Stormwater Disposal.

		<p>existing building does not comply with the current District Plan standards but is subject to an existing resource consent or existing use rights under the Act, the notional sites do not increase the extent to which the building fails to comply; and</p> <ul style="list-style-type: none"> <li>Any proposed buildings can comply with the permitted or controlled activity standards for the Residential Zone in relation to Boundaries, Building Height, Parking, Recession Planes, Site Coverage and Stormwater Disposal within the notional sites;</li> </ul> <p>each notional site may contain one Habitable Building.</p> <p>The matters over which control is reserved are:</p> <ul style="list-style-type: none"> <li>The position, design and external appearance of buildings.</li> <li>The position of buildings in the landscape setting.</li> <li>The imposition of financial contribution conditions as provided for in Part 8 of the Plan.</li> </ul>	
<b>Developments</b>	Refer Part 8	Refer Part 8	Refer Part 8
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6

<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Ground Floor Area</b>	The maximum gross ground floor area of a single building for non-residential activities is 250m <sup>2</sup> .	Not applicable.	Not applicable.
<b>Hazardous Substances</b>	Refer to Part 6.3	Refer to Part 6.3	Refer to Part 6.3
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Hours of Operation</b>	Non-residential activities may only operate within the hours of 0700 to 2200 weekdays and 0800 to 2000 weekends and public holidays.	Not applicable.	Not applicable.
<b>Light Spill</b>	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Odour</b>	No objectionable odour shall be emitted so that it can be smelt at the boundary of any adjoining site.	Not applicable.	Not applicable.
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Site Coverage</b>	Maximum site coverage is 40%.	Not applicable.	Maximum site coverage is 55%.
<b>Storage</b>	No external storage of products except for that associated with residential use of a site shall be visible from any residentially zoned property or public road.	Not applicable.	Not applicable.
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

### **5.2.2.3. Explanation/Reasons**

5.2.2.3.1. The residential zone covers areas in Westport, Reefton and Karamea and the small settlements. Rules and standards are specified which determine which activities are considered appropriate in terms of environmental effects, such as height, bulk, location and sunlight protection. The standards aim to allow activities which are residential in nature or which are compatible with residential use. In doing so the dominant residential character of these settlements should be maintained.

5.2.2.3.2. Hours of operation of non-residential activities are restricted to ensure the quiet and relaxed nature of

residential areas during night-time hours is maintained and not disrupted by activities which may wish to operate for extended hours.

- 5.2.2.3.3. Floor area and building length controls are necessary to ensure that large bulky buildings, such as warehouses, do not proliferate throughout the residential area and disrupt the dominant residential fabric and character of the residential zone.
- 5.2.2.3.4. Height controls ensure that buildings of two storeys may locate as of right. However, buildings above two storeys are considered to have effects which need to be controlled. Such standards are necessary to ensure the amenities of neighbours are protected, in particular aspects such as sunlight, outlook and privacy.
- 5.2.2.3.5. Restrictions on heavy vehicle movements in residential areas ensure that the infrastructure resource, in particular roading, is not placed under undue pressure. Heavy vehicles in residential areas also generate significant traffic noise and can present a safety hazard for both pedestrians and motorists.
- 5.2.2.3.6. The use of hazardous substances in residential areas is not a permitted activity because of the potentially adverse effects from spills or accidents. In residential areas, the potential effects of accidents or spills can be amplified because of the greater density of people present and so a greater number of those who potentially could be affected. Activities involving hazardous substances are controlled in all zones.
- 5.2.2.3.7. Standards for traffic movements aim to ensure that activities do not significantly increase traffic volumes on residential streets. An increase in traffic can have adverse effects on amenity, health and safety.
- 5.2.2.3.8. Controls on the distance between buildings and property boundaries are necessary to ensure effects on neighbouring landowners and activities are minimised and to maintain amenity values. Yards also allow landscaping and infrastructure services to be supplied to a site.
- 5.2.2.3.9. Site coverage and the number of habitable buildings on a site are controlled to ensure that sufficient open space is provided in residential areas and that the scale and intensity of development remains in keeping with the residential nature of the residential zone. In areas where

reticulated sewage is not provided for, limits on site coverage and the number of habitable buildings on a site assist in maintaining an area which is adequate for on-site disposal.

5.2.2.3.10. External storage of commercial or industrial products can be visually offensive and can break-up the dominant residential character of an area. Accordingly outdoor storage of such products is not permitted as of right. More than two visible non-registered vehicles is classified as a non-residential activity.

5.2.2.3.11. Also see Part 7.2 for explanation and reasoning of specific standards.

## 5.2.3. Scenically Sensitive Residential Zone

5.2.3.1. Any activity in the Scenically Sensitive Residential Zone is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.2. It must also comply with the District Wide rules in Part 7.

### 5.2.3.2. Permitted Activities

5.2.3.2.1. Any land use activity that is permitted in the Residential Zone except the erection of any building or structure over 100m<sup>2</sup>, or the addition to a building that will add over 50m<sup>2</sup> to the existing building.

5.2.3.2.2. Network utilities, subject to compliance with Part 6 (Infrastructure).

#### 5.2.3.2.3. Vehicle Trips

5.2.3.2.3.1. Non-residential activities must not involve more than 4 heavy vehicle trips per day to or from a site, where the site immediately adjoins a boundary of, or is separated only by a road and is directly opposite, a residential property.

5.2.3.2.3.2. Non-residential activities must not involve, for sites with frontage to a strategic route, arterial or collector route as listed in Part 13, total generation of 40 vehicle trips per day to or from the site, and on all other sites, no more than 30 vehicle trips per day.

### 5.2.3.3. Discretionary Activities

5.2.3.3.1. Any land use activity which is discretionary in the Residential Zone.

5.2.3.3.2. Discretionary activities will be assessed according to the criteria in Part 9.

5.2.3.3.3. Financial contributions may be required in accordance with Part 8.

**5.2.3.4. Discretionary Activities Where the Discretion is Limited**

5.2.3.4.1. The erection of any building or structure over 100m<sup>2</sup>, or the addition to any existing building which adds more than 50m<sup>2</sup> relating to a permitted activity. (These activities will not normally be publicly notified). The Council restricts the exercise of its discretion to the following matters:

5.2.3.4.1.1. The position, design and external appearance of buildings.

5.2.3.4.1.2. The position of buildings in the landscape setting.

5.2.3.4.1.3. The size of buildings and their roof height and pitch.

5.2.3.4.1.4. Any clearance of indigenous trees or shrubs within Ross Subdivision.

5.2.3.4.1.5. For Ross Subdivision, the aggregate area of all buildings on any one allotment.

5.2.3.4.1.6. The imposition of financial contributions listed in Part 8.

**Table 5.2 Scenically Sensitive Residential Zone Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Front Sites</b> 5m setback from road boundaries.</p> <p>1m setback from all other boundaries.</p> <p><b>Rear Sites</b> One yard of 5m.</p> <p>1m setback from all other boundaries.</p> <p><b>Roof Overhangs</b> May encroach into the yard by up to 750 mm.</p>	<p><b>Front Sites</b> Not applicable for road boundaries.</p> <p>Not more than 10m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Rear Sites</b> Not applicable for the yard of 5m.</p> <p>Not more than 10m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Roof Overhangs</b> May encroach into the yard by up to 750 mm.</p>	<p><b>Front Sites</b> 3.5m setback from road.</p> <p>Not more than 20m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Rear Sites</b> One yard of 3.5m.</p> <p>Not more than 20m of wall shall be built closer than 1m to a boundary line.</p> <p><b>Roof Overhangs</b> May encroach into the yard by up to 750 mm.</p>



		<p>For all Controlled activities in relation to Boundaries in the Scenically Sensitive Residential Zone the matters over which control is reserved are:</p> <ul style="list-style-type: none"> <li>• The position, design and external appearance of buildings.</li> <li>• The position of buildings in the landscape setting.</li> <li>• The imposition of financial contribution conditions as provided for in Part 8 of the Plan.</li> </ul>	
<b>Building Height</b>	Maximum building height is 10m.	Not applicable.	Maximum building height is 12m.
<b>Buildings</b>	Two Habitable Buildings per site.	Not applicable.	Up to four Habitable Buildings per site provided that all of the buildings comply with the permitted activity standards for the Scenically Sensitive Residential Zone in relation to Boundaries, Building Height, Ground Floor Area, Parking, Recession Planes and Stormwater Disposal.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Ground Floor Area</b>	The maximum combined total ground floor area of all buildings per allotment is 150m <sup>2</sup> .	Not applicable.	Not applicable.
<b>Hazardous Substances</b>	Refer to Part 6.3	Refer to Part 6.3	Refer to Part 6.3
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Hours of Operation</b>	Non-residential activities may only operate within the hours of 0700 to 2200 weekdays and 0800 to 2000 weekends and public holidays.	Not applicable.	Not applicable.
<b>Light Spill</b>	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2

<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Odour</b>	No objectionable odour shall be emitted so that it can be smelt at the boundary of any adjoining site.	Not applicable.	Not applicable.
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Storage</b>	No external storage of products except for that associated with residential use of a site shall be visible from any residentially zoned property or public road.	Not applicable.	Not applicable.
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

### **5.2.3.5. Explanation/Reasons**

5.2.3.5.1. The Scenically Sensitive Residential Zone covers Punakaiki and Ross Subdivision being settlements surrounded by the Paparoa Character Area. These settlements are considered to have scenic importance and value, both to visitors and for the District's residents.

5.2.3.5.2. The visual appearance of these settlements has a major effect on scenic values. Therefore in addition to the controls for the residential zones, buildings and structures within the Scenically Sensitive Residential Zone are discretionary in terms of design and appearance. The aim is to ensure that buildings in Punakaiki and Ross Subdivision do not detract from the visual amenities of this unique section of Buller coastline. The limited discretion activity class has been chosen so that only the matters indicated will be considered by Council.

5.2.3.5.3. The position and design of buildings is a matter which will be considered. A low rise horizontal form with a low roof pitch or flat roof may be appropriate when in keeping with the predominantly horizontal, open character of the coastal landscape. The position of buildings should, where appropriate, incorporate substantial planting to assist in integrating the buildings into the landscape setting. Within Ross Subdivision, buildings should be sited so as not to be obtrusive when viewed from Punakaiki Scenic Reserve (Lot 45 DP 3558 Blk IX Brighton SD), the state highway, or the Pancake Rocks

area. Building lines should be interrupted by breaking the roof height and varying the roof pitch. Within Ross Subdivision buildings should not dominate a site; generally the aggregate area of all buildings on one allotment should not exceed 150m<sup>2</sup>. In addition in assessing applications, the "Design Guidelines for the West Coast" - March 1991 (West Coast Tourism Development & West Coast Regional Council) may also be used as a guide. Contributions such as landscaping or screening may be required (see Part 8 - Financial Contributions).

- 5.2.3.5.4. Clearance of indigenous trees and shrubs within the Ross Subdivision should only be undertaken for building sites and for the purposes of providing access to building sites. Vegetation clearance beneath power lines is permitted.
- 5.2.3.5.5. Also see Part 7.2 for explanation and reasoning of specific standards.



## **5.2.4. Commercial Zone**

5.2.4.1. Any activity in the Commercial Zone is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.3. It must also comply with the District Wide rules in Part 7.

### **5.2.4.2. Permitted Activities**

5.2.4.2.1. Any commercial activity which complies with the standards listed below except for car parking lots, car sales yards, service stations and open recreational areas.

5.2.4.2.2. Residential activities subject to the following:

5.2.4.2.2.1. Where the residential activity is accessory to a commercial activity, it complies with the standards listed below.

5.2.4.2.2.2. Where the residential activity is the sole or primary use of the site, it complies with the permitted activity standards for the Residential Zone.

5.2.4.2.3. Any activity carried out in a building which fronts a main street must be commercial at ground floor level and have a principal entrance on the main street frontage.

5.2.4.2.4. Network utilities, subject to compliance with Part 6 (Infrastructure).

### **5.2.4.3. Discretionary Activities**

5.2.4.3.1. Any land use activity which complies with the standards for discretionary activities and is not a permitted activity.

5.2.4.3.2. Car parking lots, car sales yards, service stations, open recreational areas.

5.2.4.3.3. Discretionary activities will be assessed according to the criteria in Part 9.

5.2.4.3.4. Financial contributions may be imposed in accordance with Part 8.

Table 5.3 Commercial Zone Standards

ITEMS	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Side Yard</b> 5m where adjoining a residential zone.</p> <p><b>Rear Yards</b> 5m where adjoining a residential zone.</p> <p><b>Front Yards</b> Buildings which front a main street must be built up to the front boundary line for a minimum of 70% of the boundary line.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>
<b>Building Height</b>	Maximum building height is 15m.	Not applicable.	Maximum building height is 20m.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Main Street Verandahs</b>	All buildings, with a main street frontage, on erection, reconstruction or alteration must incorporate a cantilevered verandah continuous with adjoining sites. Poles may be erected for decorative purposes only.	Not applicable.	Not applicable.
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Odour</b>	No objectionable odour shall be emitted so that it can be smelt at the boundary of any adjoining site.	Not applicable.	Not applicable.
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

#### **5.2.4.4. Explanation/Reasons**

- 5.2.4.4.1. The Commercial Zone recognises the distinctive character and importance of a viable central business area to the sustainability of the urban resource. The settlements of Reefton and Westport each have this zoning along their main street shopping areas. The urban areas of Westport and Reefton each have a distinctive character which is intricately linked to the history of the town. The controls on buildings and other activities, in particular those requiring frontage to the main street, aim to protect and enhance the character, but also retain the dominant retail/commercial importance of the town centre. Commercial activities which generate significant foot traffic will assist in maintaining a vibrant commercial centre. Residential activities are also permitted above ground floor area so that shop owners and others can live on the same property as commercial activities and thereby use buildings 24 hours a day.
- 5.2.4.4.2. Yards at the side and rear of commercial properties are only required where the activity adjoins a residential zone and the amenities of neighbours should be protected from the effects of non-residential activities.
- 5.2.4.4.3. Height controls on the central commercial core will allow a three storey building to establish as a permitted activity. The commercial areas of both Westport and Reefton are surrounded in the main by low rise residential buildings where a two storey height limit is permitted. The standard ensures that buildings which may be out of character in Westport and Reefton can be controlled by Council.
- 5.2.4.4.4. Verandahs are a distinctive feature of the main street of both settlements, and make a significant contribution to the historic atmosphere and character of the commercial area. Requiring verandahs on new buildings and for alterations will ensure continuing of character and weather protection.
- 5.2.4.4.5. Also see Part 7.2 for an explanation and the reasons for specific performance standards.





## **5.2.5. Scenically Sensitive Commercial Zone**

5.2.5.1. Any activity in the Scenically Sensitive Commercial Zone is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.4. It must also comply with the District Wide rules in Part 7.

### **5.2.5.2. Permitted Activities**

5.2.5.2.1. Any commercial (including travellers' accommodation) or recreational activity or community activity which complies with the standards listed below except indigenous vegetation clearance or those involving the erection of, or addition to, a building or structure or sign.

5.2.5.2.2. Residential activities accessory to any of the above activities except indigenous vegetation clearance or those involving the erection of, or addition, to a building.

5.2.5.2.3. Network utilities, subject to compliance with Part 6 (Infrastructure).

#### **5.2.5.2.4. Vehicle Trips**

5.2.5.2.4.1. Non-residential activities must not involve more than 4 heavy vehicle trips per day to or from a site, where the site immediately adjoins a boundary of, or is separated only by a road and is directly opposite a residential property.

5.2.5.2.4.2. Non-residential activities must not involve, for sites with frontage to a strategic route, arterial or collector route as listed in Part 13, total generation of 40 vehicle trips per day to or from the site, and on all other sites, no more than 30 vehicle trips per day.

5.2.5.2.5. No clearance of indigenous trees or shrubs beyond 3m from an existing building is permitted.

5.2.5.2.6. For developments, payment of a development contribution as listed in Part 8.

### 5.2.5.3. Discretionary Activities Where the Discretion is Limited

5.2.5.3.1. The erection of, or addition to, any building or structure or sign relating to a permitted activity. These activities will not normally be publicly notified. The Council restricts the exercise of its discretion to the following matters:

5.2.5.3.1.1. The position, design and external appearance of buildings and signs in relation to the landscape setting and nearby buildings.

5.2.5.3.1.2. The size of buildings and their roof height and pitch.

5.2.5.3.1.3. Any clearance of indigenous trees or shrubs.

5.2.5.3.1.4. The size of private open space available for activities involving accommodation.

5.2.5.3.1.5. The imposition of financial contributions listed in Part 8.

**Table 5.4 Scenically Sensitive Commercial Zone Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
Access	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
Building Height	Maximum building height is 7m.	Not applicable.	Maximum building height is 10m.
Developments	Refer to Part 8	Refer to Part 8	Refer to Part 8
Esplanade Strips	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
General	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
Glare	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
Historic/Cultural Items	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
Lighting	Fixed, external lighting for utility and services is to be hooded in the area from Dolomite Point to the Punakaiki River. Also refer to Light Spill in Part 7.9.4.3.	Not applicable.	Not applicable.
Noise	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
Notable Trees	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
Parking	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
Planting	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
Recession Planes	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
Signs	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
Stormwater Disposal	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
Subdivision	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

#### **5.2.5.4. Explanation/Reasons**

- 5.2.5.4.1. The Scenically Sensitive Commercial Zone is primarily intended to provide facilities for tourists while also servicing the commercial needs of the Punakaiki locality. A wide range of activities is permitted, but industrial activities are generally not appropriate and residential activities should be related to other activities only, in order to prevent the land being used solely for residential purposes. Activities setting up within existing buildings, or not involving buildings, must comply with the general rules, not modify or destroy listed items, and if classed as a development, may be required to pay a development contribution (Refer to 8.2). Because the location of this zone is close to a prime tourist attraction and is in an area of natural and scenic appeal, special controls are required to ensure that any buildings are compatible with surrounding buildings and landscape features.
- 5.2.5.4.2. Also see Part 7.2 for explanation and reasoning of specific standards.



## **5.2.6. Industrial Zone**

5.2.6.1. Any activity in the Industrial Zone is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.5. It must also comply with the District Wide rules in Part 7.

5.2.6.2. Stormwater run-off associated with any permitted or controlled activity, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality.

### **5.2.6.3. Permitted Activities**

5.2.6.3.1. Any activity which complies with the standards listed below except dwellings.

5.2.6.3.2. Network utilities, subject to compliance with Part 6 (Infrastructure).

### **5.2.6.4. Controlled Activities**

5.2.6.4.1. Any activity which complies with the standards for controlled activities and which involves a dwelling related to the operation of any permitted activity.

5.2.6.4.2. Matters over which the Council reserves control on controlled activities are:

5.2.6.4.2.1. The position, design and external appearance of buildings so that the occupants of any dwelling are not exposed to unreasonable nuisance or danger and the dwelling does not interfere with any existing or future industrial activity.

5.2.6.4.2.2. The imposition of financial contribution conditions relating to landscaping, planting, fencing or screening as provided for in Part 8 of the Plan.

5.2.6.4.3. Until the Trade Waste By-Law is effective (1 July 2008), within the Sergeants Hill Industrial Area, any industrial or commercial activity or development is a controlled activity. After the Trade Waste By-Law is effective, industrial or commercial activities or developments will be permitted, provided they comply with the standards in Table 5.5A.

**5.2.6.5. Discretionary Activities**

5.2.6.5.1. Any activity which complies with the standards for discretionary activities and is not a permitted or controlled activity.

5.2.6.5.2. Discretionary activities will be generally assessed according to the criteria in Part 9.

5.2.6.5.3. Financial contributions may be required in accordance with Part 8.

**Table 5.5 Industrial Zone Standards, except Sergeants Hill Industrial Area**

<b>ITEM</b>	<b>PERMITTED</b>	<b>CONTROLLED</b>	<b>DISCRETIONARY</b>
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Blasting</b>	No blasting shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.	Not applicable.	No blasting shall occur outside the hours of 0700 to 2000 hours weekdays and 0900 to 1600 hours on weekends and public holidays.
<b>Boundaries</b>	<b>Front yards</b> 5m setback from road.  <b>Rear and side yards</b> 10m setback except where the property adjoins another zone.	Not applicable.	Front yard setback 4m from road where the property adjoins another zone.
<b>Building Height</b>	Maximum building height is 35m, provided that no building shall encroach on a recession plane at an angle of 35 degrees measured from a point 2.5m above ground at the boundary of any Commercial or Residential Zone.	Not applicable.	Not applicable.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Light Spill</b>	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6

<b>Service Areas / Storage Areas</b>	All service and storage areas shall not be visible from any residentially zoned site or from any public road, such areas not to include buildings or structures used for storage or servicing purposes and over 5m in height.	Not applicable.	Not applicable.
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Site Coverage</b>	Maximum site coverage is 75%.	Not applicable.	Not applicable.
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3
<b>Vibration</b>	No vibration shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.	Not applicable.	No vibration shall occur outside the hours of 0700 to 2000 hours weekdays and 0900 to 1600 hours on weekends and public holidays.

**Table 5.5A Industrial Zone Standards - Sergeants Hill Industrial Area**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Table 5.5 (Industrial Zone)		
<b>Blasting</b>			
<b>Boundaries</b>	<p><b>Front yards</b> 20m setback from State Highway 67 and 5m setback from all other roads.</p> <p><b>Rear and side yards</b> Refer to Table 5.5 (Industrial Zone)</p>	Not applicable.	Refer to Table 5.5 (Industrial Zone)
<b>Building Height</b>	Maximum building height is 20m.	Not applicable.	Not applicable.
<b>Concept Plan</b>	<p>Any industrial or commercial activity, development or subdivision in the Sergeants Hill Industrial Area shall be undertaken generally in accordance with the Concept Plan in Part 5.2.6.7.</p> <p>For the purpose of this rule, “generally in accordance” means that locations and alignments of roads, accesses, infrastructure, facilities and services is the same or similar to that shown on the Concept Plan.</p>	Not applicable.	Any activity, development or subdivision which is not generally in accordance with the Concept Plan in Part 5.2.6.7.

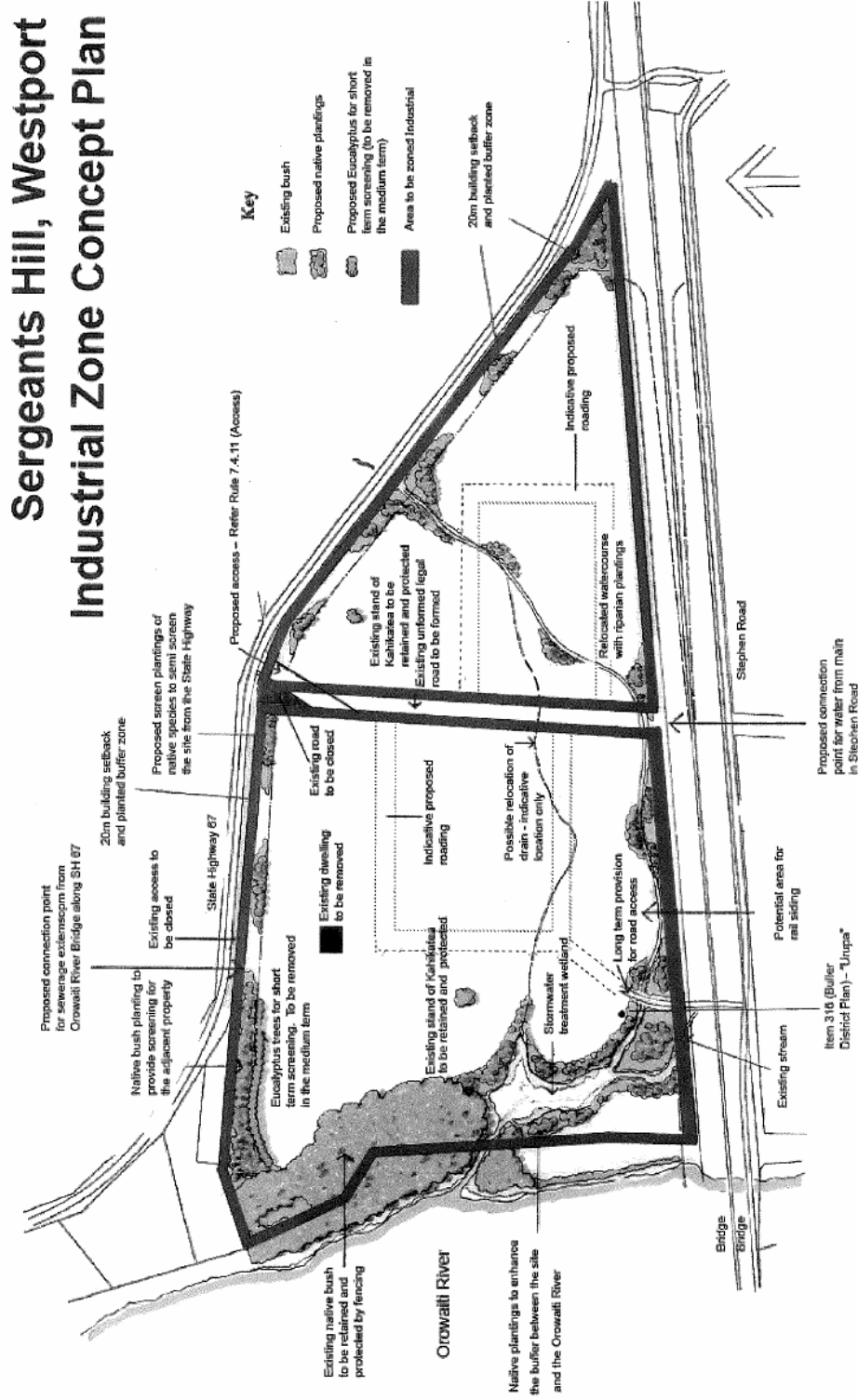
<b>Developments</b>	At the time of any industrial or commercial activity, development or subdivision in the Sergeants Hill Industrial Area, the site shall be connected into Council's sewerage and water reticulation at the cost of the developer.	Refer to Part 8	Refer to Part 8
<b>Esplanade Strips</b>	Refer to Table 5.5 (Industrial Zone)		
<b>General</b>			
<b>Glare</b>			
<b>Historic/Cultural Items</b>			
<b>Light Spill</b>			
<b>Noise</b>			
<b>Notable Trees</b>			
<b>Parking</b>			
<b>Planting and Landscaping</b>	At the time of subdivision, or within 12 months of first activity or development, landscaping shall be provided generally in accordance with the Concept Plan in Part 5.2.6.7, except where Part 7.9.3 takes precedence. For the purpose of this rule, "generally in accordance" means that locations, extent and type of landscaping is the same or similar to that shown on the Concept Plan and landscape schedule and shall include a 2m wide strip either side of the internal drain.	Not applicable.	Not applicable.
<b>Recession Planes</b>	Refer to Table 5.5 (Industrial Zone)		
<b>Service Areas / Storage Areas</b>			
<b>Signs</b>			
<b>Site Coverage</b>			
<b>Stormwater Disposal</b>	Prior to the development of any industrial or commercial activity or development in the Sergeants Hill Industrial Area, the wetland area shall be provided generally in accordance with the Concept Plan in Part 5.2.6.7. For the purpose of this rule, "generally in accordance" means that location, extent and type of wetland is the same or similar to that shown on the Concept Plan.		
<b>Subdivision</b>	Refer to Table 5.5 (Industrial Zone)		
<b>Vibration</b>			



#### **5.2.6.6. Explanation/Reasons**

- 5.2.6.6.1. The Industrial Zone is restricted to small, specific areas of the District mostly where industry is currently located. It also provides industrially zoned land in Westport which could be available for development in the future. Industrially zoned land includes parts of Adderley and Derby Streets in Westport, part of the Westport Port area adjacent to the Buller River, the harbour operational area, the old gasworks site in Peel Street and the Hattie Street, Roberts Street and Elizabeth Street industrial area in Reefton.
- 5.2.6.6.2. The zone recognises that the effects of some industrial activities are best controlled by segregation of that activity from other land uses, in particular those of a residential nature.
- 5.2.6.6.3. Standards have been set with the aim of controlling the effects of industry and associated activities which have the potential to adversely impact on the amenities of neighbours and environmental quality. Site specific rules apply to the Sergeants Hill Industrial Area. This area was established by private plan change, and site specific rules are required to ensure adequate servicing and access, and to avoid and mitigate adverse effects.
- 5.2.6.6.4. Landscaping of yards provides a visually pleasing buffer between an industrial activity and other land uses. Outdoor storage of materials is a typical activity associated with industry. Screening storage areas where this occurs, including the use of landscaping will ensure that unsightly or visually offensive areas will not be visible to neighbours including those people using adjacent public roads.
- 5.2.6.6.5. Residential areas in particular need to be protected from noise (see Part 7.8) but also vibration and blasting. While industrial activities may necessarily generate these effects, the hours in which they occur have been restricted to ensure night-time residential amenity is protected.
- 5.2.6.6.6. Also see Part 7.2 for an explanation and reasons for specific performance standards.

5.2.6.7. Sergeants Hill Industrial Area Concept Plan



Scale 1:2500 (A3)  
 1:5000 (A5)  
 October 2007

## **5.2.7. Port Zone**

5.2.7.1. Any activity in the Port Zone is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.6. It must also comply with the District Wide rules in Part 7.

5.2.7.2. Stormwater run-off associated with any permitted or controlled activity, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality.

### **5.2.7.3. Permitted Activities**

5.2.7.3.1. Any activity which complies with the standards listed below, except dwellings.

5.2.7.3.2. Network utilities, subject to compliance with Part 6 (Infrastructure).

### **5.2.7.4. Controlled Activities**

5.2.7.4.1. Any activity which complies with the standards for controlled activities and which involves a dwelling related to the operation of any permitted activity.

5.2.7.4.2. Matters over which the Council reserves control on controlled activities are:

5.2.7.4.2.1. The siting and design of any dwellings so that the occupants of any dwelling are not exposed to unreasonable nuisance or danger and the dwelling does not interfere with any existing or future Port activity.

5.2.7.4.2.2. The imposition of financial contribution conditions relating to landscaping, planting, fencing or screening as provided for in Part 8 of the Plan.

### **5.2.7.5. Discretionary Activities**

5.2.7.5.1. Any activity which complies with the standards for discretionary activities and is not a permitted or controlled activity.

5.2.7.5.2. Discretionary activities will be generally assessed according to the criteria in Part 9.

5.2.7.5.3. Financial contributions may be required in accordance with Part 8.

**Table 5.6 Port Zone Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Blasting</b>	No blasting shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.	Not applicable.	No blasting shall occur outside the hours of 0700 to 2000 hours weekdays and 0900 to 1600 hours on weekends and public holidays.
<b>Boundaries</b>	<b>Front yards</b> 5m setback from road.  <b>Rear and side yards</b> 10m where the property adjoins another zone.	Not applicable.	Front yard setback 4m from road where the property adjoins another zone.
<b>Building Height</b>	Maximum building height is 35m.	Not applicable.	Not applicable.
<b>Development Contributions</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Dust Nuisance</b>	A dust, fume or smoke nuisance shall not be created by an activity as per 5.2.7.6.5.	A dust, fume or smoke nuisance shall not be created by an activity as per 5.2.7.6.5.	A dust, fume or smoke nuisance shall not be created by an activity as per 5.2.7.6.5.
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Light Spill</b>	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Odour Nuisance</b>	An activity shall not create an objectionable odour which is detectable at the boundary of any residential site.	An activity shall not create an objectionable odour which is detectable at the boundary of any residential site.	An activity shall not create an objectionable odour which is detectable at the boundary of any residential site.
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Site Coverage</b>	Maximum site coverage is 75%.	Not applicable.	Not applicable.
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3
<b>Vibration</b>	No vibration shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.	Not applicable.	No vibration shall occur outside the hours of 0700 to 2000 hours weekdays and 0900 to 1600 hours on weekends and public holidays.

### **5.2.7.6. Explanation/Reasons**

- 5.2.7.6.1. The Port Zone is restricted to the area around the Port of Westport. It also provides Port zoned land in Westport which could be available for coast related development in the future.
- 5.2.7.6.2. The zone recognises that the effects of some port activities are best controlled by segregation of that activity from other land uses, in particular those of a residential nature.
- 5.2.7.6.3. The building height standard reflects that the use of cargo and container handling equipment is critical to the Port's operations. A permitted height of 35m is considered realistic for Port activities provided that no building shall encroach on a recession plane at an angle of 35 degrees measured from a point 2.5m above ground level at the boundary of any commercial or residential zone.
- 5.2.7.6.4. Also, see the Industrial Zone for an explanation and reasons for performance standards for amenities, storage, noise, vibration and blasting.
- 5.2.7.6.5. A dust, fume or smoke nuisance shall not be created by an activity. Such a nuisance is deemed to occur when:
- There is visible evidence of suspended solids or particulate matter in the air beyond the zone boundary that the activity occurs in; or
  - There is visible evidence of deposited particulate matter or dust which can be traced to an activity and which settles on any ground, building or structure on any site within Residential or Commercial Zones.



## **5.3. Rural Character Area**

### **5.3.1. Introduction**

- 5.3.1.1. The Rural Character Area extends from the coastal plains, inland up wide river valleys on river flats and terraces and includes extensive areas of both indigenous and introduced species forest. It is an extensive area, covering all that land not contained within the three other character classifications contained in this Plan, which is Natural Environments, Urban and Paparoa Character Areas.
- 5.3.1.2. The predominant economic activities within the area are currently extensive farming and forestry, although intensive agricultural activities and other forms of diversification are anticipated. There is, in particular, considerable potential for further development of forestry in the District.
- 5.3.1.3. The rules control the effects of activities on the environment and so ensure that the long-term ability of the land resource to cater for a wide range of activities in the future is not jeopardised. While some activities rely completely on the quality of the soil resource, others do not. Allowing a range of activities will contribute to the viability and sustainability of the rural community given the small population base at present. With activities which are not traditionally rural however, extra caution is needed so as to ensure that the amenities of the neighbours and rural community in general are not disrupted and that the activity does not detrimentally impact on soil quality. The Rural Character Area contains three zones - the Rural Zone, Rural Airport Zone and Cement Production Zone. The Rural Airport Zone contains additional controls to ensure that the take-off and climb-approach surfaces of Westport Airport are kept clear of distractions.
- 5.3.1.4. In those areas which are public conservation land, permission is required from the Department of Conservation to carry out any trade, business or occupation. A tourism or recreation concession or resource use licence must be obtained from the Department of Conservation. In cases where both resource consents and concessions or licences are required, there is potential for duplication of information. The preferred procedure for dealing with such situations is specified in Part 2.9 of the Plan.
- 5.3.1.5. On Crown land and land managed by the Department of Conservation, mechanisms are already in place to protect conservation values; the Council does not wish to unnecessarily duplicate consent procedures for potential applicants.

- 5.3.1.6. Part IIIA of the Forests Act 1949 promotes sustainable forest management and provides some control over vegetation clearance.
- 5.3.1.7. Until significant natural areas have been identified and included in the plan in accordance with policy 4.8.7.5, indigenous forestry harvesting carried out in accordance with Part IIIA of the Forests Act, or in the case of Timberlands West Coast Limited, a sustainable management plan approved by the Ministry of Agriculture and Forestry as complying with the requirements of Part IIIA of the Forests Act, will be classified as a restricted discretionary activity. Other indigenous forestry harvesting will be a fully discretionary activity.
- 5.3.1.8. Within the Rural Character Area significant mineral resources exist. These resources have the potential to contribute to the social and economic wellbeing of the District. It is in the District's best interests that these be identified and where feasible utilised, provided that the adverse effects are avoided, remedied or mitigated and having regard to the natural areas and habitats in the Rural Character Area. The rules provide for the prospecting, exploration and mining of mineral resources within the Character Area, subject to compliance with standards and District wide rules.



## **5.3.2. Rural Zone**

### **5.3.2.1. Permitted Activities**

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

explosives where the aggregate length of the samples taken using explosives does not exceed 50 linear metres of sample per hectare.

5.3.2.1.4.3. Geophysical surveys not using explosives.

5.3.2.1.4.4. For prospecting activities as per 5.3.2.1.4, where areas are disturbed, topsoil shall be stockpiled and replaced over such areas, and the site shall be rehabilitated and restored generally to its original condition.

5.3.2.1.5. Any commercial activities associated with the Port of Westport and carried out on the surface of the Buller River.

5.3.2.1.6. Any gold fossicking by hand held or riffle box methods in areas designated by the Minister of Economic Development as Gold Fossicking Areas.

5.3.2.1.7. All permitted activities are subject to:

5.3.2.1.7.1. Compliance with the standards for permitted activities in Table 5.7 and the District Wide Rules in Part 7.

5.3.2.1.7.2. Any earthworks shall be incidental to a permitted, controlled, limited discretionary or discretionary activity.

### **5.3.2.2. Controlled Activities**

5.3.2.2.1. Indigenous vegetation clearance and incidental earthworks (excluding natural wetlands) from 0.5ha up to 5.0ha per site, in total, over any continuous three year period. The matters over which control are reserved are:

5.3.2.2.1.1. Location and dimensions of areas to be cleared and vegetation type.

5.3.2.2.1.2. Effects on archaeological, cultural or historic sites.

5.3.2.2.1.3. Effects on habitat of any threatened or protected species.

5.3.2.2.1.4. Effects on waterbodies and riparian margins.

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

5.3.2.2.2.14. Impacts on public access, including recreation.

5.3.2.2.3. All controlled activities are subject to:

5.3.2.2.3.1. Compliance with the standards for controlled activities in Table 5.7 and the general rules in Part 7. Matters over which the Council reserves control on controlled activities:

5.3.2.2.3.2. The imposition of financial conditions as provided for in Part 8 of the Plan.

5.3.2.2.3.3. Whether there is record on the title the degree of natural hazard risk on the property.

5.3.2.2.3.4. For advanced mineral exploration, where areas are disturbed, topsoil shall be stockpiled and/or replaced over the area of land disturbed as soon as possible and no later than twelve months after the disturbance has occurred. The site shall be rehabilitated generally to its original condition.

5.3.2.2.3.5. All disturbed vegetation, soil or debris is deposited or contained in such a manner to prevent its movements and erosion into any waterway and the destruction of habitat in any fresh or coastal water body.

### **5.3.2.3. Discretionary Activities**

5.3.2.3.1. Any land use activity which complies with the standards for discretionary activities in Table 5.7 and is not a permitted or controlled activity.

5.3.2.3.2. Any commercial operation carried out on the surface of the Karamea River and Buller River and tributaries, other than activities associated with the Port of Westport.

5.3.2.3.3. Financial contributions may be required in accordance with Part 8.

5.3.2.3.4. Any indigenous forest extraction involving logging for the purposes of milling, other than in accordance with rule 5.3.2.4.2, is a discretionary activity.

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

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

5.3.2.4.1.1. The number and type of livestock.

5.3.2.4.1.2. The frequency and nature of management supervision.

5.3.2.4.1.3. The means of ventilation.

5.3.2.4.1.4. Odour control.

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

5.3.2.4.1.6. Building design.

5.3.2.4.1.7. Distance to boundaries and neighbouring dwellings.

5.3.2.4.1.8. Noise control

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

5.3.2.4.2.1. Effects on waterbodies, wetlands and riparian margins.

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

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

5.3.2.4.2.4. Protection of outstanding natural features and landscapes.

5.3.2.4.2.5. Protection of areas of significant indigenous vegetation and significant habitats of

indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.

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

- 5.3.2.4.3.10. Site restoration, rehabilitation or revegetation.
- 5.3.2.4.3.11. Noise control, including vibrations.
- 5.3.2.4.3.12. Use, storage and transportation of hazardous substances.
- 5.3.2.4.3.13. Financial contributions relating to landscaping, land restoration and roading.
- 5.3.2.4.3.14. Impacts on public access, including recreation.
- 5.3.2.4.4. Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site, in total, over a continuous three year period. The matters over which discretion is restricted are:
  - 5.3.2.4.4.1. Effects on waterbodies, wetlands and riparian margins.
  - 5.3.2.4.4.2. Effects on habitats of any threatened or protected species.
  - 5.3.2.4.4.3. Effects on archaeological, cultural or historic sites within the extraction area.
  - 5.3.2.4.4.4. Protection of outstanding natural features and landscapes.
  - 5.3.2.4.4.5. Protection of areas of significant indigenous vegetation or significant habitats of indigenous fauna identified using the criteria in Policy 4.8.7.4 as a guideline.
  - 5.3.2.4.4.6. Effects on ecological functioning and the life supporting capacity of air, water, soil and ecosystems.
  - 5.3.2.4.4.7. Effects on the intrinsic values of ecosystems.
  - 5.3.2.4.4.8. Effects on recreational values of public land.
- 5.3.2.4.5. All limited discretionary activities are subject to compliance with the District Wide Rules in Part 7.

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

**Table 5.7 Rural Zone Standards**

<b>ITEM</b>	<b>PERMITTED</b>	<b>CONTROLLED</b>	<b>DISCRETIONARY</b>
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Front yards</b> 10m setback from road.</p> <p><b>Side and rear yards</b> 1.5m.</p> <p><b>Minimum side and rear yard</b> For buildings which at any time contain over five animals is 30m.</p> <p>For forestry, prospecting and residential activities, the minimum distance from the Mean High Water Spring mark is 150m.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>	<p>Not applicable.</p> <p><b>Side and rear yards</b> 1m.</p> <p>Not applicable.</p>
<b>Building Height</b>	<p>Maximum building height for residential buildings is 10m.</p> <p>Maximum building height for other buildings is 20m.</p>	Not applicable.	<p>Maximum building height for residential buildings is 15m.</p> <p>Maximum building height for other buildings is 25m.</p>
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Dwellings</b>	Maximum number of dwellings per site is 2.	Not applicable.	Not applicable.
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Ground Floor Area</b>	The maximum gross ground floor area of a single building is 500m <sup>2</sup> .	Not applicable.	The maximum gross ground floor area of a single building is 1000m <sup>2</sup> .
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6



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

### 5.3.2.5. Explanation/Reasons

- 5.3.2.5.1. The rules in the Rural Zone aim to ensure that the rural character of the District is not diminished or compromised. The impact of some activities not traditionally located in the rural area (and even some that are) can have an adverse effect on the amenities of rural residents and the scenic, aesthetic and use values of the rural land resource. Permitted activities are therefore restricted to those generally accepted within the rural area and performance standards control their effects. This prevents industries or shops locating in the rural zone as of right where they might use land containing the best soils and may conflict with policies to sustain existing commercial areas. Factory farming and forestry are generally acceptable but conditions may need to be imposed to ensure that any adverse environmental effects are minimised.
- 5.3.2.5.2. Generally a permissive approach is taken to activities wishing to locate in the rural area by making a wide range of activities discretionary as the Paparoa and Natural Environments Character Areas retain most of the land which should be conserved through the more strict provisions.
- 5.3.2.5.3. Controls in the form of standards have been set detailing the level of effects considered acceptable in the Rural Character Area and all permitted, controlled and restricted controlled activities must, in addition, comply with the District Wide Rules set out in Part 7 of the Plan.

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

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

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

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

- 5.3.2.5.7. Most signs require a resource consent (except those permitted by the general rules). Signs which comply with minimum standards are discretionary. If these standards are not met they will be considered as non-complying activities. The Buller District has a distinct character and environmental quality which is valued by both residents

and visitors alike. See also Part 7.7 for explanation and reasoning of performance standards for signs.

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



### 5.3.3. Rural Airport Zone

#### 5.3.3.1. Permitted and Controlled Activities

- 5.3.3.1.1. Any activity which is permitted or controlled in the Rural Zone and meets the standards for permitted or controlled activities in the Rural Zone, and that also complies with the standards in Table 5.8.
- 5.3.3.1.2. Network utilities subject to compliance with Part 6 Infrastructure.

#### 5.3.3.2. Discretionary Activities

- 5.3.3.2.1. Any commercial operation carried out on the surface of the Buller River or its tributaries unless associated with the Port of Westport.
- 5.3.3.2.2. Any activity which is discretionary in the Rural Zone if it falls within the standards for each category in Table 5.8 and is not a permitted or controlled activity.
- 5.3.3.2.3. The assessment of discretionary activities is as 5.3.2.2, and in addition will consider the actual or potential effect of the activity on the safety of flight paths and the airport.

**Table 5.8 Rural Airport Zone Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Front yards</b> 10m setback from road.</p> <p><b>Side and rear yards</b> 1.5m.</p> <p>Minimum side and rear yard for buildings which at any time contain over five animals is 30m.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>	<p>Not applicable.</p> <p><b>Side and rear yards</b> Less than 1m.</p> <p>Not applicable.</p>
<b>Buildings</b>	No building for the assembly of people, that is designed to accommodate or house greater than 15 persons, for example churches, halls and schools.	Not applicable.	Not applicable.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Dwellings</b>	Maximum number of dwellings per site is 2.	Not applicable.	Not applicable.

<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Ground Floor Area</b>	The maximum gross ground floor area of a single building is 500m <sup>2</sup> .	Not applicable.	The maximum gross ground floor area of a single building is 1000m <sup>2</sup> .
<b>Height</b>	Maximum height of buildings, structures, masts and trees is 1.2m.	Not applicable.	Not applicable.
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

### **5.3.3.3. Explanation/Reasons**

5.3.3.3.1. The Rural Airport Zone at Westport Airport covers the area where there is a 1.2m height restriction for airport safety. In addition there are take-off and climb-approach surfaces, horizontal and conical surfaces which cover areas wider than the zone and which are controlled by the District Wide Rules.

5.3.3.3.2. The following properties are included in the zone:-

5.3.3.3.2.1. Part Section 37, Recreation Reserve (Carters Beach Domain), Block II, Survey District; Gaz. 1938, page 1866.

5.3.3.3.2.2. Part Section 62, Block XI, Steeples Survey District.

5.3.3.3.2.3. Part Section 17, Block XI, Steeples Survey District (C.T. 98/19).

5.3.3.3.2.4. Part Section 19, Harbour Reserve, Block II, Steeples Survey District; Gaz. 1928, page 2759.

5.3.3.3.2.5. Part Section 48, Block XI, Steeples Survey District.

- 5.3.3.3.2.6. Part Section 50, Block XI, Steeples Survey District.
  - 5.3.3.3.2.7. Crown land, Block XI, Steeples Survey District.
  - 5.3.3.3.2.8. Part Section 17, Block XI, Steeples Survey District (C.T. 5A/1095).
  - 5.3.3.3.2.9. Part Section 60, Block XI, Steeples Survey District.
  - 5.3.3.3.2.10. Part Section 8, Quarantine Reserve, Block III, Kawatiri Survey District; Gaz. 1904, page 2119.
- 5.3.3.3.3. The rules for permitted, controlled and discretionary activities in the Rural Character Area also apply to this zone with the exception of buildings and continuous activities which attract large numbers of people. The height of buildings is strictly controlled and buildings are limited to those which are required for the operation of any permitted activity. The flight paths of aircraft using the airport must be kept clear of any potential obstruction or hazard, including trees and masts. Also compliance with Part 7 District Wide rules is required.
- 5.3.3.3.4. No building, structure, tree or other object may intrude into the take-off or climb-approach surfaces rising at a gradient of 1.6% (1:62.5) for a horizontal distance of 18,000m from the main strip, nor the surfaces rising at a gradient of 2.5% (1:40) over a horizontal distance of 3,000m from the two subsidiary strips as shown on the Airport Protection diagram in the Planning Maps.
- 5.3.3.3.5. No building, structure, tree or other object may intrude the transitional surface which extends outwards and upwards from the side of each take-off, climb-approach surface and strip rising at a gradient of 14.3% (1:7) to intercept the horizontal surface described below.
- 5.3.3.3.6. No building, structure, tree or other object may intrude the horizontal surface located 46m above the aerodrome elevation datum. Its outer limits are at a horizontal radius of 4,000m, measured from the periphery of the main strip as shown on the Airport Protection diagram in the Planning Maps. If the existing ground level penetrates or comes close to the horizontal surface, then the horizontal surface will be adjusted so as to provide a vertical clearance of 11m above the ground level.

- 5.3.3.3.7. No building, structure, tree or other object may intrude the conical surface which extends upwards and outwards at a slope of 2.5% (1:40) to its outer limits which are contained in a horizontal plane located 152m above the aerodrome elevation datum as shown on the Airport Protection diagram in the Planning Maps. Where the existing ground level penetrates or comes close to the conical surface, then this surface will be adjusted to provide a vertical clearance of 11m from ground level.
- 5.3.3.3.8. Also see Part 7.2 for explanation and reasoning of specific standards.



## **5.3.4. Cement Production Zone**

5.3.4.1. Activities in the Cement Production Zone are either permitted, controlled, or discretionary if they fall within the standards for that activity listed in Table 5.9 or Table 5.10. Activities listed in Table 5.9 must also comply with the District Wide rules in Part 7.

5.3.4.2. Stormwater run-off associated with any permitted or controlled activity, including earthworks, shall be collected and treated prior to discharge to ensure there are no significant adverse effects on water quality.

### **5.3.4.3. Permitted Activities**

5.3.4.3.1. Industry related to the use, processing, disposal, production and export of mineral resources which complies with the standards listed in Table 5.9 below (excluding mining, quarrying and associated activities).

5.3.4.3.2. Any agricultural activity complying with the standards below.

5.3.4.3.3. Network utilities, subject to compliance with Part 6 (Infrastructure).

5.3.4.3.4. Mining, quarrying and associated activities which complies with the standards set out in Table 5.10 below.

### **5.3.4.4. Controlled Activities**

5.3.4.4.1. Dwellings related to the operation of any permitted activity.

### **5.3.4.5. Discretionary Activities**

5.3.4.5.1. Any activity which complies with the standards for discretionary activities and is not a permitted or controlled activity.

5.3.4.5.2. Discretionary activities will be generally assessed according to the criteria in Part 9.

5.3.4.5.3. Financial contributions may be required in accordance with Part 8.

Table 5.9 Cement Production Zone Standards

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Blasting</b>	No blasting shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.	Not applicable.	No blasting shall occur outside the hours of 0700 to 2000 hours weekdays and 0900 to 1600 hours on weekends and public holidays.
<b>Boundaries</b>	<b>Front yards</b> 5m setback from road.  <b>Rear and side yards</b> 10m where the property adjoins another zone.	Not applicable.	Front yard setback 4m from road where the property adjoins another zone.
<b>Building Height</b>	Maximum building height is 50m.	Not applicable.	Not applicable.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Light Spill</b>	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2	Refer to Part 7.9.4.2
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Service Areas / Storage Areas</b>	All service and storage areas, not including buildings or structures used for storage or servicing purposes and over 5m in height, shall not be visible from any residentially zoned site or public road.	Not applicable.	Not applicable.
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Site Coverage</b>	Maximum site coverage is 75%.	Not applicable.	Not applicable.
<b>Stormwater Disposal</b>	Refer to Part 7.9.2.	Refer to Part 7.9.2.	Refer to Part 7.9.2.
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3
<b>Vibration</b>	No vibration shall occur outside the hours of 0800 to 1800 hours weekdays and 0900 to 1600 hours on weekends and public holidays.	Not applicable.	No vibration shall occur outside the hours of 0700 to 2000 hours weekdays and 0900 to 1600 hours on weekends and public holidays.

**Table 5.10 Cement Production Zone Standards - Permitted Mining, Quarrying and Associated Activities**

ITEM	STANDARD
<b>Noise</b>	<p>7.00am - 9.00pm Monday-Friday ) 7.00am - 5.00pm Saturday )      55 dBA (L<sub>10</sub>)</p> <p>All other times, including ) statutory public holidays )      40 dBA (L<sub>10</sub>)</p> <p>Noise to be measured 20 metres from a dwelling existing as at 1 March 1999.</p> <p>The noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standards NZS 6801:1991 "Measurement of Sound" and New Zealand Standard NZS 6802:1991 "Assessment of Environmental Sound". Noise shall be measured with a sound level meter complying at least with International Standard 1EC641 (1979): Sound Level Meters, Type 1.</p> <p>Representative noise levels shall be monitored and measured by the quarry operator at intervals not exceeding 6 months, commencing 1 July 1999, at a point 20 metres from a dwelling house as defined above. Such monitoring shall continue for the duration of the mining and quarrying activities. The results of such monitoring shall be provided to the Council's Planning Manager. The quarry operator shall make the results of such monitoring available to the public.</p>
<b>Vibration</b>	<p>Vibration from quarry activities shall not exceed 5mm/second ppv 97.5% compliance at the notional boundary (20m from a dwelling) of a dwelling existing as at 1 March 1999.</p> <p>The noise created by the use of explosives shall either not exceed a peak overall sound pressure level of 128dB (ie a peak over pressure of 0.05kPa) or alternatively the noise shall not exceed a peak sound level of 122dBC. The measurement shall be made in either case at any point measured 20 metres from a dwelling existing as at 1 March 1999.</p> <p>All blasting shall be restricted to between the hours of 9.00am and 5.00pm.</p>
<b>Traffic</b>	<p>Bulk transport of quarried material between the quarry and the cement production works shall be confined to the private route owned by Milburn New Zealand Limited.</p>

<p><b>Dust</b></p>	<p>Dust arising from the crushing, screening, and transfer operations, and from the use of quarry roads is to be suppressed by the use of water sprays or other methods approved by the Council.</p> <p>Dust monitoring is to be carried out by the quarry operator at intervals not exceeding 6 months, commencing 1 July 1999, at a point 20 metres from the closest residential building existing as at 1 March 1999. Such monitoring is to consist of a 15 day sample, using an Atmospheric Dust Fall deposit gauge. Such monitoring shall continue for the duration of the mining and quarrying activities. The results of such monitoring shall be provided to the Council Planning Manager. The quarry operator shall make the results of such monitoring available to the public.</p>
<p><b>Landscaping</b></p>	<p>A landscaped area with a minimum width of 3m shall be provided along the boundaries of the site, except where it is necessary to provide vehicle access points. Landscaping shall comprise planted stop banks, or planting and shall be maintained at all times in such a manner as to create and preserve a visual screen for adjacent sites.</p>
<p><b>Landscape and Rehabilitation Plan</b></p>	<p>A Landscape and Rehabilitation Plan shall be prepared for all areas subject to mining and quarrying with the zone. The objective of the plan shall be to ensure appropriate management of quarrying and mining activities during their life in order to avoid, remedy or mitigate off-site visual effects, and to ensure, after quarrying ceases, that the affected areas are left in a manner which is compatible with the landscape setting.</p> <p>The Landscape and Rehabilitation Plan is to be prepared voluntarily by the quarry operator and is to be submitted to Council within six months of this plan being made operative.</p> <p>By 1 January each year the operator shall provide the Council with an Annual Work Report describing quarrying activities for the forthcoming 12 months. The Annual Work Report shall provide the following information:</p> <ul style="list-style-type: none"> <li>(a) Outline the process by which limestone will be extracted from the site.</li> <li>(b) Describe proposals and programming of landscape enhancement works involving the planting, screening and landscaping of the site, particularly to soften the appearance of the site from public places and adjoining properties.</li> <li>(c) Describe the programme for rehabilitation activities.</li> </ul>
<p><b>Complaints Register</b></p>	<p>The quarry operator shall keep a formal record of any complaints with respect to operations within the Cement Production Zone lodged by the public, and shall annually report to the Council's Planning Manager on complaints received and actions taken to resolve such complaints.</p>

**5.3.4.6. Explanation/Reasons**

- 5.3.4.6.1. The Cement Production Zone covers the cement production facilities on Cape Foulwind.
- 5.3.4.6.2. The zone recognises that the effects of some cement production activities are best controlled by segregation of that activity from other land uses, in particular those of a residential nature.
- 5.3.4.6.3. The building height standard reflects the use of equipment that is critical to the production operations. A permitted height of 50m recognises that the activities are largely already in place and their effects are well established.
- 5.3.4.6.4. Standards relating to noise, visual appearance and car parking are set, to safeguard the amenities of neighbouring areas and the natural environment.
- 5.3.4.6.5. Also see Part 7.2 for explanation and reasoning of specific standards.



## **5.4. Paparoa Character Area**

### **5.4.1. Introduction**

- 5.4.1.1. The Paparoa Character Area extends from the southern boundary of the Buller District near Dolomite Point, Punakaiki to Needle Point. Areas in Punakaiki and Ross Subdivision are included in the Urban Character Area with special controls to acknowledge their special scenic significance. The seaward boundary is represented by MHWS and the inland boundary as indicated on the planning maps. Within the Paparoa Character Area the coast has a significant influence on landform, vegetation and human activities. The Paparoa Coast is identified as being unique compared with the remainder of the District. In recognition of this distinctive character, a different management approach has been applied to the Paparoa Coast.
- 5.4.1.2. The emphasis of the rules for the Paparoa Character Area is on retaining and enhancing the scenic and amenity values of the coastline. Protection is given to indigenous vegetation and to water quality, coastal character, historical and cultural resources. Significant areas of natural or modified indigenous vegetation remain over much of this coastline and contribute to the dramatic contrast that exists between the land and the sea.
- 5.4.1.3. Some parts of the Paparoa Character Area cover land managed by the Department of Conservation. Therefore permission is required from the Department of Conservation to carry out any trade, business or occupation on the land. To this end the Department requires that a tourism or recreation concession or resource use licence be obtained in order to carry out activities on land managed by the Department of Conservation. Such licences can be granted on a temporary or trial basis, for one-off activities or for a specified period of time. There is potential for duplication of information where both a concession or licence and a resource consent are both required, the procedure for dealing with such situations is specified on Part 2.9 of the Plan.
- 5.4.1.4. Any activity in the Paparoa Character Area is either permitted, controlled or discretionary if it falls within the standards for each category in Table 5.10A. It must also comply with the District Wide rules in Part 7.

### **5.4.2. Permitted Activities**

- 5.4.2.1. Any agricultural, forestry or residential activity which complies with the standards listed in Table 5.10A except those listed as controlled activities.

- 5.4.2.2. Additions to any existing building or structure as per the standards in Table 5.10A.
- 5.4.2.3. Network utilities, subject to compliance with Part 6 (infrastructure).
- 5.4.2.4. Any clearance of indigenous vegetation to be incidental to a permitted activity and limited to 200m<sup>2</sup> per hectare.
- 5.4.2.5. No modification to, or destruction of, an area identified as a significant natural feature or landscape. No modification to, or destruction of, areas identified as significant indigenous vegetation or significant habitats of indigenous fauna is allowed.

### **5.4.3. Controlled Activities**

- 5.4.3.1. Any agricultural, forestry or residential activity which complies with the standards for controlled activities and which involves any of the following aspects:
  - 5.4.3.1.1. The erection of any new building or structure.
  - 5.4.3.1.2. The construction or formation of any vehicle track or access.
  - 5.4.3.1.3. The planting of exotic tree species for commercial and/or shelter belt purposes.
- 5.4.3.2. Matters over which the Council reserves control on controlled activities:
  - 5.4.3.2.1. The form of buildings in relation to their coastal setting.
  - 5.4.3.2.2. The bulk of buildings.
  - 5.4.3.2.3. The external finish of buildings.
  - 5.4.3.2.4. Any earthworks or construction for any building accessway and parking places. Conditions may be imposed controlling earthworks in accordance with Part 8.
  - 5.4.3.2.5. Any aspect related to the clearance of indigenous trees and shrubs.
  - 5.4.3.2.6. The planting pattern for exotic trees.
  - 5.4.3.2.7. The imposition of financial contribution conditions as provided for in Part 8 of the Plan.



5.4.3.3. No modification to, or destruction of, an area identified as a significant natural feature or landscape. No modification to, or destruction of, areas identified as significant indigenous vegetation or significant habitats of indigenous fauna is allowed.

**5.4.4. Discretionary Activities**

5.4.4.1. Any earthworks to be incidental to another activity and limited to a maximum volume of 100m<sup>3</sup>.

5.4.4.2. Maximum clearance of indigenous vegetation is 500m<sup>2</sup> per hectare.

5.4.4.2.1. Discretionary activities will be assessed according to the criteria in Part 9.

5.4.4.2.2. Financial contributions may be required in accordance with Part 8.

**Table 5.10A Paparoa Character Area Standards**

ITEM	PERMITTED	CONTROLLED	DISCRETIONARY
<b>Access</b>	Refer to Part 7.4	Refer to Part 7.4	Refer to Part 7.4
<b>Boundaries</b>	<p><b>Front Yard</b> Setback from road 10m.</p> <p><b>Side/Rear Yards</b> 2m.</p> <p><b>Livestock/Animals</b> Minimum separation distance between buildings housing commercial livestock and a residential zone boundary shall be 400m and from any dwelling 30m or other boundary 20m.</p> <p><b>Coastal Marine Area</b> No activity to be carried out within 50m of the Mean High Water Springs Mark.</p>	<p><b>Front Yard</b> Setback from road 10m.</p> <p><b>Side/Rear Yards</b> 2m.</p> <p><b>Livestock/Animals</b> Minimum separation distance between buildings housing commercial livestock and a residential zone boundary shall be 400m and from any dwelling 30m or other boundary 20m.</p> <p><b>Coastal Marine Area</b> No activity to be carried out within 50m of the Mean High Water Springs Mark.</p>	<p><b>Front Yard</b> Minimum 8m.</p> <p><b>Side/Rear Yards</b> 1.5m.</p> <p><b>Livestock/Animals</b> Minimum separation distance between buildings housing commercial livestock and a residential zone boundary shall be 400m and from any dwelling 30m or other boundary 20m.</p> <p><b>Coastal Marine Area</b> Any activity to be carried out within 50m of the Mean High Water Springs Mark.</p>
<b>Buildings</b>	Where there is more than one building per site, only two buildings may be used as dwellings.	Not applicable.	Not applicable.
<b>Building Height</b>	Maximum building height is 7m.	Not applicable.	Maximum building height is 10m.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Earthworks</b>	Any earthworks to be incidental to a permitted or controlled activity.	Not applicable.	Any earthworks to be incidental to another activity and limited to a maximum volume of 100m <sup>3</sup> .

<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>Forestry</b>	Plantings not to include Douglas Fir, <u>Pseudotsuga menziesii</u> .	Plantings not to include Douglas Fir, <u>Pseudotsuga menziesii</u> .	Plantings of Douglas Fir, <u>Pseudotsuga menziesii</u> .
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4
<b>Ground Floor Area</b>	The maximum permitted gross ground floor area of a single building is 150m <sup>2</sup> and no addition of greater than 50m <sup>2</sup> gross floor area to an existing building or structure. No addition of any size to an existing building or structure, where a 50m <sup>2</sup> or greater addition to gross floor area has already been undertaken since 15 March 1995  The combined total ground floor area of all buildings per site is 500m <sup>2</sup> .	Not applicable.  Not applicable.	The maximum gross ground floor area of a single building is 300m <sup>2</sup> and no addition of greater than 50m <sup>2</sup> gross floor area to an existing building or structure, where a 50m <sup>2</sup> or greater addition to gross floor area has already been undertaken since 15 March 1995  Not applicable.
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Lighting</b>	Refer to Light Spill in Part 7.9.4.2	Refer to Light Spill in Part 7.9.4.2	Refer to Light Spill in Part 7.9.4.2
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Riparian Margins</b> Natural Wetlands (>0.5ha)  Lakes  Rivers and Streams with an average bed width of >3m adjacent to the proposed activity	No modification within 25m of the wetland except as provided in 5.4.5.10  No modification within 20m of the lake except as provided in 5.4.5.10  No modification within 10m of the riverbank or streambank except as provided in 5.4.5.10  Note: 'No modification' as used in this table is clarified in explanation 5.4.5.10	Not applicable  Not applicable  Not applicable	Activities within 25m of the wetland except as provided for in 5.4.5.10  Activities within 20m of the lake except as provided for in 5.4.5.10  Activities within 10m of the riverbank or streambank except as provided for in 5.4.5.10
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

#### **5.4.5. Explanation/Reasons**

- 5.4.5.1. The standards aim to ensure that the Paparoa coastal environment is protected from the effects of activities which could detrimentally impact on the scenic and natural values of this unique section of the Buller coastline. Small scale, visually unobtrusive activities can locate in the Paparoa Character Area with minimal controls. Controls (in the form of standards) have been set detailing the level of effects considered acceptable in this character area and all permitted and controlled activities, must, in addition, comply with the District Wide Rules set out in Part 7 of the Plan.
- 5.4.5.2. Activities which may have adverse effects on the scenic qualities of the area will fall into either the discretionary or non-complying categories. For example tourist related activities, or factory farming may be acceptable, but only on suitable sites where parking areas or large buildings will not result in a loss of character to the area.
- 5.4.5.3. Floor area controls are necessary to prevent large buildings and/or structures locating in a visually intrusive manner. Height controls ensure that any building or structure is not visually intrusive or dominates the surrounding landscape or natural features. The 7 (seven) metre height limit for permitted activities ensures that buildings will generally be less than 2 storeys high and the 10 metre height limit for discretionary activities means most buildings over 2 storeys will be non-complying. Control of building size or maximum gross floor area implement policies which aim to reduce the visual intrusion of buildings on the landscape and natural values of the Paparoa coastline.
- 5.4.5.4. The disposal of sewage and other waste in the Paparoa Character Area has in the past, and continues to be a significant problem. Any further development may, in fact, be constrained by the adequacy of waste assimilation. Standards controlling the size of buildings aim to ensure that adequate soakage area is available on each site to dispose of effluent.
- 5.4.5.5. Indigenous vegetation clearance controls ensure that indigenous trees and shrubs are not cleared indiscriminately and that wherever possible buildings and tracks (or other activities) are located in areas where trees and shrubs do not need to be removed.
- 5.4.5.6. The provision of two dwellings per site will prevent conglomeration of housing on single sites and ensure clear title/dwelling boundaries are established and maintained.

- 5.4.5.7. Controls on the distance between buildings and property boundaries are necessary to ensure effects on neighbouring landowners and activities are minimised and to maintain amenity values. For activities involving the keeping of animals separation distances have been specified that aim to protect neighbours from offensive elements such as noise and odours. Yards also allow landscaping and infrastructure services to be supplied to a site.
- 5.4.5.8. Activities within 50m of the Mean High Water Spring are discretionary in order to establish whether they are suitable in such a sensitive environment. Generally, buildings will not be acceptable, but activities which have a minimal environmental impact will be catered for.
- 5.4.5.9. The Paparoa Character Area is an especially sensitive environment where signs must be appropriately designed. Also see Part 7.7 for further explanation and reasoning of signage standards.
- 5.4.5.10. No modification of riparian margins excludes the following activities:
- Rivers and Streams: fencing, pest and weed control, the retrieval and removal of unavoidable logging and the removal of other logging debris, cable suspension logging, construction of access points to water on the basis of either one per site or one every 400m of linear measure for stock and vehicles, structures such as whitebait stands.
  - Lakes: fencing, pest and weed control.
  - Natural Wetlands: fencing, pest and weed control.

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

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

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

- 5.4.5.11. Also see Part 7.2 for explanation and reasoning of specific standards.

## **5.5. Natural Environments Character Area**

### **5.5.1. Introduction**

- 5.5.1.1. The Natural Environments Character Area covers those parts of the District that are national park (part of the Paparoa National Park and proposed Kahurangi National Park) and ecological areas.
- 5.5.1.2. The broad purpose of the Natural Environments Character Area is to reflect the high overall conservation values present, while recognising that there are also a number of other uses and/or values attributable to this land, such as recreation, tourism, mining, hydroelectric generation and cultural and aesthetic values.
- 5.5.1.3. The rules and standards recognise that the sensitivity of the receiving environment is the critical determining factor in assessing what activities are appropriate.
- 5.5.1.4. As the land within the Natural Environments Character Area is public conservation land, permission is required from the Department of Conservation to carry out any trade, business or occupation on that land. To this end the Department requires that a tourism or recreation concession or resource use licence be obtained in order to carry out activities on public conservation land. Such licences can be granted on a temporary or trial basis, for one-off activities or for a specified period of time.
- 5.5.1.5. Under Section 4 of the Act, certain activities of the Crown on land held or managed under the Conservation Act are not subject to the Resource Management Act such as defence works or works and activities within the boundaries of any area of land held or managed under the Conservation Act which are:
- (a) consistent with a conservation management strategy or management plan;
  - (b) do not have significant adverse effects beyond the boundary of the area of land.
- 5.5.1.6. Where these criteria are not met, a resource consent may be sought under the Resource Management Act to avoid, remedy or mitigate adverse effects. However, in other cases, there is potential for duplication of information where both a concession or licence and a resource consent are both required. The preferred procedure for dealing with such situations is specified in Section 2.9 of the Plan.

## **5.5.2. Permitted Activities**

- 5.5.2.1. Recreational activities and agricultural activities, reserves, maintenance of recreational facilities and tracks, and natural hazard mitigation measures which comply with the standards in Table 5.11 except for those specified as controlled activities.
- 5.5.2.2. Indigenous forest replanting.
- 5.5.2.3. Exotic forestry harvesting.
- 5.5.2.4. Network utilities, subject to compliance with Part 6 (Infrastructure) and Part 7 District Wide Rules.
- 5.5.2.5. Any earthworks to be incidental to a permitted or controlled activity.
- 5.5.2.6. No activity to be carried out within 100m of the Mean High Water Springs Mark.

## **5.5.3. Controlled Activities**

- 5.5.3.1. Any commercial recreational activity or agricultural activity, which complies with the standards for controlled activities and which involves any of the following activities:
  - 5.5.3.1.1. The erection of or addition to any building or structure.
  - 5.5.3.1.2. The construction/formation of any vehicle track or accessway.
- 5.5.3.2. Indigenous forest harvesting in compliance with an approved Sustainable Management Plan.
- 5.5.3.3. Any clearance of indigenous vegetation to be incidental to a permitted or controlled activity.
- 5.5.3.4. No activity may be carried out within 100m of the Mean High Water Spring mark.
- 5.5.3.5. Matters over which the Council reserves control on controlled activities:
  - 5.5.3.5.1. The external finish of buildings.
  - 5.5.3.5.2. Any earthworks or construction for any building, accessways and parking places. Financial contributions may be required in accordance with Part 8.
  - 5.5.3.5.3. Clearance of indigenous vegetation.

5.5.3.5.4. The imposition of financial contribution conditions as provided for in Part 8 of the Plan.

5.5.3.5.5. Creation or maintenance of roading and access to harvesting sites.

**5.5.4. Discretionary Activities**

5.5.4.1. Any earthworks to be incidental to a discretionary activity.

5.5.4.2. Any commercial operation carried out on the surface of the Buller River or its tributaries, and the Karamea River.

5.5.4.3. Any other land use activity which complies with the standards for discretionary activities.

5.5.4.4. Discretionary activities will be assessed according to the criteria in Part 9.

5.5.4.5. Financial contributions may be required in accordance with Part 8.

**Table 5.11 Natural Environments Character Area Standards**

<b>ITEM</b>	<b>PERMITTED</b>	<b>CONTROLLED</b>	<b>DISCRETIONARY</b>
<b>Access</b>	Refer to Part 7.4.	Refer to Part 7.4.	Refer to Part 7.4.
<b>Boundaries</b>	<p><b>Front Yard</b> Setback from road 10m.</p> <p><b>Side/Rear Yards</b> 2m</p> <p><b>Coastal Marine Area</b> No activity to be carried out within 100m of the Mean High Water Spring Mark.</p>	<p><b>Front Yard</b> Setback from road 10m.</p> <p><b>Side/Rear Yards</b> 2m</p> <p><b>Coastal Marine Area</b> No activity to be carried out within 100m of the Mean High Water Spring Mark.</p>	<p><b>Front Yard</b> Setback from road 8m.</p> <p><b>Side/Rear Yards</b> 1.5m.</p> <p><b>Coastal Marine Area</b> No activity to be carried out within 50m of the Mean High Water Springs Mark.</p>
<b>Building Height</b>	Maximum building height is 6m.	Not applicable.	Maximum building height is 8m.
<b>Developments</b>	Refer to Part 8	Refer to Part 8	Refer to Part 8
<b>Esplanade Strips</b>	Refer to Part 7.9.6	Refer to Part 7.9.6	Refer to Part 7.9.6
<b>General</b>	Refer to Part 7.9.1	Refer to Part 7.9.1	Refer to Part 7.9.1
<b>Glare</b>	Refer to Part 7.9.4	Refer to Part 7.9.4	Refer to Part 7.9.4

<b>Ground Floor Area</b>	<p>The maximum gross ground floor area of a single building is 50m<sup>2</sup> and no addition of greater than 20m<sup>2</sup> to any existing building or structure.</p> <p>No addition of any size to an existing building or structure where a 20m<sup>2</sup> or greater addition to the gross floor area has already been undertaken since 15 March 1995.</p> <p>The total floor area of all buildings per site is 100m<sup>2</sup>.</p>	Not applicable.	<p>Maximum gross ground floor area of a single building is 100m<sup>2</sup> and any addition of greater than 50m<sup>2</sup> to any existing building or structure.</p> <p>No addition of any size to an existing building or structure where a 50m<sup>2</sup> or greater addition to the gross floor area has already been undertaken since 15 March 1995.</p> <p>Not applicable.</p>
<b>Historic/Cultural Items</b>	Refer to Part 7.9.7	Refer to Part 7.9.7	Refer to Part 7.9.7
<b>Noise</b>	Refer to Part 7.8	Refer to Part 7.8	Refer to Part 7.8
<b>Notable Trees</b>	Refer to Part 7.9.8	Refer to Part 7.9.8	Refer to Part 7.9.8
<b>Parking</b>	Refer to Part 7.5	Refer to Part 7.5	Refer to Part 7.5
<b>Planting</b>	Refer to Part 7.9.3	Refer to Part 7.9.3	Refer to Part 7.9.3
<b>Recession Planes</b>	Refer to Part 7.6	Refer to Part 7.6	Refer to Part 7.6
<b>Riparian Margins</b> Natural Wetlands (>0.5ha)	No modification within 25m of the wetland except as provided in 5.5.5.6	Not applicable	Activities within 25m of the wetland except as provided for in 5.5.5.6
Lakes	No modification within 20m of the lake except as provided in 5.5.5.6	Not applicable	Activities within 20m of the lake except as provided for in 5.5.5.6
Rivers and Streams with an average bed width of >3m adjacent to the proposed activity	No modification within 10m of the riverbank or streambank except as provided in 5.5.5.6	Not applicable	Activities within 10m of the riverbank or streambank except as provided for in 5.5.5.6
	Note: 'No modification' as used in this table is clarified in explanation 5.5.5.6		
<b>Signs</b>	Refer to Part 7.7	Refer to Part 7.7	Refer to Part 7.7
<b>Stormwater Disposal</b>	Refer to Part 7.9.2	Refer to Part 7.9.2	Refer to Part 7.9.2
<b>Subdivision</b>	Refer to Part 7.3	Refer to Part 7.3	Refer to Part 7.3

### 5.5.5. Explanation/Reasons

5.5.5.1. The standards aim to ensure that small scale, and/or low impact activities can locate or operate in the Natural Environments Character Area with minimum inconvenience. Generally however, it is recognised that the range of activities on land within this character area will be limited and applications are required where



there will be disturbance to the land and vegetation. Controls (in the form of standards) allow a specified level of effects considered acceptable in the character area. All permitted and controlled activities must in addition comply with the District Wide Rules set out in Part 7 of the Plan.

- 5.5.5.2. Floor area controls are necessary to prevent large buildings and/or structures locating in a visually intrusive manner. Height controls ensure that any building or structure is not visually intrusive or dominates the surrounding landscape or natural features. The 6 metre height limit for permitted activities ensures that buildings will generally be less than 2 stories high and shall be discretionary activities if over one storey in height.
- 5.5.5.3. Indigenous vegetation clearance controls ensure that indigenous trees and shrubs are not cleared unless needed for the establishment of an activity. The standard is in recognition of high visual values of the Character Area and also the important habitat/wildlife role of natural vegetation in Buller District.
- 5.5.5.4. Activities which involve buildings or vehicle accesses are controlled in respect of finish, earthworks, clearance of indigenous trees and shrubs and financial contributions. The external finish of buildings should be complementary to the features and form of the surrounding landscape. Earthworks should be carried out so as to cause minimum ground disturbance to the character or landform of the site and the surrounding area. Vegetation should not be removed indiscriminately. The retention of visually and ecologically important vegetation is encouraged. Financial contributions such as those relating to servicing may be required.
- 5.5.5.5. It is unlikely that many activities within the Natural Environments Area will require signs, and when proposals are made, careful consideration will be required. Signs which comply with minimum standards are discretionary. If these standards are not met they will be considered as non-complying activities. Also see Part 7.7 for further explanation and reasoning of signage standards.
- 5.5.5.6. No modification of riparian margins excludes the following activities:
- Rivers and Streams: Fencing, pest and weed control, the retrieval and removal of unavoidable logging and the removal of other logging debris, cable suspension logging, construction of access points to water on the basis of either one per site or one every 400m of linear measure for stock and vehicles, structures such as whitebait stands.
  - Lakes: Fencing, pest and weed control.
  - Natural Wetlands: Fencing, pest and weed control.

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

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

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

- 5.5.5.7. Also see Part 7.2 for explanation and reasoning of specific standards.

## **PART 6 INFRASTRUCTURE, SERVICES AND OTHER ACTIVITIES DISTRICT WIDE**

### **6.1. Introduction**

- 6.1.1. Most infrastructure and servicing facilities and activities with minimal environmental impact are provided for throughout the District as permitted activities by this rule. Other activities are controlled or discretionary throughout the District. The Council has a duty to ensure that all buildings are adequately serviced in a manner that preserves the amenity values of an area or neighbourhood. Certain services are essential to the safe and efficient functioning of the District and to ensuring that the health of communities is not jeopardised. Accordingly a number of infrastructure and servicing facilities are specified as permitted and discretionary activities.
- 6.1.2. The rules contained in this section of the Plan override any rules in the District Plan, unless specifically stated to the contrary in this section.

### **6.2. Permitted Activities**

- 6.2.1. Household, commercial and industrial connections to gas, water, drainage and sewer reticulation systems.
- 6.2.2. Pipes for the conveyance of water or sewage and necessary incidental equipment including household connections.
- 6.2.3. Irrigation systems, open drains and channels for the conveyance of water.
- 6.2.4. Any stopbank or culvert.
- 6.2.5. Electric lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA, where those lines are underground.
- 6.2.6. All existing lines and support structures in existence on 16 December 1994 and their maintenance, replacement and minor upgrading.
- 6.2.6.1. For the purposes of this provision minor upgrading means an increase in the carrying capacity, efficiency or security of electricity and associated telecommunication lines, utilising the existing support structures or structures of a similar scale of character, and includes:
- (i) the addition of circuits and/or conductors;
  - (ii) the reconductoring of the line with higher capacity conductors;
  - (iii) the resagging of conductors;

- (iv) the addition of earthwires (which may contain telecommunication lines), earthpeaks and lightning rods;
- (v) the installation of pole mounted transformers and associated equipment where no new above ground lines are proposed or those lines are permitted.

Minor upgrading shall not include:

- (i) an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

6.2.7. Underground pipe networks for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000 kilopascals and necessary incidental connections and compressor stations.

6.2.8. Lighthouses, navigational aids and beacons.

6.2.9. Normal maintenance and replacement works on existing formed and private roads within the legal road reserve, or partially formed roads within the legal road reserve including any activity related to improvement or realignment of the road, and all works to preserve the integrity of the road, or to prevent further damage as a result of any act of nature.

6.2.10. Normal maintenance works on existing railway lines, bridges and signals within the existing railway corridors.

6.2.11. Normal maintenance, operation and replacement works on existing meteorological activities and structures at Westport Airport.

6.2.12. Activities carried out in response to the effects of natural events on public roads including earthquakes, flooding and landslides.

6.2.13. Telecommunication and radiocommunication facility lattice support structures where the following maximum height standards are met:

6.2.13.1. Urban Character Area

6.2.13.1.1. Residential Zone, Scenically Sensitive Residential Zone:  
10m

6.2.13.1.2. Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone: 15m

6.2.13.1.3. Port Zone: 20m

6.2.13.2. Rural Character Area

6.2.13.2.1. Rural Zone: 20m

6.2.13.2.2. Rural Airport Zone: 1.2m

6.2.13.3. Natural Environments Character Area, Paparoa Character Area: 10m

6.2.14. Telecommunication and radiocommunication facility non-lattice support structures where the following maximum height standards are met:

6.2.14.1. Urban Character Area

6.2.14.1.1. Residential Zone, Scenically Sensitive Residential Zone: 20m

6.2.14.1.2. Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone: 25m

6.2.14.1.3. Port Zone: 30m

6.2.14.2. Rural Character Area

6.2.14.2.1. Rural Zone: 30m

6.2.14.2.2. Rural Airport Zone: 1.2m

6.2.14.2.3. Paparoa Character Area, Natural Environments Character Area: 25m

6.2.15. For the purposes of rule 6.2.13 and 6.2.14, aerials and antennas (other than dish antennas), lightning conductors and associated mounting structures shall in all cases be excluded from the calculation of height.

6.2.16. Dish Antenna:

6.2.16.1. Urban Character Area: 2m diameter

6.2.16.2. Other Character Areas: 5m diameter

6.2.17. Buildings - Telecommunication and radiocommunication facilities:

6.2.17.1. Maximum height: 7.5m

6.2.17.2. Ground Coverage: 50 m<sup>2</sup>.

6.2.18. Temporary activities that comply with the following:

6.2.18.1. Activities incidental to building and construction limited either to the duration of the project or a period of 12 months whichever is the lesser, and provided they comply with the noise limits set out in 7.8.

6.2.18.2. Sporting events, galas and activities of a similar character provided that they do not occur more than five days per year.

6.2.18.3. Temporary storage and buildings other than above limited in duration to six months.

6.2.19. Activities on the surface waters of lakes, waters and streams unless otherwise defined as activities requiring consent within this Plan.

6.2.20. Temporary Military Training Activities that comply with the following:

- (a) The written consent of the owner has been obtained; and
- (b) The activity does not require the construction of permanent structures; and
- (c) The activity does not require excavation (permanent or mechanical) unless provided for in the plan; and
- (d) Flying activity is in compliance with civil aviation regulations or in agreement with the local controlling authority; and
- (e) The activity is limited to a period not exceeding 31 days.

6.2.21. Any underground telecommunication lines.

### **6.3. Controlled Activities**

6.3.1. The following activities involving hazardous substances are controlled activities where:

6.3.1.1. The hazardous substances to be stored in underground tanks comply with the “Code of Practice for Design, Installation and Operation of Underground Petroleum Storage Systems” (Department of Labour, OSH, 1992), OR where other methods are adopted such as current industry codes of practice, which will ensure that standards 6.3.1.3 and 6.3.1.4 below are met.

6.3.1.2. All sites (or part thereof) where hazardous substances are stored, used, loaded or unloaded are sealed, banded and roofed or covered. Such bunds are to be of impervious material and be capable of containing the total volume of material stored or used on the site (in the event of a spill).

6.3.1.3. Drainage from sealed areas is to an appropriate waste treatment system and there is no direct discharge of contaminated stormwater or waste to natural waters, land or air.

6.3.1.4. No hazardous substance is discharged into or onto water, land or air except where this is provided for within a regional plan, or other rule or regulation.

6.3.1.5. A management plan for all sites where hazardous substances are stored, used or transported is prepared.

6.3.1.6. A spill response contingency plan is prepared.

6.3.2. Matters over which Council reserves control:

6.3.2.1. Planning or control measures to prevent accidents and/or avoid, remedy or mitigate any adverse effects on the environment.

6.3.2.2. Provision of monitoring information.

6.3.3. Temporary Military Training Activities that do not comply with the standards and terms for permitted activities. Council to reserve control over avoidance, remediation, or mitigation of adverse effects and consent conditions.

## **6.4. Discretionary Activities**

6.4.1. The following are discretionary activities and will be assessed according to the criteria in Part 9.

6.4.2. The following activities are discretionary throughout the District:-

6.4.2.1. Pipes for the transmission of natural or manufactured gas at a gauge pressure exceeding 2000 kilopascals and necessary incidental equipment including compressor stations.

6.4.2.2. All electric lines and telecommunication lines which are not permitted activities and any associated above ground network utility or structure.

6.4.2.3. Telecommunication and radiocommunication facilities which are not permitted activities.

6.4.2.4. Electricity substations.

6.4.2.5. Depots for the maintenance, security or construction of lines or pylons.

6.4.2.6. New roads and associated facilities including retaining walls, culverts, bridges and traffic signs and control devices on legal road.

6.4.2.7. Activities involving hazardous substances which do not meet all the performance standards for controlled activities.

6.4.2.8. Meteorological service facilities.

## **6.5. Explanation/Reasons**

- 6.5.1. Infrastructure and network utilities are essential to the continued functioning of the District. The provisions are designed to give operators certainty as to provisions and enable expansion and further development. Certain other activities can also be permitted throughout the District.
- 6.5.2. Lighthouses, navigational aids and beacons are permitted as they are important for safety at sea and are erected in site specific locations.
- 6.5.3. Activities involving hazardous substances are controlled in order to prevent, as far as possible, any adverse effects. The rules also acknowledge however, that appropriate contingency plans are important in case of unforeseen events.
- 6.5.4. Where activities cannot meet the standards to be a controlled or discretionary activity, an application for a non-complying activity will be required.
- 6.5.5. Telecommunication and radiocommunication support structures have the potential for creating adverse visual effects. The split between lattice and non-lattice structures recognises that the former type of structure has a greater potential for visual impact. Non-lattice structures, due to their lower bulk and slim profile, have greater potential to be absorbed into the environment.
- 6.5.6. The maximum height of support structures include dish antenna, but is exclusive of whip aerials, and associated mounting arrangements, including lightning conductors.



## **PART 7 DISTRICT WIDE RULES**

### **7.1. Introduction**

- 7.1.1. Unless otherwise specified activities which do not comply with the rules in Part 7 of the Plan shall require an application for a resource consent, and will be assessed as either a controlled or discretionary activity.
- 7.1.2. The rules apply across the District and aim to establish a consistent level of environmental quality. Activities wishing to establish in the District also need to comply with any standards or rules set out in Part 5 of the Plan for the relevant Character Areas provided that this does not apply to the activities controlled in Part 7 of the Plan.

### **7.2. Explanation and Reasons**

- 7.2.1. Access standards are to give protection to the efficiency and safety of the roading network for both drivers and pedestrians. Generally, the more vehicle movements an activity generates, the bigger the potential is for accidents to occur and congestion created. This is particularly true on strategic routes where vehicle numbers and speeds will be higher than on other roads. This requires controls on sight distances for property access. Similarly standards relating to intersections are designed to provide good visibility, accommodate vehicle manoeuvres and not adversely affect the free flow of traffic. In situations where the free flow of traffic is important, or for activities that generate high volumes of traffic on-site manoeuvring may be required. Standards for access strips recognise the need to control the numbers of vehicles able to use them.
- 7.2.2. Earthworks controls are necessary to prevent or minimise initiation and/or acceleration of soil erosion and deposition of any vegetation, soil, rock or debris to water bodies, streams or rivers. In the Natural Environments and Paparua Character Areas the rule set allows for the construction of small to medium buildings or installations and associated accessways (where in the Paparua Character Area they do not continue for a significant distance). They also help ensure that visual impacts of controlled activities are kept to a minimum.
- 7.2.3. Odour can cause adverse effects on people. These effects include reduced quality of life, disruption of daily life, and health effects (such as increased stress and loss of appetite). It is expected in urban areas that odour should not be a cause of adverse effects on adjoining sites.

- 7.2.4. Signs are controlled in order to minimise any adverse effect on the environment and on the safe and efficient functioning of traffic. Signs should be sited such that the sign does not restrict visibility to and from intersections and property access or detract from a particularly significant view or feature. Signs should be legible with the lettering clear and large enough so that its intended viewing audience can read it easily.
- 7.2.5. A proliferation of signs and/or large, offensive or dominating signs, in particular in the non-urban environment, can have a significant adverse effect on scenic and landscape values. The protection of these values is vitally important to continued growth and maintenance of the tourist industry and the welfare of people and communities in Buller.
- 7.2.6. In evaluating any sign, particular regard shall be had to the road conditions (including road alignment, proximity to intersections or accesses, location of official signs) within the immediate vicinity of the location of the proposed sign.
- 7.2.7. All free standing signs which are situated within the boundaries of a state highway with a speed limit greater than 50 km/h are subject to the NZTA (Signs on State Highways) Bylaw. Signs must comply with Land Transport Rule: Traffic Control Review 2004.
- 7.2.8. Standards regarding stormwater disposal are intended for safety, especially on roads.
- 7.2.9. Standards for glare and lightspill are intended for safety, especially on roads. Glare and lightspill from neighbouring properties is also controlled to ensure amenities are protected. Floodlighting and glare from reflective materials can detrimentally impact on a person's enjoyment of their property, especially at night.
- 7.2.10. Minimum allotment size for subdivisions is set only in non-sewered areas where an adequate area for effluent disposal must be provided. The setting of minimum square size also ensures that all allotments are of sufficient size to cater for a building.
- 7.2.11. In non-urban areas an important issue is that the creation of new allotments through subdivision can facilitate more intensive use of land, including the construction of additional buildings or structures. Subdivision is also a mechanism which can attract new activities and population into the rural area. However, there are a number of matters to consider to determine whether subdivisions are appropriately located and serviced and therefore subdivisions other than minor boundary adjustments are to be considered as discretionary activities.

- 7.2.12. In the Paparoa Character Area the creation of new allotments through subdivision could directly affect the open space and landscape values. In order to protect these values, substantial subdivision is not provided for. Subdivision will generally only be permitted when needed for an activity which is either permitted or has received resource consent. Particular attention will be given to ensuring that the subdivision will integrate with the landscape form and pattern. Possible future applications for further settlements will require a Plan Change application. Similar effects can arise when additional buildings are constructed on existing allotments.
- 7.2.13. In the Natural Environments Character Area subdivision for boundary adjustments or for utilities is a permitted activity. Subdivision of one or more allotments is a discretionary activity in the Natural Environments Character Area. This provision recognises the need to protect the landscape/visual amenities and open space values which are significant in this area.



## **7.3. Subdivision**

### **7.3.1. Permitted Activities**

#### 7.3.1.1. Residential Zone:

- 7.3.1.1.1. The number of titles remains the same as prior to the subdivision (esplanade reserves shall not be counted).
- 7.3.1.1.2. Any existing buildings comply with the District Plan requirements.
- 7.3.1.1.3. No new roading or access points are required.
- 7.3.1.1.4. No new Council services are required.
- 7.3.1.1.5. Undertaken for boundary adjustment purposes or for the creation of a Special lot.
- 7.3.1.1.6. Any new subdivision which is needed solely for a public work utility which is permitted by Part 6 Infrastructure or approved as a result of a resource consent.

#### 7.3.1.2. Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone, Port Zone:

- 7.3.1.2.1. Not applicable.

#### 7.3.1.3. Paparoa Character Area:

- 7.3.1.3.1. Not applicable.

#### 7.3.1.4. Rural Zone:

- 7.3.1.4.1. Subdivision undertaken for boundary adjustment or creation of a Special lot.

#### 7.3.1.5. Rural Airport Zone, Cement Production Zone:

- 7.3.1.5.1. Not applicable.

#### 7.3.1.6. Natural Environments Character Area:

- 7.3.1.6.1. The number of titles remains the same as prior to the subdivision (esplanade reserves shall not be counted).
- 7.3.1.6.2. Any existing buildings comply with the District Plan requirements.

- 7.3.1.6.3. No new roading or access points are required.
- 7.3.1.6.4. No new Council services are required.
- 7.3.1.6.5. Undertaken for boundary adjustment purposes or for the creation of a Special lot.
- 7.3.1.6.6. Any subdivision needed solely for a public work network utility which is permitted by Part 6 or which constitutes a boundary adjustment or Special lot.

## **7.3.2. Controlled Activities**

### **7.3.2.1. Residential Zone, Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone, Sergeants Hill Industrial Area, Port Zone and Cement Production Zone:**

- 7.3.2.1.1. Each allotment must be of sufficient dimensions to accommodate an existing or proposed principal building such that the building can comply with the relevant standards in the District Plan, provided that in the case of an existing building which does not comply with the current District Plan standards, does not increase the extent to which the building fails to comply. Minimum allotment size in non-sewered areas, 1500m<sup>2</sup> unless the subdivision is for a Special lot.
- 7.3.2.1.2. Each allotment shall be able to contain a square measuring 15m x 15m unless the subdivision is for a Special lot.
- 7.3.2.1.3. Financial contribution may be required in accordance with Part 8.
- 7.3.2.1.4. Esplanade reserves and strips may be required in accordance with Part 7.9.6.
- 7.3.2.1.5. The subdivision of land in the Sergeants Hill Industrial Area shall be undertaken generally in accordance with the Concept Plan in Part 5.2.6.7. For the purpose of this rule, “generally in accordance” means that locations and alignments of roads, accesses, infrastructure, facilities and services is the same or similar to that shown on the Concept Plan.

### **7.3.2.2. Rural Zone:**

- 7.3.2.2.1. Not applicable.

7.3.2.3. Rural Airport Zone:

7.3.2.3.1. Any subdivision which constitutes a boundary adjustment or Special lot.

7.3.2.4. Paparoa Character Area:

7.3.2.4.1. Any subdivision which constitutes a boundary adjustment or Special lot.

7.3.2.5. Natural Environments Character Area:

7.3.2.5.1. Not applicable.

**7.3.3. Discretionary Activities**

7.3.3.1. Residential Zone, Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone, Port Zone and Cement Production Zone:

7.3.3.1.1. Any subdivision which does not comply with the standards for permitted or controlled activities is a discretionary activity.

7.3.3.2. Scenically Sensitive Residential Zone:

7.3.3.2.1. Subdivision (other than for a Special lot) within the Scenically Sensitive Residential Zone.

7.3.3.2.2. Each allotment must be of sufficient dimensions to accommodate an existing or proposed principal building such that the building can comply with the relevant standards in the District Plan, provided that in the case of an existing building which does not comply with the current District Plan standards, does not increase the extent to which the building fails to comply. Minimum allotment size in non-sewered areas, 1500m<sup>2</sup> unless the subdivision is for a Special lot.

7.3.3.2.3. Each allotment shall be able to contain a square measuring 15m x 15m unless the subdivision is for a Special lot.

7.3.3.3. Rural Zone, Rural Airport Zone:

7.3.3.3.1. Any subdivision for the purposes of creating one or more new allotments.

7.3.3.4. Paparoa Character Area:

7.3.3.4.1. Any subdivision other than controlled activities or for the purposes of creating one or more new allotments.

7.3.3.5. Natural Environments Character Area:

7.3.3.5.1. Any subdivision other than controlled activities for the purposes of creating one or more new allotments.

7.3.3.6. Discretionary activities will be generally assessed according to the criteria in Part 9.

7.3.3.7. Financial contributions may be required in accordance with Part 8.

7.3.3.8. Esplanade reserves and strips may be required in accordance with Part 7.9.6.



## **7.4. Access**

7.4.1. Activities having frontage or access to a strategic route which is a State Highway (as listed in Part 12) shall comply with the following standards, while those activities that have frontage or access to a strategic route which is a non-State Highway (as listed in Part 12) shall comply with Council's roading standards:

7.4.1.1. The minimum sight distances from an access, the location of property access relative to intersection and the minimum spacing between adjacent property accesses onto or off a strategic route which is a State Highway shall be as specified in Tables 7.1(a) and 7.1(b).

7.4.1.2. Where the activity does not comply with the performance criteria in Table 7.1(a) or Table 7.1(b) or, the activity generates more than 60 vehicle movements per day, the activity will be assessed as a limited discretionary activity.

When considering an application for consent the Council shall restrict its discretion to the following:

- Whether the crossing is sufficiently remote from an intersection having regard to traffic volumes on the roads, the 85th percentile speed of vehicles on the roads, and any other factors that will prevent congestion and confusion between vehicles turning at the crossing or at the intersection.
- Whether there is a need to separate entry and exit in order to reduce potential traffic confusion and congestion.
- Whether the physical form of the road will minimise the adverse effects of access, for example whether the road offers good visibility; the presence of a solid median to stop right hand turns; or a flush median to assist right hand turns.
- Whether particular mitigation measures such as a deceleration lane are required due to the speed and volume of vehicles on the road.
- The design of the crossing in relation to the ability of traffic exiting the site to safely enter the traffic stream.
- Whether there is adequate queuing and parking space on site so that vehicles do not queue over vehicle crossings.
- The design of the crossing in relation to pedestrian and cyclist safety.
- The effects of the location of the access on the amenity and safety of neighbouring properties.
- Any cumulative effects of the introduction of extra access points in relation to access for other activities in the vicinity.
- Any cumulative effects of extra access points on the function of the frontage road(s) in terms of its position in the roading hierarchy.

- Whether the speed environment on the road, as determined by the 85th percentile speed data, is such that the sight distance standards in the Plan can be safely reduced.

Note: A limited discretionary resource consent application for access on to a state highway may be considered without notification or the need to obtain a written approval of affected parties excepting that of New Zealand Transport Agency.

**Table 7.1(a) Property Access Performance Criteria Where Traffic Generation Is Less Than 30 Vehicle Movements Per Day**

Posted (Legal) Speed Limit (km/h)	Minimum Sight Distances (m)  See Diagram A	Location of Property Access Relative to Intersection.  See Diagram B			Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages)  Distance N see Diagram B (m)
		Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)	
50	85	15	20	15	7.5* or 15**
60	115	30	40	20	20
70	140	60	100	30	40
80	170	90	120	30	100
100	250	150	200	30	200***

**Table 7.1(b) Property Access Performance Criteria Where Traffic Generation Is Between 30 and 60 Vehicle Movements Per Day**

Posted (Legal) Speed Limit (km/h)	Minimum Sight Distances (m)  See Diagram A	Location of Property Access Relative to Intersection.  See Diagram B			Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages)  Distance N see Diagram B (m)
		Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)	
50	85	20	30	20	7.5* or 15**
60	115	50	50	30	20
70	140	100	100	45	40
80	170	120	120	60	100
100	250	200	200	60	200***

- \* = residential uses within 50km/hr speed zone
- \*\* = all other uses
- \*\*\* = on same or opposite frontages

An equivalent car movement is defined as:

1 car to and from a property = 2 equivalent car movements

1 truck to and from a property = 6 equivalent car movements

1 truck and trailer to and from a property = 10 equivalent car movements

7.4.1.3. Road intersection: the intersection kerb line, or when there is no kerb line, the nearest intersection of the two carriageways.

7.4.1.4. Access tapers, and acceleration and deceleration lanes shall be provided in accordance with Diagrams C and D.

7.4.2. Every owner or occupier of land shall provide vehicular access to the site for parking and loading over the site by provision of a vehicle crossing constructed to the boundary of the site.

7.4.3. Where vehicular access to the rear of a commercial or industrial site is possible by means of the dedication or use of a service lane, or land over which rights-of-way are held in respect of that site, such means of access shall be provided or used for parking or loading spaces in preference to any new vehicular crossing over any footpath.

Diagram A

Minimum Sight Distances.

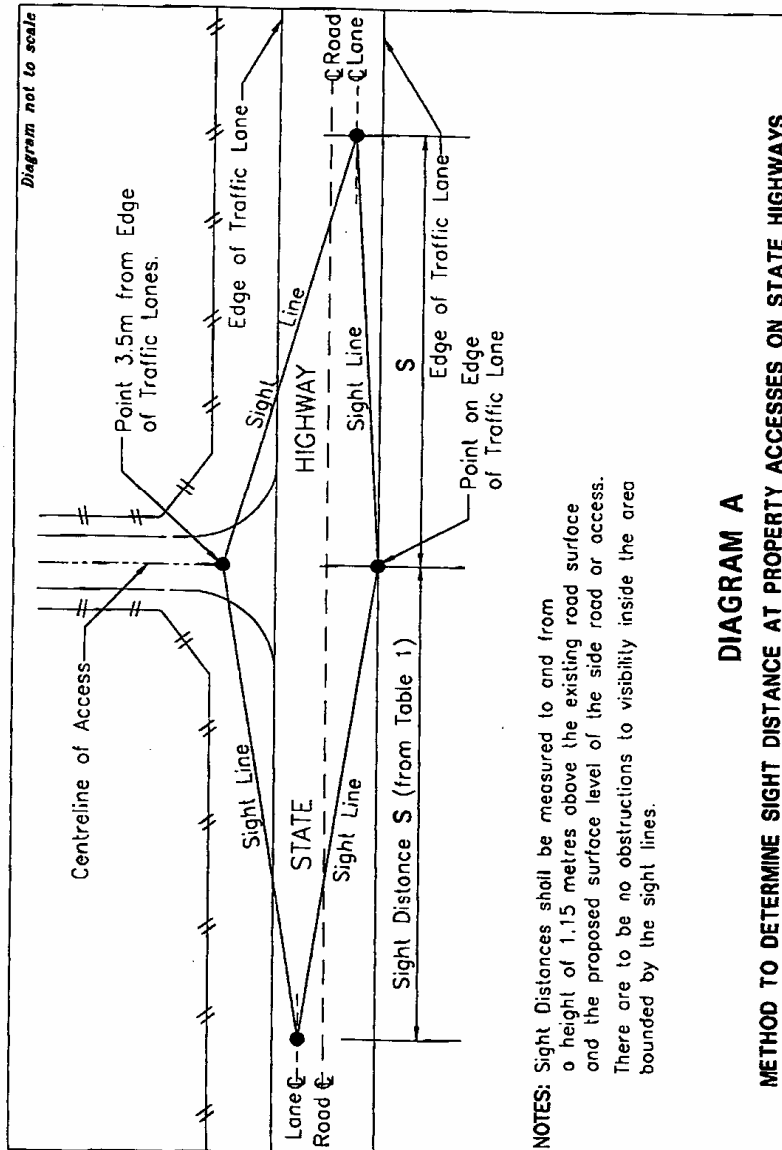
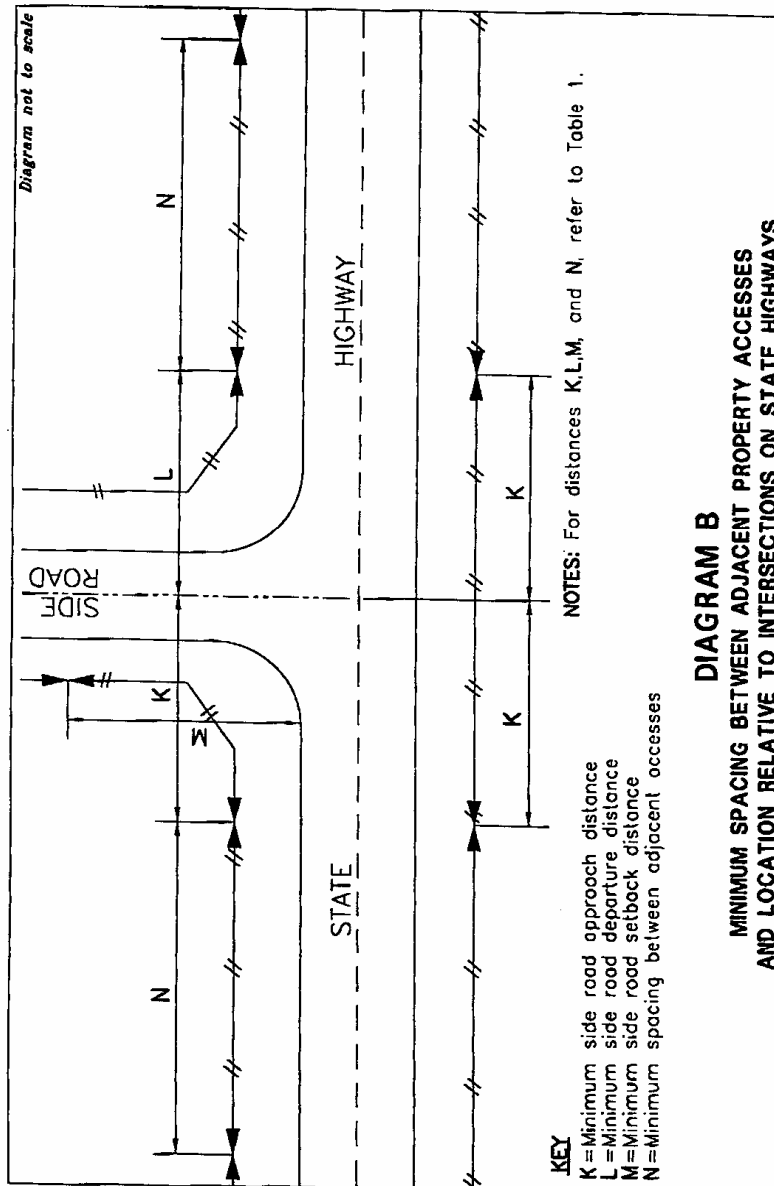


Diagram B

Minimum Spacing Between Adjacent Property Accesses



- 7.4.4. The principal access into shopping complexes and supermarkets except those with a main street frontage, must be via the off-street parking area.
- 7.4.5. Access to or from a corner site in the Urban Character Area shall not be located nearer than nine metres from the edge of the road reserve, kerb line or effective carriageway of the intersecting road, or outside the Urban Character Area, 100 metres from the effective carriageway of the intersecting road.
- 7.4.6. In respect of any existing site, no new access shall be provided from any property having frontage to a declared or proposed limited access road. Where land abutting a declared or proposed limited access road is being subdivided, every additional allotment proposed to be located shall have frontage and access to an alternative legal road.
- 7.4.7. Access strips shall be to the following standards in the Urban Character Area:
- 7.4.7.1. width 3.5m to one rear allotment
  - 7.4.7.2. width 4.0m to two or three allotments
  - 7.4.7.3. width 5.0m to four or more rear allotments
  - 7.4.7.4. maximum length shall not exceed 60m.
- 7.4.8. All parking, loading and trade vehicle storage areas with access to strategic routes shall be designed to ensure that there is adequate turning space on site so vehicles are not required to reverse either onto or off the site.
- 7.4.9. Reductions in these standards will require an application for a resource consent as a discretionary activity.
- 7.4.10. Where there is unformed legal road, the activities which may establish on that land are the same as those permitted for the zone, subject to agreement with the owner of the road and road reserve. The only other activities which may be carried out on land gazetted, or reserved for road are defined in Part 7 as permitted activities. On road vested in Council, a road closure may be required before any development can occur.
- 7.4.11. Access to any subdivision and development in the Sergeants Hill Industrial Area from State Highway 67 shall be limited to access as identified on the Concept Plan in Part 5.2.6.7. Such access shall be constructed in accordance with the design specifications published in the Austroads document "*Guide to Traffic Engineering Practice Part 5: Intersection at Grade*" to provide a right turn bay and left turn lane. Non-compliance with this standard shall be a discretionary activity.

**7.4.12. Explanation/Reasons**

- 7.4.12.1. Safety is a prime concern for the operation of the roading network and the standards aim to reduce any undue interference with, or obstruction of, traffic flows and other road users, vehicles entering or leaving the road traffic stream. The potential for increases in the number of vehicle crossings and confusion over exit and entry points to a site will be reduced. Reductions in these standards will require an application as a discretionary activity.
- 7.4.12.2. Safety is also a prime concern in situations where vehicle or pedestrian access is required across the rail corridor. The Railway Safety and Corridor Management Act 1991 shall be taken into account when assessing applications.
- 7.4.12.3. The Sergeants Hill Industrial Area is of a scale that traffic generation will have a significant impact on the State Highway if access is not provided at an appropriate location, and to an appropriate standard to deal with the effects of full development. Access to the Area is limited to one point on the State Highway (identified in the Concept Plan in Part 5.2.6.7) and ensures that the standard and design is appropriate to address the adverse traffic effects of the Area.

Diagram C

Accesses On Rural State Highways Where Traffic Generation Is Less Than 30 Vehicle Movements Per Day

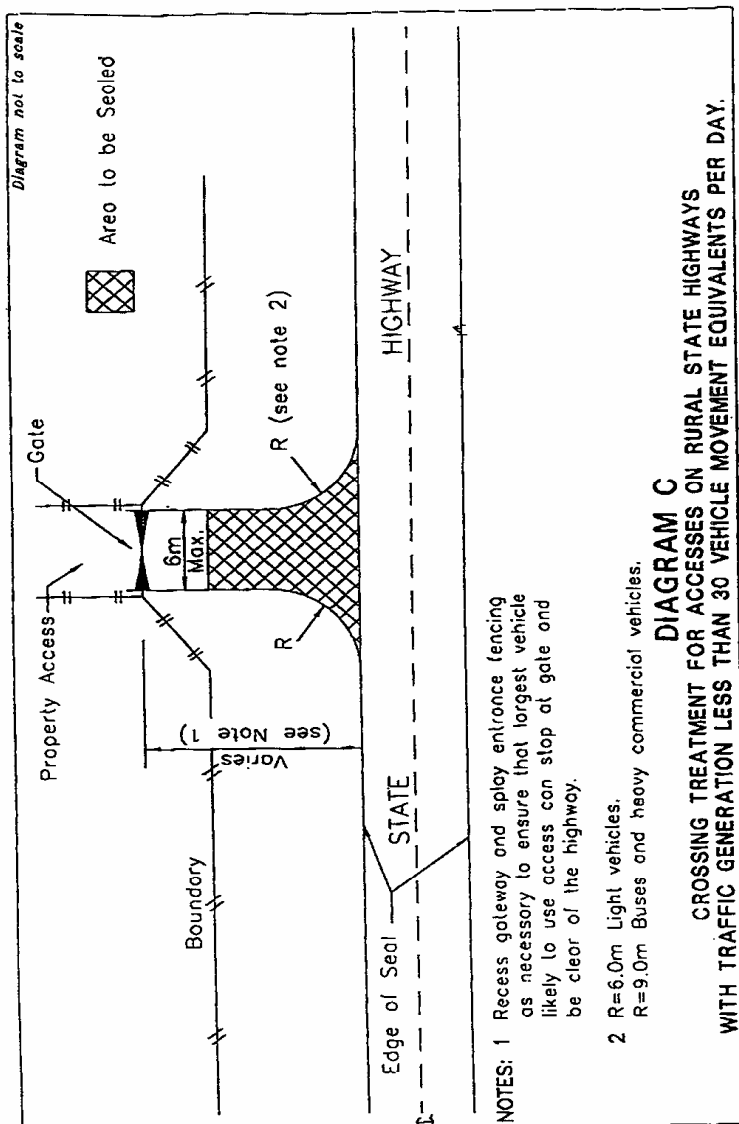
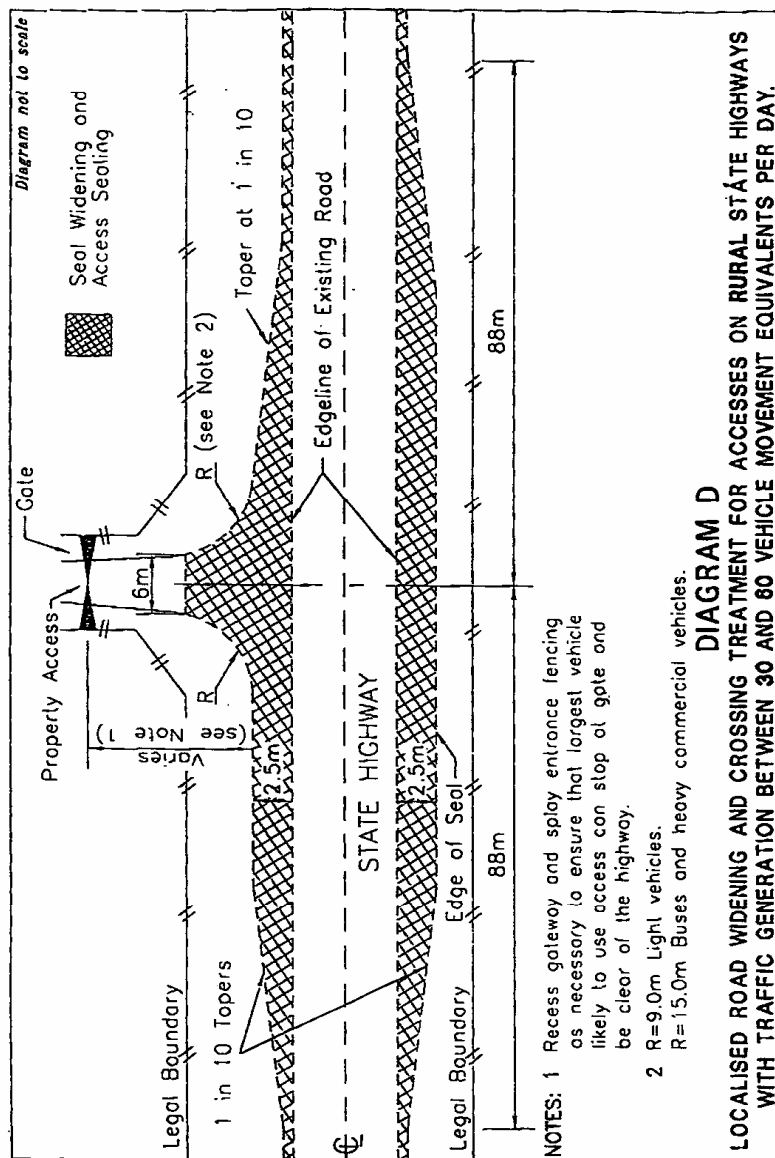




Diagram D

Accesses On Rural State Highways Where Traffic Generation Is Between 30 And 60 Vehicle Movements Per Day





## 7.5. Parking

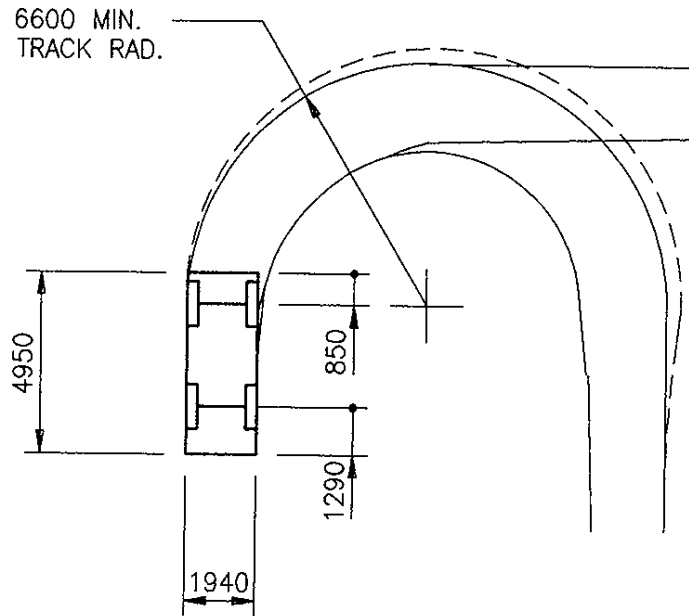
- 7.5.1. No vehicle parking provision is required for activities located on properties abutting the Westport main street (see definition).
- 7.5.2. Vehicle parking for activities other than above shall be provided to the standards in Table 7.2 and shall be located on the site.

**Table 7.2: Number of parking spaces**

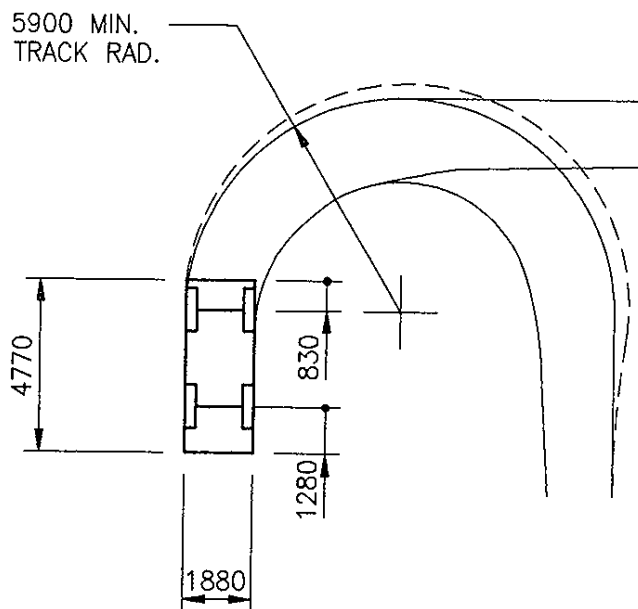
<b>Activity</b>	<b>Spaces Required</b>
Dwellings	One space per dwelling
Other residential activities and travellers accommodation	One space per unit, or bedroom suite, plus one space for staff for 10 units or part thereof
Restaurants, taverns, places of assembly, tourist related activities, backpacker dorms and camping grounds	One space per 5 people which the facility or activity is designed to accommodate or attract
Other commercial activities	One space, plus one extra space per 30m <sup>2</sup> of gross floor area
Industrial activities	One space per 50m <sup>2</sup> of gross floor area
Hospitals and Institutions	One space per five patient beds, and one space per staff member

- 7.5.3. All commercial and industrial activities must provide at least one loading space per site. A loading bay may be accepted as a parking space.
- 7.5.4. All parking and loading areas provided as per the requirements of this rule shall be designed in accordance with the dimensions specified in Figures 7.2A, 7.2B and 7.2C, Figure 7.3A and 7.3B and Table 7.3.
- 7.5.5. Off-street parking facilities shall be located on the site unless otherwise provided for in this rule.
- 7.5.6. The provision for parking and loading may be made as part of the yard space of that site.

Figure 7.2A - Vehicle tracking curves - car



99% MOTORCAR  
SCALE 1:200



90% MOTORCAR  
SCALE 1:200

Figure 7.2B - Vehicle tracking curves - truck

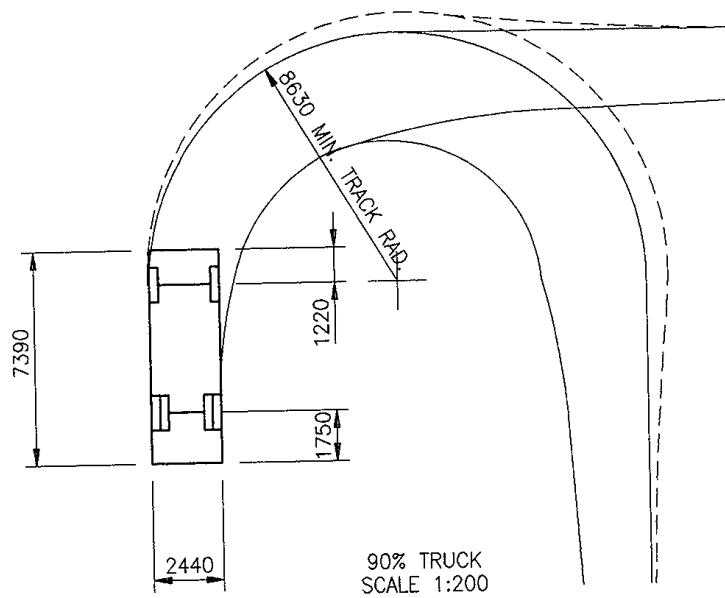
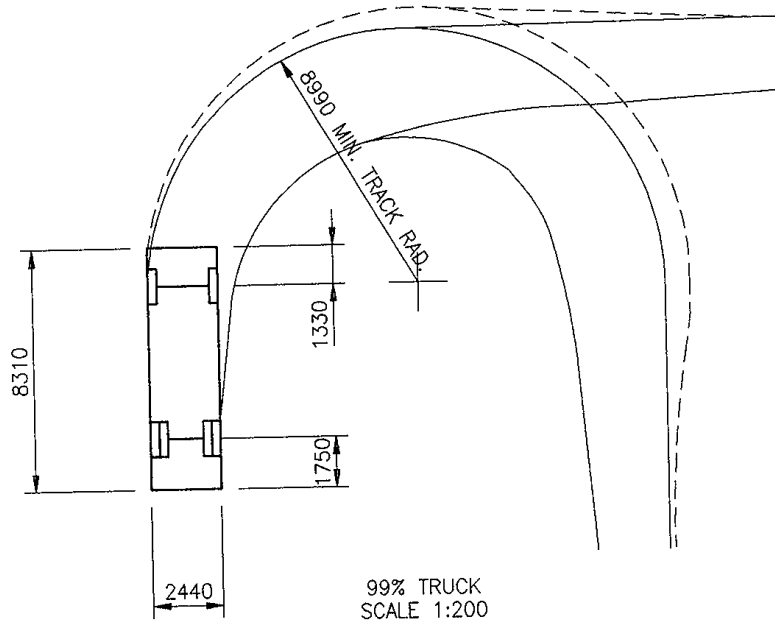


Figure 7.2C - Vehicle tracking curves - bus

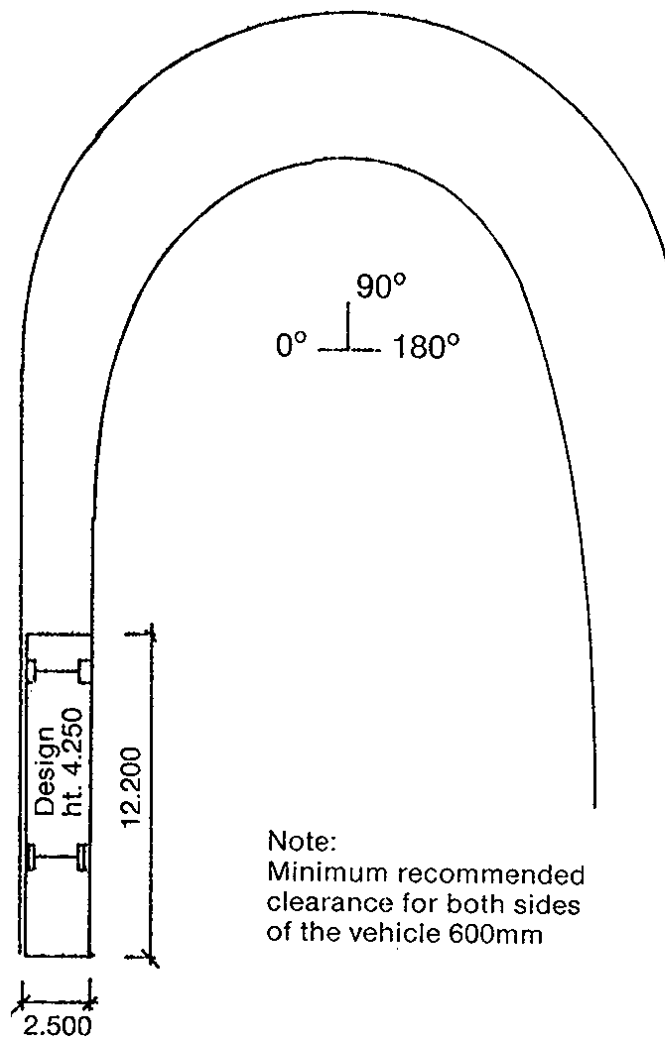


Figure 7.3a - Angled Parking Layout

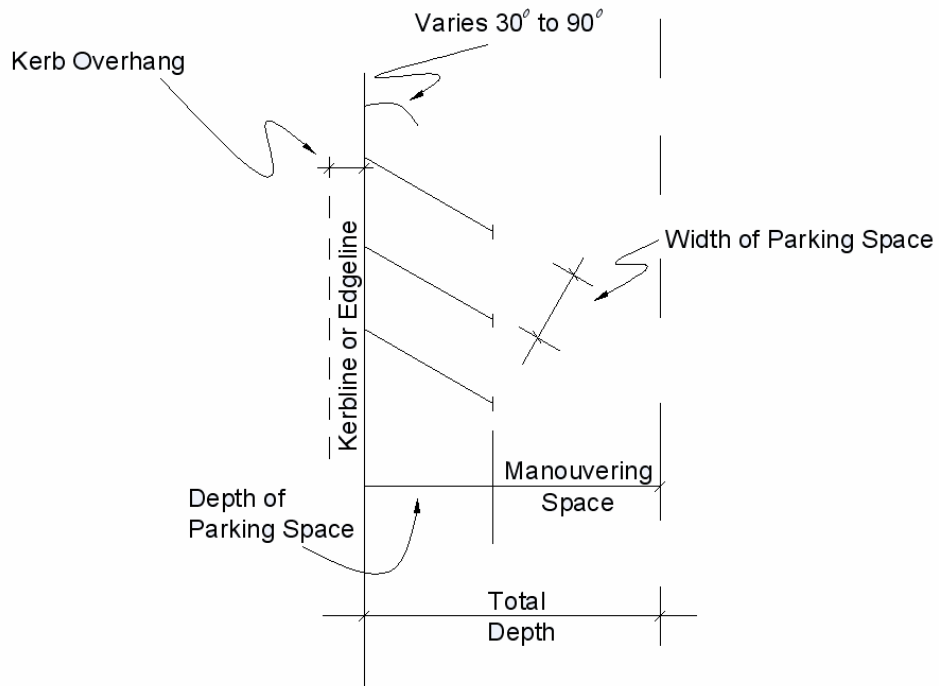
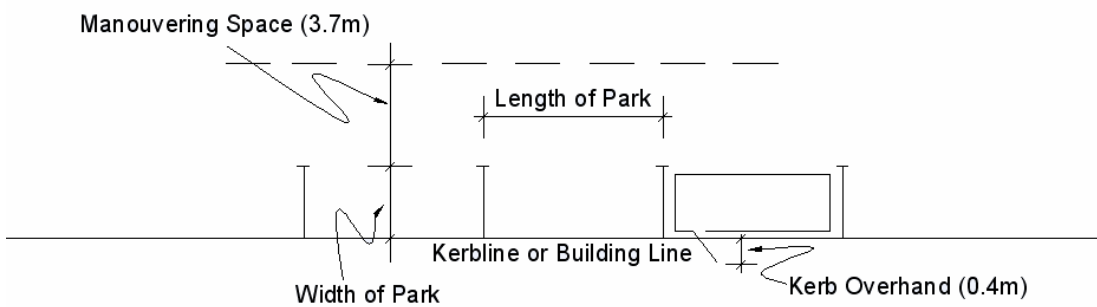


Figure 7.3b - Parallel Parking Layout



**Table 7.3: Manoeuvring and Parking Space Dimensions**

Parking Angle	Width of Parking Space (m)	Kerb Overhang (m)	Depth of Parking Space (m)	Manoeuvring Space (m)	Total Depth (m)
90°	2.5	1.0	4.9	8.2	13.1
	2.6			7.3	12.2
	2.7			6.4	11.3
75°	2.5	1.0	5.2	5.5	10.7
	2.6			4.9	10.1
	2.7			4.3	9.5
60°	2.5	1.0	5.2	4.0	9.2
	2.6			3.7	8.9
	2.7			3.7	8.9
45°	2.5	0.8	4.9	3.7	8.6
	2.6				
	2.7				
30°	2.5	0.6	4.0	3.7	7.7
	2.6				
	2.7				
Parallel Parking	2.5	0.4	2.9	3.7	6.2
	2.6		3.0		6.3
	2.7		3.1		6.4

**Note:** Spaces adjacent to walls should be 300mm wider.

#### 7.5.7. Explanation/Reasons

7.5.7.1. On-site parking is required to ensure there are adequate off-street parking facilities to provide for the activities accommodated on a site. The standards aim to ensure that the capacity of roads is not unduly reduced by parked or manoeuvring vehicles. The specific requirements for each activity have been determined after having regard to the nature of the activity, likely traffic generating capacity and other relevant effects. However, standards may be reduced where there are unusual or unique characteristics of the activity which affect traffic generation. In the Urban Character Areas cash in lieu of car parking may be accepted into a fund which will be used solely for the provision and upgrading of public car parking facilities.



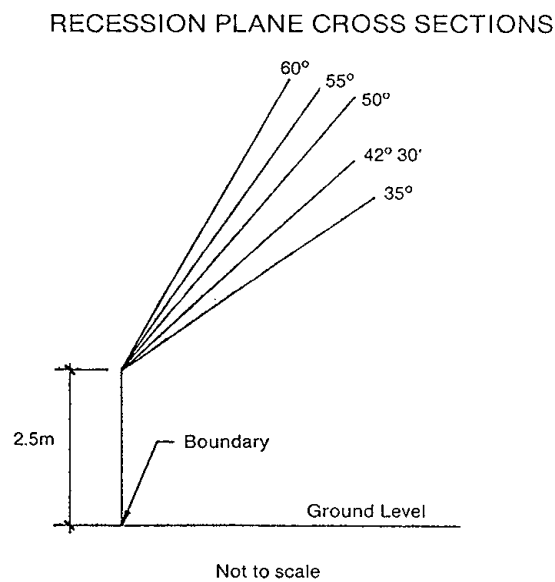
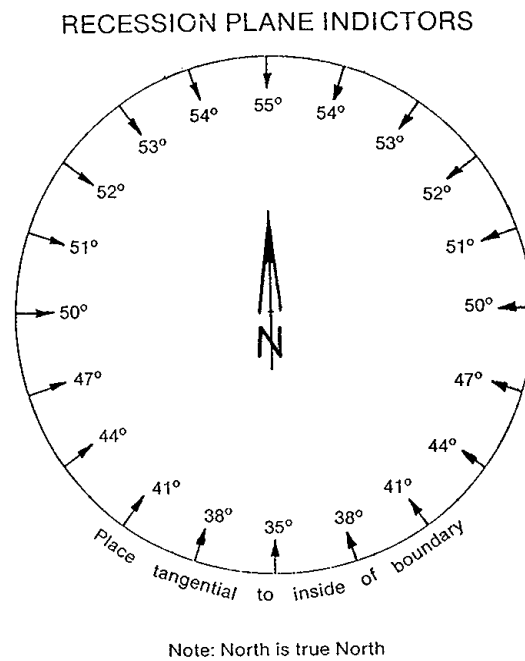
## **7.6. Recession Planes**

- 7.6.1. No building shall exceed a height equal to the recession plane angle shown in Figure 7.3. Angles for recession planes shall vary with the direction or bearing of each site boundary according to the diagram set out in Figure 7.3. They shall commence at points 2.5m above site boundaries. This rule does not apply to buildings within the Industrial Zone, Port Zone, Cement Production Zone and Commercial Zone other than on site boundaries which abut a Residential zone.
- 7.6.2. The recession plane angle shall be calculated by orienting both site plan and relevant diagram to the true north, placing the recession diagram over the site plan with the circle tangential to the inside of the site boundary under consideration. The recession plane angle shall be that indicated by the diagram at the point where it touches the site boundary.
- 7.6.3. Where recession lines fall between those indicated on the diagram, interpolations shall be made. On irregular boundaries the same principles shall apply with the recession operating at right angles to all boundaries.
- 7.6.4. The level of site boundaries shall be measured from filled ground level except where there is an existing building at a lower level on the other side of a common boundary, where that lower level shall be adopted. For the purpose of measuring recession planes only internal boundaries shall be taken as site boundaries.

### **7.6.5. Explanation/Reasons**

- 7.6.5.1. Sunlight and outlook both contribute to environmental quality. However buildings and other structures can be located so as to impact on these amenities. Admission of light to living and working areas is desirable for visual amenity and public health reasons. Compliance with recession plane guidelines ensures that overshadowing and loss of outlook is avoided.
- 7.6.5.2. Use of the recession planes enables minimum and maximum distances and maximum height of buildings in relation to site boundaries to be determined. The recession plane angle is based upon the azimuth and altitude of the sun at equinox.
- 7.6.5.3. Buildings may encroach closer only to those boundaries where the building height and direction of the sun will not cause significant overshadowing.

Figure 7.3 : Recession Plane Diagram



## **7.7. Signage**

### **7.7.1. Permitted Activities - All zones**

- 7.7.1.1. All “official signs”, including Regulatory signs which are required to be erected by the Council, and signs stating the location of, timetable or other details of any public utility or facility.
- 7.7.1.2. Signs denoting the names of the street, or the name and number of the premises.
- 7.7.1.3. All signs which comply with the following standards:
- (a) Signs which are not visible to motorists on legal roads; and
  - (b) Have a maximum area of less than 0.5m<sup>2</sup>; and
  - (c) Are used exclusively for giving directions to on-site facilities or services, such as parking, toilets or the location of items for sale.
- 7.7.1.4. Signs on land adjacent to any public road, including State Highways, and adjacent to any railway, providing that the following criteria are met (These are additional requirements for permitted activities in each zone where the land is adjacent to a road, State Highway or railway. This rule does not allow additional signage above that permitted for each zone):
- (a) Any signs also comply with the permitted rules for the applicable zone; and
  - (b) Any sign does not conflict with the conspicuity of, and can not be confused with, official signs or traffic signals; and
  - (c) Any sign is necessary and effective by having messages that are clear, concise and easily read; and
  - (d) Any sign must be located so that it does not obstruct:
    - (i) a road user’s visibility along the road, or view of any road sign, intersection, corner, private entrance, road marking, pedestrian crossing or traffic signal; and
    - (ii) a road user’s or a train driver’s visibility along the railway at a level crossing, or view of railway signals, or a train driver’s visibility around a curve in the railway; and
  - (e) Any sign is at right angles:
    - (i) to the road and is located to avoid vehicle headlight reflection onto road users; and
    - (ii) to the railway and is located to avoid vehicle headlight reflection onto the railway; and
  - (f) Any sign shall present an unrestricted view to the motorists for a minimum distance of 180 metres where the posted speed limit is 70km/h or greater; and

- (g) Unless provided for by 7.7.1.7.(f) or the Commercial Zone Rules, there are no elements of any sign which are reflective, illuminated, intermittent, flashing, animated, trivision, inflatable or aerial; and
- (h) Any signs on land adjacent to any public road where the posted speed limit is 70km/h or greater, or a State Highway, shall:
  - (i) Have a minimum lettering height of 120mm where the posted speed limit is less than 70km/h and 160mm where the posted speed limit is 70km/h or greater; and
  - (ii) For a freestanding sign, have a maximum of six words and/or symbols with a maximum of 40 characters.

7.7.1.5. Temporary signs advertising the sale of land or premises, and construction or works of a similar nature, provided that:

- (a) The sign relates directly to the activity at the site on which it is located; and
- (b) For the sale of land or premises, one sign per real estate agency involved in the sale, and/or one sign placed by the land owner, which must be removed no later than one week after settlement of the sale; and
- (c) For construction or similar works, one sign for each company involved, which must be attached to a building, structure, or fence and removed no later than one week after the completion of works; and
- (d) The sign has a maximum area of 1m<sup>2</sup> per sign; and
- (e) The sign must also comply with Rule 7.7.1.4.(a)–(g).

7.7.1.6. Temporary signs for the purpose of advertising events, including but not limited to, sporting and cultural events, galas and activities of a similar character, providing that:

- (a) There are no more than 5 signs in total per event; and
- (b) Each sign is a maximum size of 3m<sup>2</sup>; and
- (c) If freestanding, each sign is a maximum height of up to 2m (including any support structure). Sign supports must be made of frangible material; and
- (d) The landowners written approval has been obtained for the signs to be erected on their property; and
- (e) The signs shall not be erected more than 1 month prior to the event; and
- (f) The signs shall be dismantled and removed no more than five days after the completion of the event; and
- (g) Where signs are located on land adjacent to any public road, State Highway or railway they must also comply with Rule 7.7.1.4.

7.7.1.7. Temporary signs for any other purpose provided they comply with all the following standards:

- (a) The period of display must not exceed 1 month in any 12 month period; and
- (b) The sign does not exceed 1.5m<sup>2</sup> in area; and
- (c) If freestanding, the sign is a maximum height of up to 2m (including any structure). Sign supports must be made of frangible material; and
- (d) No more than one temporary sign per site; and
- (e) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.; and
- (f) Where the temporary sign is aerial or inflatable the sign is permitted for a maximum of two weeks; the sign must comply with points 7c-7e; and the sign shall not be permitted on land adjacent to any roads with a speed limit of 70km/h or greater.

## **7.7.2. Permitted Activities - Residential Zone**

7.7.2.1. The erection of one sign provided that:

- (a) The sign relates directly to the activity at the site on which it is located; and
- (b) The sign does not exceed 1.5m<sup>2</sup>; and
- (c) It has a minimum lettering height of 75mm, unless located on land adjacent to a State Highway or on a road where the posted speed limit is 70km/h or greater, in which case Rule 7.7.1.4.(h) applies; and
- (d) If freestanding, the sign must be setback 3m from any road boundary, and have a maximum height of 1.5m, (including any support structure). Sign supports must be made of frangible material; and
- (e) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.

## **7.7.3. Permitted Activities - Commercial Zone**

7.7.3.1. The erection of signs, provided that:

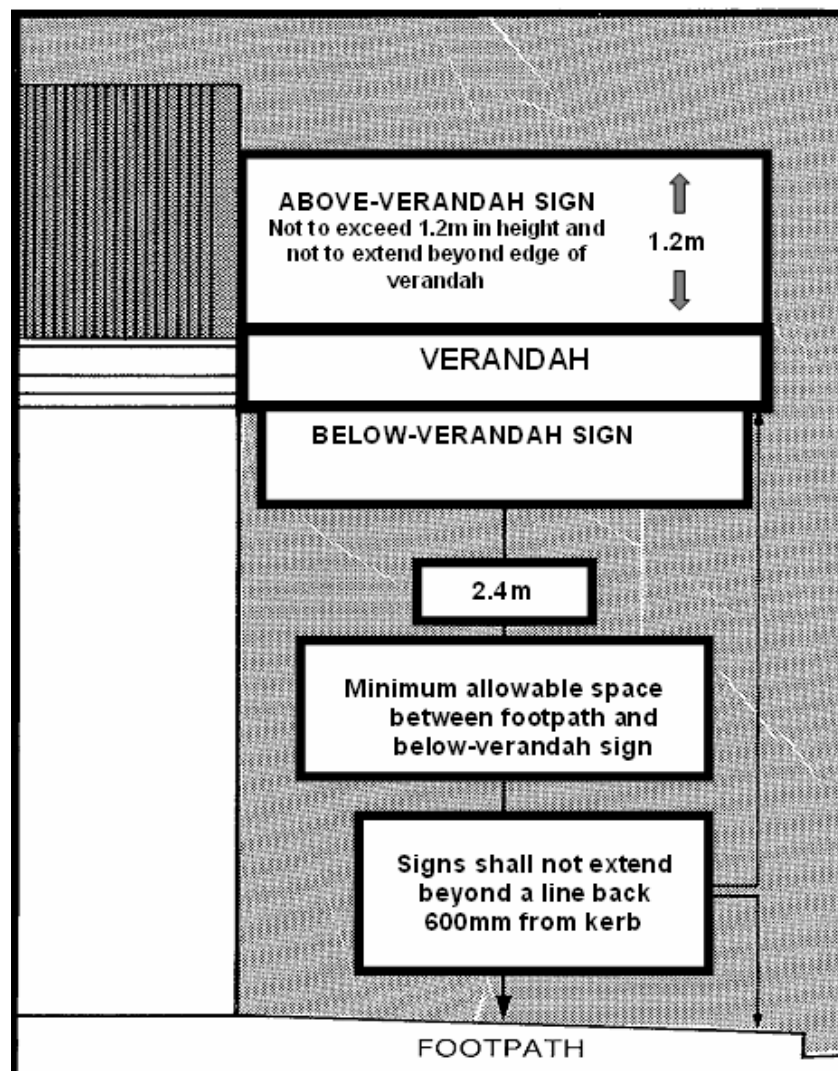
- (a) Signs relate directly to the activity at the site on which they are located; and
- (b) Signs are fixed or painted directly on existing walls of buildings or structures or fence; and
- (c) Signs cover no more than 30% of each road-facing fascia wall. (This percentage includes any Verandah Fascia Sign, but does not include above-verandah or below-verandah signs.); and
- (d) A maximum of 1m<sup>2</sup> of signage per site may be flashing, rotating, intermittent or animated.

7.7.3.2. The erection of one freestanding sign per site, provided that:

- (a) The sign is located within the property to which it relates; and
- (b) The sign is setback from the any site boundary by 2m; and
- (c) The sign is a maximum of 1m high, 1m wide and 0.5m deep; and
- (d) Any sign must be located so that it does not obstruct:
  - (i) a road user's visibility along the road, or view of any road sign, intersection, corner, private entrance, road marking, pedestrian crossing or traffic signal; and
  - (ii) a road user's or a train driver's visibility along the railway at a level crossing, or view of railway signals, or a train driver's visibility around a curve in the railway.

7.7.3.3. Verandah Signs - One of each type of verandah sign is permitted per site, provided they meet all criteria for each type below. Fig.7.7.1. shows these rules in diagram form.

**Figure 7.7.1: Verandah Signs**



- (a) Verandah Fascia Signs, provided the sign:
  - 1. Advertises only the business, services and products located at the site of the sign; and
  - 2. Is no more than 900mm in depth; and
  - 3. Does not protrude more than 200mm from the fascia.
  
- (b) Below-Verandah Sign, provided the sign:
  - 1. Advertises only the business, services and products located at the site of the sign; and
  - 2. Is positioned at right angles to the fascia line; and
  - 3. There is a minimum clearance of 2.4m between the footpath and the sign; and
  - 4. Is set back at least 600mm from the outside edge of the road kerb.
  
- (c) Above-Verandah Sign, provided the sign:
  - 1. Advertises only the business, services and products located at the site of the sign; and
  - 2. Is positioned at right angles to the fascia line; and
  - 3. Is no more than 1.2m high; and
  - 4. Is no more than 1.8m<sup>2</sup> in area; and
  - 5. Does not protrude beyond the edge of the verandah.

7.7.3.4. Portable Signs - The display of two portable signs per property is permitted on the edge of Council owned footpaths, or on private land, provided that:

- (a) Signs are placed adjacent to the commercial premises to which the sign relates (The placement of signs at a remote location is not a permitted activity.); and
- (b) Each sign is no larger than 1m in height and 1.2m in width; and
- (c) There are no elements of the sign which are reflective, illuminated, intermittent, flashing, animated, trivision, inflatable or aerial; and
- (d) Signs are displayed immediately adjacent to either the shop frontage or the kerb of the footpath only, (i.e. not in the middle of the footpath); and
- (e) The portion of the footpath occupied by signs allows a clear unobstructed 2.5m width of footpath to remain; and
- (f) Sign must not be placed in a way to cause any undue obstruction or danger to pedestrians, or adjoining land owners (collapse or blowover).

Note: The occupier shall be solely responsible for any harm caused by these activities to any member of the public.

#### **7.7.4. Permitted Activities - Industrial Zone, Port Zone**

7.7.4.1. The erection of signs, provided that the signs:

- (a) Do not total more than 3m<sup>2</sup> in area per site; and
- (b) Relate to the activity on the site on which the sign is located; and
- (c) Identify only the name and type of business, and
- (d) Are fixed to an existing building or structure, or freestanding within the boundary of the property; and
- (e) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.

#### **7.7.5. Controlled Activities - Scenically Sensitive Commercial Zone**

7.7.5.1. One sign per site, provided that:

- (a) The sign advertises only business, services and products located at the site of the sign; and
- (b) It is painted or attached directly onto an existing wall or structure; and
- (c) There are no reflective, illuminated, flashing, intermittent, or animated features; and
- (d) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.

Matters over which Council reserves Control:

- Design and Appearance, including colour; and
- Size of sign, including size of lettering and symbols; and
- Materials; and
- Location.

#### **7.7.6. Discretionary Activities - All Zones**

7.7.6.1. Any sign that does not comply with the standards for permitted or controlled signs, and is not specified as a Non-Complying or Prohibited activity.

#### **7.7.7. Discretionary Activities - Rural Zone, Rural Airport Zone, Cement Production Zone**

7.7.7.1. Up to a maximum of 3 signs per site, provided:

- (a) The combined total area of all signs does not exceed 3m<sup>2</sup>; and
- (b) Signs relate directly to the activity at the site on which they are located.



**7.7.8. Discretionary Activities - Paparoa Character Area, Natural Environments Character Area, Scenically Sensitive Residential Zone**

7.7.8.1. A maximum of one sign per site.

**7.7.9. Non-Complying Activities - All Zones**

7.7.9.1. Any permanent remote sign.

**7.7.10. Non-Complying Activities - Rural Zone, Rural Airport Zone, Cement Production Zone, Paparoa Character Area, Natural Environments Character Area, Scenically Sensitive Residential Zone**

7.7.10.1. All signs which do not meet the criteria for Permitted, Controlled or Discretionary Activities and are not specified as a Prohibited activity.

**7.7.11. Prohibited Activities - All Zones**

7.7.11.1. All signs located adjacent to any road or State Highway with a posted speed limit 80km/h or greater are prohibited where:

- (a) The sign is flashing or animated or including revolving lights or lasers; and/or
- (b) The sign is illuminated and produces glare which could dazzle road users.

7.7.11.2. Any sign or advertising material placed on a vehicle whether stationary or moving on a road, where that vehicle is being used primarily for the purpose of exhibiting advertising material.

7.7.11.3. All signs located adjacent to any railway are prohibited where:

- (a) The sign is flashing or animated or including revolving lights or lasers; and/or
- (b) The sign is illuminated and produces glare which could dazzle train drivers.



## **7.8. Noise Standards**

7.8.1. The following maximum noise levels measured at the stated times at the boundary of any land used for a residential activity shall not be exceeded:

7.8.1.1. Monday to Friday – 8.00 am to 11.00 pm	55dBA L10
Saturday – 8.00 am to 6.00 pm	55dBA L10
At all other times including any public holiday	45dBA L10, Lmax 75dBA

7.8.2. Provided these limits shall not apply where there is any residential activity on the same site in the Industrial Zone. Road traffic noise is also exempt from these standards.

7.8.3. Subject to the provisions of paragraph 1 the following noise limits shall not be exceeded at the boundary of any site within the Industrial, Port and Cement Zones:

7.8.3.1. Monday to Friday – 8.00 am to 11.00 pm	60dBA L10
Saturday – 8.00 am to 6.00 pm	60dBA L10
At all other times including any public holiday	50dBA L10

7.8.3.2. Sound levels shall be measured in accordance with New Zealand Standard 6801:1991 “Measurement of Sound” and assessed in accordance with the provisions of New Zealand Standard 6802:1991 “Assessment of Environmental Sound”.

7.8.3.3. Noise associated with helicopter landing areas shall be measured and assessed in accordance with the provisions of New Zealand Standard 6807:1994 “Noise Management and Land Use Planning for Helicopter Landing Areas”. Helicopter operations shall be conducted so that the limits in Table 1 of New Zealand Standard 6807:1994 are not exceeded.

7.8.3.4. Construction noise emanating from any site shall not exceed the limits recommended in, and be measured and assessed in accordance with the provisions of New Zealand Standard 6803P:1984 “The Measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work”.

7.8.3.5. Noise shall be measured with a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters Type 2.

7.8.4. Compliance with any provision of this rule does not grant the right to create any nuisance as defined under the Health Act 1956 or negate the duty to avoid unreasonable noise or to avoid, remedy or mitigate adverse effects on the environment as required by Sections 16 and 17 of the Act, or to their amendments thereto and substitutions therefore.

**7.8.5. Explanation/Reasons**

7.8.5.1. Noise standards are set to prevent cumulative increases in background noise levels and to ensure the protection of community health and amenity.

7.8.5.2. Excessive or high levels of noise can have a detrimental impact on environmental quality. The Act requires that environmental quality is to be maintained and enhanced. Therefore the control of noise sources is justifiable in order to prevent an increase in the overall ambient noise in the environment. The standards aim at the very least to maintain noise in the environment originating from human activity at current levels and where possible to actually improve background noise exposure.

7.8.5.3. Roads and state highways are exempt from noise standards because they cannot comply with a 45dBA limit.

7.8.5.4. The Act requires the Council to control the emission of noise and to mitigate any adverse effects of noise. Noise nuisance and excessive noise are recognised as having a detrimental public health impact and can also affect amenity values of a neighbourhood. The rules set out above prescribe quantitative noise limits aimed at maintaining or even reducing existing background noise levels and to protect neighbours (and occupiers of the property) from adverse effects. The standards differ according to time of day and week, location and type of activity concerned.

## **7.9. Other General Rules**

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

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

### **7.9.2. Stormwater Disposal**

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

### **7.9.3. Planting**

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

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

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

7.9.4.3. Scenically Sensitive Commercial Zone

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

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

**7.9.5. Rifle Range Protection**

Activities within the Rifle Range Protection Area (shown on Planning Maps B7 and B10) are either permitted, discretionary or prohibited as outlined below.

**7.9.5.1. Permitted Activities (within the Westport Rifle Range Protection Area)**

7.9.5.1.1. Agricultural activities.

7.9.5.1.2. Recreational firearms target shooting.

7.9.5.1.3. Temporary military training activities in accordance with Rule 6.2.20.

7.9.5.1.4. Works, including non-residential building, that are reasonably necessary for the operation of the Westport Rifle Range or the carrying out of another permitted activity.

7.9.5.1.5. The erection of signs where this would be permitted under the “All Zone” or the “Rural Zone” rules in Part 7.7.

**7.9.5.2. Discretionary Activities (within the Westport Rifle Range Protection Area)**

7.9.5.2.1. The erection of signs where this would be a discretionary activity under the “Rural Zone” rules in Part 7.7.

**7.9.5.3. Prohibited Activities (within the Westport Rifle Range Protection Area)**

7.9.5.3.1. Erection of buildings not permitted by 7.9.5.1.4.

7.9.5.3.2. Any activity other than those outlined in 7.9.5.1. and 7.9.5.2 .

## **7.9.6. Esplanade Strips and Esplanade Reserves**

### **7.9.6.1. Rules**

- 7.9.6.1.1. Where any allotment of 4ha or more is created when land adjoining the Coastal Marine Area is subdivided, other than as a result of a boundary adjustment, an esplanade strip of 20m shall be set aside in the new lot along the mark of Mean High Water Spring of the sea and along the bank of any river or margin of any lake.
- 7.9.6.1.2. Where any allotment of 4ha or more is created when land is subdivided, other than applies under 7.9.6.1.1. above, or as a result of a boundary adjustment, an esplanade strip of 20m shall be created from that allotment along the bank of any river or margin of any lake. This requirement for an esplanade strip does not apply where a legal road (formed or not) provides adequate access to the water body. This rule only applies to lakes and rivers as defined in section 230(4) of the Resource Management Act 1991.
- 7.9.6.1.3. An esplanade strip required under 7.9.6.1.1. or 7.9.6.1.2. above may on application be reduced in width or dispensed with altogether. In considering any such application the Council shall take into account the matters listed in 7.9.6.3. below.

### **7.9.6.2. Explanation/Reasons**

- 7.9.6.2.1. Esplanade reserves and strips are defined in the Act. Esplanade reserves are required on the creation of new lots under 4ha as detailed in Section 230 of the Act. Esplanade strips are required on the creation of new lots of 4ha and over on land adjoining the Coastal Marine Area, rivers or lakes by the general rule 7.9.6.1. An instrument creating an esplanade strip will be created in accordance with Section 232 of the Act.
- 7.9.6.2.2. The matters in 7.9.6.3. below are the matters which will be considered in assessing applications for subdivision consent where a reduction or waiver of an esplanade reserve or esplanade strip is sought, in addition to any other matters the Council considers relevant. The subdivision consent may relate to a controlled, discretionary, non-complying or innominate activity.
- 7.9.6.2.3. Esplanade reserves and esplanade strips may be required as financial contributions for land use consents in accordance with 8.4.1.15.

### **7.9.6.3. General Matters for Assessment**

- 7.9.6.3.1. The extent to which the area has low conservation values of the type listed in Section 229 of the Act.
- 7.9.6.3.2. The extent to which the reserve or strip is needed to allow the continuation of reserves, and whether this can be achieved at a reduced width.
- 7.9.6.3.3. The extent to which reduced width will impact on the value of the reserve or strip for conservation or access purposes.
- 7.9.6.3.4. Whether there are topographical features which make a 20m width impractical.
- 7.9.6.3.5. The extent to which provision for protection of conservation values and public access to and along the edge of the relevant water body has been made elsewhere, for example, through easements, covenants or other reserves.
- 7.9.6.3.6. Whether the creation of an esplanade reserve is not in the best interests of public safety or security for the landowners and/or neighbours.
- 7.9.6.3.7. Where the values sought to be protected by an esplanade reserve can be adequately protected by an instrument creating an esplanade strip, the requirement for an esplanade reserve may be waived and an esplanade strip required instead.

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

#### **7.9.7.1. Permitted Activities:**

- 7.9.7.1.1. No changes of use or subdivision of any historic/cultural item(s) listed in Part 14, which would adversely affect the heritage resource or detract from the values the item(s) are listed for will be allowed.

#### **7.9.7.2. Discretionary Activities:**

- 7.9.7.2.1. No destruction of any historic/cultural item listed in Part 14.



**7.9.8. Notable Trees**

**7.9.8.1. Permitted Activities:**

7.9.8.1.1. No modification or destruction of any notable tree listed in Part 15 is permitted.

**7.9.8.2. Discretionary Activities:**

7.9.8.2.1. No destruction of any notable tree listed in Part 15, unless the work is clearly required to prevent obvious and imminent danger to the public.



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## PART 8 FINANCIAL CONTRIBUTIONS

### 8.1. Introduction

- 8.1.1. Financial contributions as outlined in Part 8.3 may be required on land use and subdivision consents for controlled, discretionary and non-complying activities. Financial contributions under 8.2 may be required for permitted activities which are developments. Esplanade reserves and strips are not defined as financial contributions in terms of Section 108 of the Act where they relate to subdivision consents, and are subject to the provisions of the Act relating to subdivisions. However esplanade reserves and strips can be required as financial contributions on land use consents.

### 8.2. Development Contributions on Permitted Activities

- 8.2.1. For the purposes of this rule, "development" means:
- 8.2.1.1. the construction, erection or alteration of any non-residential building; or
  - 8.2.1.2. the fencing, draining, excavation, filling or reclamation of land or the making of retaining walls in relation to such work; or
  - 8.2.1.3. the removal or destruction of vegetation; or
  - 8.2.1.4. the arresting or elimination of erosion or flooding; or
  - 8.2.1.5. the construction of any tramway or railway.
- 8.2.2. *Purpose and circumstance:* Activities which involve considerable financing have the potential to greatly benefit the District, but also lead to a strain on resources. Accordingly only activities which are substantial (as determined by their value) require a financial contribution for the development of reserves and facilities. Any development that is defined as a network utility shall be exempt from the development contributions.
- 8.2.3. *Amount of contribution:* Developments of a value of over \$500,000 shall be subject to a financial contribution of 0.5% of the value of the development. The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District.

### **8.3. Financial Contributions as Conditions of Resource Consents**

8.3.1. The following financial contributions (whether cash, land, works or services) may be required as conditions of land use and subdivision consent:

8.3.1.1. Provision of new roads, private ways, access lots, service lanes and accessways.

8.3.1.2. Provision for the upgrading and/or widening of existing roads.

8.3.1.3. The provision of off-street parking or cash-in-lieu of car parking.

8.3.1.4. The carrying out of earthworks including excavation, filling and compaction.

8.3.1.5. The carrying out of landscaping, including the revegetation of modified or cleared land and the planting of trees and shrubs, and the provision of street furniture.

8.3.1.6. The provision of fencing or screening.

8.3.1.7. Provision of water supply.

8.3.1.8. Provision for sewerage, drainage or the disposal of sewage.

8.3.1.9. Provision for control and disposal of stormwater, including during construction of any works.

8.3.1.10. Provision for electricity supply.

8.3.1.11. Provision for street lighting.

8.3.1.12. Provision for telephone systems.

8.3.1.13. Provision for land for public open space, for public recreation and for reserves purposes.

8.3.1.14. Covenants or caveats for the protection of individual trees or areas of bush.

8.3.1.15. Contributions of land for esplanade reserves or an interest in land as an esplanade strip.

8.3.1.16. Development contributions.

## **8.4. Circumstances, Maximum Amount and Purpose**

8.4.1. Financial contributions are required to cover a range of circumstances from making development more attractive by adding one or two trees to ensuring that drains are laid so that they will be effective in dealing with stormwater over large new subdivisions. The Council will refer to New Zealand Standard 4404:1981 *Code of Practice for Urban Land Subdivision* to ensure that works are undertaken to a suitably high standard. The purpose and circumstances under which financial contributions may be imposed, and the maximum amount of the contribution in respect of each of the types of financial contributions, are as follows:

### **8.4.1.1. New Roads**

8.4.1.1.1. *Purpose and circumstances:* To provide safe and adequate access to activities and provide for the needs of road users where access to the land proposed to be subdivided or developed cannot be achieved from existing roads, or where the capacity of existing roads would be exceeded.

8.4.1.1.2. *Maximum amount of contribution:* The full actual cost of constructing the new road, including the cost of the vesting in the Council of the necessary land for the road.

### **8.4.1.2. Upgrading/Widening of Existing Roads**

8.4.1.2.1. *Purpose and circumstances:* To provide safe and adequate access to activities and provide for the needs of road users where existing roads are of inadequate width or construction to cater for the increased usage caused by the subdivision or development.

8.4.1.2.2. *Maximum amount of contribution:* The full actual cost of upgrading to meet the required standard to make the road suitable for increased traffic including, where appropriate, the cost of vesting any land as road for widening purposes.

### **8.4.1.3. Off-Street Parking**

8.4.1.3.1. *Purpose and circumstances:* To provide cash to provide car parking spaces in the near vicinity of sites within the Urban Character Area where the off-street parking requirements of the Plan cannot be met.

8.4.1.3.2. *Maximum amount of contribution:* Current market value of 35m<sup>2</sup> of land in the zone per parking or loading space required by the off-street parking requirements of the Plan.

#### **8.4.1.4. Private Ways and Accessways**

8.4.1.4.1. *Purpose and circumstances:* To ensure private ways and accessways related to the activity are properly constructed and maintained so as to minimise any adverse effects that may arise from unsealed or poorly constructed private ways and accessways.

8.4.1.4.2. *Maximum amount of contribution:* The full actual cost of constructing and maintaining private ways and accessways to the appropriate standard.

#### **8.4.1.5. Earthworks**

8.4.1.5.1. *Purpose and circumstances:* To provide safe and adequate building areas and road access, stormwater control, land stability and to enable better utilisation of land, where the subdivision or development involves recontouring land to create roading services, site design and building areas; and to ensure that earthworks do not adversely affect significant natural habitats, ecosystems, landscapes and natural features.

8.4.1.5.2. *Maximum amount of contribution:* The full actual cost of carrying out the earthworks to the appropriate standards, retaining significant areas where required.

#### **8.4.1.6. Landscaping or Planting**

8.4.1.6.1. *Purpose and circumstances:* To reduce the adverse effects of land clearance and/or recontouring, enhance amenities and improve land stability where earthworks and/or land clearance or development have removed existing vegetation, or where replanting and landscaping will enhance existing amenities and reduce adverse impacts.

8.4.1.6.2. *Maximum amount of contribution:* The full actual cost of carrying out the landscaping.

#### **8.4.1.7. Fencing or Screening**

8.4.1.7.1. *Purpose and circumstances:* To minimise any adverse effects where a subdivision or land use may impact on heritage features, conservation areas or on important landscapes or public vistas/views or for screening between different activities or between Management Areas.

8.4.1.7.2. *Maximum amount of contribution:* The full actual cost of carrying out the fencing or screening.

#### **8.4.1.8. Water Supply**

8.4.1.8.1. *Purpose and circumstances:* To provide an adequate supply of potable water for human consumption, for industrial and commercial activities, or for fire fighting and irrigation where proposed allotments, sites or buildings are intended for human habitation or occupation, or where forestry is being developed.

8.4.1.8.2. *Maximum amount of contribution:* Where a piped water supply is available and sufficient to meet the needs of the proposed activity, the full actual cost of providing all the necessary reticulation to serve the proposed allotments, sites and buildings. Where no supply is available, or the capacity of the supply is inadequate, the full actual cost of providing a supply and increasing the capacity if necessary, together with the cost of reticulation within the subdivision or development.

#### **8.4.1.9. Disposal of Sewage**

8.4.1.9.1. *Purpose and circumstances:* To maintain the health and amenity of inhabitants or occupants and to protect the natural environment from indiscriminate and harmful disposal of sewage where new allotments, sites and buildings are intended for human habitation or occupation.

8.4.1.9.2. *Maximum amount of contribution:* Where a sewerage system is available and has adequate capacity for meeting the proposed additional sewage, the full actual cost of connecting the lots or buildings to that sewerage system. Where a sewerage system is not available, or the capacity of an existing system is inadequate, the full actual cost of disposal, including design and investigation and the cost of increasing the capacity if necessary, together with the full actual cost of providing sewerage within the subdivision or buildings.

#### **8.4.1.10. Stormwater**

8.4.1.10.1. *Purpose and circumstances:* To prevent damage and loss of property and amenity from the indiscriminate and uncontrolled run-off of stormwater where new allotments, roads and/or other impervious surfaces are created by subdivision or development.

8.4.1.10.2. *Maximum amount of contribution:* Where a piped outfall is available, the full actual cost of reticulation control structures within the subdivision or development. Where a piped outfall is not available or the capacity of an existing system is inadequate, the full actual cost of providing for the disposal of stormwater and increasing the capacity if necessary, together with the full actual cost of reticulation and control structures within the subdivision or building.

#### **8.4.1.11. Electricity Supply**

8.4.1.11.1. *Purpose and circumstances:* To ensure that all proposed allotments, sites and buildings intended for human habitation and/or occupation can be supplied with electricity.

8.4.1.11.2. *Maximum amount of contribution:* The full actual cost of providing the supply underground to and within the subdivision or buildings.

#### **8.4.1.12. Street Lighting**

8.4.1.12.1. *Purpose and circumstances:* To improve the safety of road users and pedestrians where new roads or private ways are formed or upgraded as part of a subdivision or development.

8.4.1.12.2. *Maximum amount of contribution:* The full actual cost of providing the street lighting.

#### **8.4.1.13. Telephone Links**

8.4.1.13.1. *Purpose and circumstances:* To ensure that all proposed allotments, sites and buildings intended for human habitation and/or occupation are able to be connected to a telephone system.

8.4.1.13.2. *Maximum amount of contribution:* The full actual cost of providing telephone links to and within the subdivision or buildings.

#### **8.4.1.14. Provision of Open Space, Public Recreation or other Reserves**

8.4.1.14.1. *Purpose and circumstances:* To upgrade public recreational space and other reserves with facilities for public recreation and enjoyment or the protection of conservation values where the subdivision results, or will result, in an increase or an intensification of the use of land, whether by increased resident population or by commercial or industrial activities.



*8.4.1.14.2. Maximum amount of contribution:*

- (i) Where over 10 allotments are created land suitable for development into a reserve to serve the expected population.
- (ii) For each additional allotment of less than 1ha, the amount of a financial contribution shall be 7.5% of the land value.
- (iii) For each additional allotment of 1ha to 5ha, the amount of a financial contribution shall be 5% of the land value.
- (iv) For each additional allotment over 5ha, the amount of a financial contribution shall be 2.5% of the land value of no greater than 10ha of each allotment.

**8.4.1.15. Esplanade Reserves and Esplanade Strips**

*8.4.1.15.1. Purpose and circumstances in relation to land use consents:*

- (i) To protect conservation values on riparian and coastal margins and associated water quality and aquatic habitats.
- (ii) To ensure public access is maintained to and along water bodies where a proposed land use may reduce the ability to gain public access or where access is not currently available.
- (iii) To ensure recreational opportunities near water bodies are not lost where the proposed land use may reduce those opportunities or to provide recreational opportunities where these are not currently available.

*8.4.1.15.2. Maximum amount of contribution:* The full actual cost of vesting or contributing a reserve or strip of not greater than 20 metre width including the value of the land or interest in land and the costs of survey and conveyancing.

#### **8.4.1.16. Development Contributions**

8.4.1.16.1.*Purpose and circumstances:* Activities which involve considerable financing have the potential to greatly benefit the District, but also lead to a strain on resources. Where a development (as defined in 8.2) occurs, additional contribution over and above that provided for any of the purposes in 8.4.1.1 to 8.4.1.15 above may be required to provide for the social and recreational needs of the area around which the development is located.

8.4.1.16.2.*Maximum amount of contribution:* Developments of a value of over \$500,000 shall be subject to a financial contribution of up to 0.5% of the value of the development. The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District. The value of other financial contributions conditional on the development will be considered with regard to the amount of development contribution required.

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## **PART 9 CRITERIA FOR ASSESSMENT OF DISCRETIONARY ACTIVITIES**

### **9.1. Explanation**

- 9.1.1. The following are the matters which will be considered in assessments of applications for discretionary activities catered for in Parts 5, 6 and 7 in addition to any other matters the Council considers relevant and any other relevant policy document, plan, or proposed plan including those identified in Part 2.

### **9.2. General Matters for Assessment in all Zones**

- 9.2.1. The extent to which the activity complies with any relevant objectives and policies of the Plan and any other relevant policy document, plan or proposed plan including those identified in Part 2.
- 9.2.2. Where standards have been specified relating to activities in each Character Area the extent of compliance with standards for permitted activities shall be considered when assessing the application.
- 9.2.3. The likely effects, both adverse and beneficial, of the proposal including effects on:
- 9.2.3.1. Natural and physical resources, in particular, possible initiation or acceleration of soil erosion or deposition of any vegetation, soil, rock or debris in a water course or directly to coastal water.
  - 9.2.3.2. Natural habitats and/or vegetation, landscape and natural features and the integrity, resilience and functioning of indigenous ecosystems.
  - 9.2.3.3. The natural character of the coastal environment, wetlands, and lakes and rivers and their margins.
  - 9.2.3.4. Water courses, streams and lakes and on water quality.
  - 9.2.3.5. The ability of the site to be rehabilitated when an activity ceases on a site.
  - 9.2.3.6. The degree of exposure or risk to natural hazards of both people, buildings and structures.

- 9.2.3.7. Visual amenities including those of any buildings or structures associated with the activity and other ancillary features, for example, signage and parking. The design, siting and appearance of buildings should have special regard for, and be visually appropriate to, the natural landscape and scenic character of the locality, particularly in areas of high scenic value. Appropriate landscape treatment and sensitive use of colours for example, assist in mitigating possible adverse effects.
- 9.2.3.8. The relationship of tangata whenua with their ancestral lands, waters, waahi tapu sites and other taonga.
- 9.2.3.9. The sound environment in the locality (for example traffic noise generated at nearby settlements as a result of traffic movements to and from the activity), other users acoustical amenities, and where any noise has special audible characteristics, for example, impulses or tonality, or where vibration is significant, the extent to which sound or vibration is likely to affect community health or amenity.
- 9.2.3.10. Infrastructure and services including the safety and health of nearby residents or occupiers of land and the ability of the site to cater for the disposal of effluent likely to be generated by activities.
- 9.2.3.11. The ongoing sustainability of local communities and, in particular, their health, social and economic welfare.
- 9.2.3.12. Neighbouring land uses. Landowners adjacent to the site should not have activities on their land jeopardised or detrimentally affected unless their prior written consent has been obtained. Where written consent is not obtained, the effects on adjacent landowners' amenity and activities will be considered.
- 9.2.3.13. The safe and efficient provision for vehicle and pedestrian access, including car parking.
- 9.2.3.14. The settlement pattern of the District including tendency to promote closer settlement, or cause a possible demand for the inefficient and uneconomic extension of public services and infrastructure.
- 9.2.3.15. The potential future use of any renewable resources.
- 9.2.3.16. The use of mineral resources in a way that meets the reasonably foreseeable needs of future generations.
- 9.2.3.17. Community or environmental health and/or safety through the use, storage or transport of hazardous substances, especially where located in close proximity to residential zones, schools, community facilities or other public places where large numbers of people congregate.

9.2.3.18. The living environments of people in their houses including shading, or dominance from height of buildings close to residential boundaries.

9.2.4. The extent to which any adverse effect of the activity can be overcome by mitigation measures.

9.2.5. The potential and benefits for co-siting the network/infrastructure utilities and the extent to which the provider of the utility has investigated the potential.

### **9.3. Additional Matters in the Commercial Zone**

9.3.1. For commercial activities, whether:

9.3.1.1. Adverse effects on any adjoining residential zone or nearby residents can be mitigated.

9.3.1.2. The proposal makes adequate provision for weather protection over footpaths.

9.3.1.3. The location of buildings on the site ensures continuity with the patterns of vertical scale of structures and other elements of the street.

9.3.2. For non-commercial activities:

9.3.2.1. The assessment criteria in 9.3.1 above.

9.3.2.2. The extent to which the activity will affect the sustainability and character of the commercial core.

9.3.2.3. Whether the proposal is an integral part of a commercial activity on site. Activities such as industries which have some retailing of goods manufactured, or houses with some retailing of crafts may be acceptable.

9.3.2.4. Whether there are particular site characteristics which make a non-commercial activity acceptable.

9.3.3. For carparking lots, car sales yards, service stations and open recreational areas:

9.3.3.1. Whether they are temporary and necessary to effect the establishment of an activity which has already received or at the same time receives resource consent.

## **9.4. Additional Matters in the Industrial Zone**

9.4.1. For industrial activities which do not comply with the performance standards for permitted or controlled activities the extent to which the activity impacts on neighbouring activities.

9.4.1.1. For non-industrial activities the extent to which the activity impacts on neighbouring activities, particularly whether the non-industrial activity is compatible with heavy industry which is already established.

## **9.5. Additional Matters in the Paparoa Character Area**

9.5.1. For all activities the effect of the activity on the scenic qualities of the area. Conditions may be imposed to mitigate any adverse effects, for example, conditions on access or design of buildings.

9.5.2. For all activities the values and sensitivity of the land/sea interface. Conditions may be imposed on buildings to mitigate any adverse effects on the scenic qualities of the area. Acceptable activities are likely to be low impact recreational activities or those which enhance the natural values and character of the coast.

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## **PART 10 DEFINITIONS**

In this Plan and in each document relating to this Plan, unless otherwise specified, the following meanings shall prevail:

<b>Above Verandah Sign</b>	A sign mounted on top of a street verandah, which is displayed at right angles to the road.
<b>Access Strip</b>	Has the same meaning as in Part 1 of the Act
<b>Accessway</b>	Has the same meaning as in Section 315 of the Local Government Act 1974.
<b>Accessory</b>	Ancillary and subservient to the primary use of land and/or buildings.
<b>Accessory Building</b>	On any site means a building that is not a Habitable Building, the use of which is incidental to that part of any other building or buildings on the site, and in relation to a site on which no building has been erected, is incidental to any permitted activity.
<b>Act</b>	The Resource Management Act 1991 and includes any amendments thereto.
<b>Aerial Sign</b>	A sign on, or attached to a balloon, blimp or dirigible. This will be tethered to the ground but free to move in the wind.
<b>Agricultural Activity</b>	Any land-based activity, the primary purpose of which is to produce livestock or vegetative matter and includes horticultural and pastoral farming but does not include forestry, or factory farming.
<b>Allotment</b>	Has the same meaning as in Section 218 of the Act.
<b>Animated</b>	Any moving part of a sign, not including balloons, banners, or flags.
<b>Background Sound Level</b>	The mean minimum sound level in the absence of any nuisance noise at the relevant place and time of measurement. When statistical analysis methods are used, the background noise level should be taken as that level which is equalled or exceeded 95 per cent of the observation time (L <sub>95</sub> ).

<b>Below Verandah Sign</b>	A sign mounted on the underside of a street verandah, which is displayed at right angles to the road.
<b>Boundary Adjustment</b>	A subdivision where the number of allotments, as a result of the subdivision, does not exceed the number of allotments previously existing and the area of each allotment is altered by less than one hectare. In determining lot numbers, esplanade reserves shall not be counted.
<b>Building</b>	Any structure or part of structure, whether temporary or permanent, moveable or immovable but does not include: <ul style="list-style-type: none"><li>• Any scaffolding or falsework erected temporarily for maintenance or construction purposes.</li><li>• Fences or walls of up to 2m height, not used for advertising or for any purpose other than a fence or wall.</li><li>• Structures which are both less than 10m<sup>2</sup> in area, and less than 2m in height.</li><li>• Masts, poles, radio and telephone aerials less than 6m above ground level.</li></ul>
<b>Building Modification</b>	Physical changes to a building or site other than routine or minor maintenance and restoration works such as patching, piecing-in, splicing, and replacing individual damaged or missing bricks, stones, timber sections, tiles or slates.
<b>Coastal Environment</b>	Land above the Mean High Water Spring mark extending up to the dominant ridge line or base of the terrace, and where coastal processes affect the landforms.
<b>Coastal Marine Area</b>	The foreshore, seabed, and coastal water, and the air space above the water: <ul style="list-style-type: none"><li>• Of which the seaward boundary is the outer limits of the territorial sea;</li><li>• Of which the landward boundary is the line of Mean High Water Springs, except where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of one kilometre upstream from the mouth of the river; or the point upstream that is calculated by multiplying the width of the river mouth by 5.</li></ul>



<b>Commercial Activity</b>	Any use of land or buildings for the purposes of the sale of food, services and other commodities and merchandise or the provision of services or professional advice.
<b>Commercial Livestock</b>	The keeping and raising of poultry, pigs and other farm animals for the purpose of sale.
<b>Community Facilities</b>	Any building or facility or part thereof intended to be used principally by members of the local community for the assembly of people for recreation, entertainment, cultural instruction and deliberation (but does not include any entertainment facilities or restaurants).
<b>Conical Surface</b>	The surface which extends from the periphery of the horizontal surface, upwards and outwards at a slope of 2.5° (1:40) to its outer limits which are contained in a horizontal plane located 152 metres above the aerodrome elevation datum. Where the existing ground level penetrates or comes close to the conical surface then this surface may be adjusted in conformity with the ground so as to provide a vertical clearance of 11 metres above ground level.
<b>Controlled Activity</b>	An activity which: <ul style="list-style-type: none"><li>• Is provided for as a controlled activity in this Plan; and</li><li>• complies with standards and terms specified in the Plan for such activities; and</li><li>• is assessed according to matters the Council has reserved control over in the Plan; and</li><li>• Is allowed only if a resource consent is obtained in respect of that activity.</li></ul>
<b>Council</b>	The Buller District Council and any committee, sub-committee or person to whom the Council's powers, duties and discretion under the provisions of the Act or this Plan has been delegated pursuant to the provisions of the Act or the Local Government Act 1974.
<b>Discretionary Activity</b>	An activity which: <ul style="list-style-type: none"><li>• Is provided for as a discretionary activity in this Plan; and</li><li>• is allowed only if a resource consent is obtained in respect of that activity; and</li><li>• may have standards and terms specified in this Plan; and</li></ul>

- in respect of which the Council may restrict the exercise of its discretion to those matters specified in the Plan for that activity.

<b>Dwelling</b>	A building or part thereof designed and used principally as a self-contained residence.
<b>Earthworks</b>	Earth moving operations carried out by any means for development purposes and includes: <ul style="list-style-type: none"><li>• The disturbance of land surfaces by moving, removing, placing or replacing soil or earth; or by excavation, cutting or filling operations.</li><li>• Contouring, road, driveway and access construction.</li></ul>
<b>Ecological District/Region</b>	Levels used for the ecological classification of land. Currently New Zealand is divided into 269 ecological districts and 65 ecological regions according to geological, topographical, climatic and biological features and processes and human activities, which interrelate to produce a characteristic landscape and range of biological communities.
<b>Electric Line</b>	Any wire or means intended to be used for transmitting, distributing or otherwise conducting electricity and includes telephone lines.
<b>Endemic</b>	Refers to species of plants and animals which are unique to an area or animals which may migrate but breed only within the area.
<b>Environment</b>	Environment includes: <ul style="list-style-type: none"><li>(a) Ecosystems and their constituent parts, including people and communities; and</li><li>(b) all natural and physical resources; and</li><li>(c) amenity values; and</li><li>(d) the social, economic, aesthetic and cultural conditions which affect the matters stated in paragraphs a-c of this definition or which are affected by those matters.</li></ul>
<b>Erection</b>	In relation to any building, includes the re-erection or structural alteration of, or making of any addition to the building or the planning of a building on a site, or to the placing of the building from one position on the same or to any other site; and "erect" and "erected" have corresponding meanings.

<b>Exploration</b>	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 excavations (whether surface or sub-surface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence. To explore has a corresponding meaning.
<b>Factory Farming</b>	Farming which is not dependent on the fertility of the soil on which it is located or which takes place substantially within buildings or other structures, for example, poultry farming, pig farming, rabbit farming, mushroom farming, pot grown nursery and glasshouses which have other than an earth floor.
<b>Forestry</b>	Activities involved in the management of forests including planting, maintenance, thinning and felling for extraction and utilisation of trees.
<b>Frangible Sign Support</b>	A type of sign foundation that allows a sign pole or other attached support structure to break away cleanly if struck by a motor vehicle, thereby reducing the force of impact to the occupants inside the vehicle.
<b>Freestanding Sign</b>	Any sign which is not attached to a building and is self-supported, being permanently fixed to the ground and frangible, not portable.
<b>Front Yard</b>	A yard between the street line, a line parallel to, and extending across the full width of the site.
<b>Frontage</b>	That portion of land which secures legal access to an allotment from an existing road or road to be vested or otherwise legalised and includes any right of way.
<b>Gross Ground Floor Area</b>	The total area of all ground floors contained within the exterior walls of any building excluding any private garage located within those exterior walls, except where there is living space above. It also includes the area beneath an internal canter leaver, but not open terrace.
<b>Habitable Building</b>	Any building or part thereof which provides overnight accommodation for people, whether or not it is self-contained. Habitable Buildings include but are not limited to: <ul style="list-style-type: none"><li>• Dwellings</li></ul>

- Granny flats
- Sleep-outs
- Units

Where each storey of a multi storey building or each part of a semi-detached or terraced building is capable of providing overnight accommodation for people independently of another storey or part, each such storey or part will be counted as one Habitable Building.

**Hazardous Facilities**

Includes all activities involving hazardous substances, sites where hazardous substances are stored or handled or which might be contaminated by hazardous substances, and all installations containing hazardous substances, including vehicles for their transport.

**Hazardous Substances**

Any substance which exceeds a threshold level of one or more of the following intrinsic hazardous properties:

- an explosive nature
- flammability
- an oxidising nature
- toxicity
- corrosiveness
- ecotoxicity with or without bioaccumulation
- evolving substances with one or more of the above properties on release into the environment.

Substances may also be defined as hazardous by regulation under the Hazardous Substances and New Organisms Act 1996.

**Heavy Vehicle**

A vehicle which has an unladen weight of 3.5 tonne or over.

**Height**

As applied to buildings shall be a vertical distance measured from the average original ground level along the foundation of a building facing any boundary of the site to:

- The highest point of the ridge where the roof slope exceeds 35°, or
- to the highest point of the parapet, or intersection of the wall and roof in the case of a flat or sloping roof less than 35° and other than a roof having a gable end, or
- in the case of a roof with a slope of less than 35° and having a gable end, the median level between the intersection of the walls and the roof and the highest points of the roof.

Provided that chimneys, ventilation shafts, water tanks, elevator lofts, steeples, towers and similar parts of a building may be excluded from the height calculations.

**Horizontal Surface**

The surface contained in a horizontal plane located 46 metres above the aerodrome elevation datum. Its outer limits are at a horizontal radius of 4,000 metres, measured from the periphery of the main strip. If the existing ground level penetrates or comes close to the horizontal surface, then the horizontal surface may be adjusted in the conformity with the ground so as to provide a vertical clearance of 11 metres above the ground level.

**Illuminated Sign**

A sign which involves any lighting, whether internally or externally lit.

**Indigenous Vegetation Clearance**

The felling, clearing and destroying of trees or any vegetation by cutting, crushing, draining, smothering, spraying or burning for any purpose including vehicle tracking, but excluding the clearance of indigenous vegetation forming an under storey within an exotic plantation forest.  
Clearance of vegetation shall have the same meaning.

**Industry**

Any activity involving the production, processing, assembly, servicing, testing, repair and/or storage and warehousing of any materials, goods, products or vehicles and includes transportation facilities and freight depots.

**Inflatable Sign**

Any sign which is made of flexible material filled with air or gas and remains standing on the ground, not floating above ground level.

**Intermittent**

Any illuminated sign where the lighting is not static.

**Kaitiakitanga**

The exercise of guardianship, and in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.

**Land Value**

Shall be based on that figure determined by a registered public valuer and current at the time of subdivision approval and shall be supplied to the Council by the developer or applicant.

**Main Street** Palmerston Street, Westport, from Rintoul to Henley Streets and Broadway, Reefton, from Bridge to Sinnamon Streets.

**Mean High Water Springs** The average line of spring high tide.

Where the Mean High Water Springs crosses a river, Mean High Water Springs shall be defined as follows:

- For waterbodies listed in 'Table 1.1.1 Buller District' in 'Schedule 1: Cross River Boundaries' in the 'Regional Coastal Plan for the West Coast', Mean High Water Springs shall be the boundary listed in the Table.
- For all other waterbodies, it shall be the landward boundary of the Coastal Marine Area.

**Meteorological Activities** The establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links.

**Mining** Any activity which involves the taking, winning, or extraction by whatever means, of a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance, including quarrying. Mining also includes prospecting and exploration activities where these are not allowed as permitted, controlled or restricted discretionary activities in the District Plan. To mine has a corresponding meaning.

**Natural Wetlands** Are predominantly wetland and pakihi, shallow water and land/water margins which contain predominantly indigenous vegetation and/or are habitats for indigenous fauna. Wetlands may be brackish, fresh or saline and are characterised in their natural state by plants and animals that are adapted to living in wet conditions. Natural wetlands do not include areas of exotic pasture where water ponds after rain.

**Network Utilities** Are pipes, lines, buildings or similar involving the following:

- Transformers or lines for conveying electricity.
- Household, commercial and industrial connections to gas, water, drainage and sewer pipes.

- Telecommunication and radio communication facilities.
- Pipes for the distribution or transmission of petroleum or natural or manufactured gas, and necessary incidental equipment, including household connections and compressor stations.
- Pipes for the conveyance of irrigation water, or drainage water or sewerage, and necessary incidental equipment including household connections.
- Lighthouses, navigational aids and beacons.

**Ngai Tahu; Ngai Tahu Whanui** Collective of individuals who descend from the primary hapu of Waitaha, Ngati Mamoe, and Ngai Tahu, namely Kati Kuri, Kati Irakehu, Kati Huirapa, Ngai Tuahuriri, and Kai Te Ruahikihiki (as defined in Section 9 of the Ngai Tahu Claims Settlement Act 1998).

**Ngai Tahu Takiwa** Tribal area of Ngai Tahu (as defined in Section 5 of the Te Runanga o Ngai Tahu Act 1996).

**Nohoanga Entitlement** An entitlement granted by the Crown to Te Runanga o Ngai Tahu to temporarily occupy specified areas of Crown land for access to waterways for lawful fishing and gathering of other natural resources on a non-commercial basis.

**Non-complying Activity** An activity which contravenes a rule in the Plan and is allowed only if a resource consent is obtained in respect of that activity.

**Non-sewered Area** Any allotment which is not served by sewage pipes leading to a communal sewage treatment works.

**Official Signs** All regulatory traffic and official signs approved by the road controlling authority or provided for under any legislation and which are erected on a legal road or state highway. They are part of the normal road operations and traffic guidance and are made of standard design, colour, shape etc, and convey instructions of warning or advice as to road conditions, destinations, traffic control, and tourist and motorist services.

**Pakihi** Land that is dominated by a vegetation association of sedges, ferns, restiads, mosses and *Leptospermum scoparium*. *Baumea* spp., *Gleichenia dicarpa*,

*Empodisma minus*, *Sphagnum spp.*, with varying amounts of *Juncus gregiflorus*, are the main species.

<b>Papatipu Runanga</b>	Regional collective bodies of Ngai Tahu Whanui (as referred to in Section 9 of Te Runanga o Ngai Tahu Act 1996).
<b>Permitted Activity</b>	An activity that is allowed by the Plan without a resource consent if it complies in all respects with any conditions specified in the Plan.
<b>Plan</b>	This District Plan including all operative plan changes.
<b>Portable Sign</b>	Any sign which can be moved, and is typically taken out in the morning and removed at closing. This includes sandwich board signs.
<b>Prospecting</b>	Any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences involving any of the following: <ul style="list-style-type: none"><li>• Geological, geochemical and geophysical surveys.</li><li>• The taking of samples by hand or hand held methods.</li><li>• Aerial surveys.</li></ul>
<b>Public Conservation Land</b>	Land managed by the Department of Conservation.
<b>Public Purposes</b>	For use of any of the following activities: <ul style="list-style-type: none"><li>• Parks, playgrounds and recreation grounds.</li><li>• Churches and buildings for religious purposes.</li><li>• Libraries, museums and educational institutions.</li><li>• Places of assembly and entertainment.</li></ul>
<b>Radiocommunication Facility</b>	Any transmitting/receiving devices such as aerials, dishes, antennae, cables, wires, and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings.
<b>Real Estate Signs</b>	Temporary signs advertising the sale of land or premises, located on the land to which the sign relates.
<b>Rear Yard</b>	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 centre and a radius of 5 metres.

**Recession Plane**

A surface inclined towards the interior of a site or zone boundary or from points vertically above a site or zone boundary through which no part of a building may intrude, except the following:

- Chimneys, ventilation shafts, roof water tanks, lift and stair shafts and spires, poles and masts less than 9 metres above ground level, provided the maximum dimension thereof measured parallel to the boundary under consideration shall not exceed 3 metres.
- In the Residential Zone and Scenically Sensitive Residential Zone, where a single gable end with a base of 7.5 metres or less faces a boundary and a recession plane strikes no lower than half way between the eaves and ridge line, that gable end may penetrate the recession plane.

**Regulatory Signs**

Regulatory instructions which road users are required to obey, including directional, speed and warning signs.

**Remote Sign**

Any sign which is not located on the site to which it relates.

**Reserve**

Any land set apart for any public purpose, as defined in the Reserves Act 1977. There are different types of reserves administered by the Department of Conservation and the word 'reserves' in the District Plan can refer to these reserves.

**Residential Activity**

Any use of land where permanent accommodation in a dwelling, apartment or institutional home is the primary purpose, and no persons are employed other than for the purposes of caring for permanent residents.

**Road Intersection**

The intersection kerb-line, or when there is no kerb-line, the nearest intersection of the two carriageways.

**Sign**

Any item visible from a public place which has the purpose of providing a visual message, including directions, information, or to identify or attract attention to people, places, event, products, services, or goods, a site or building. This includes, but is not limited to, any mural, message, or notice painted on, affixed to, or otherwise incorporated with a building, structure, site, banner, flag,

bunting, poster, billboard, black board, sandwich board, model, poster, hoarding, sticker, placard, balloon, wind sock, blimp, or projection of lighting to create an advertising image.

This also includes all parts, portions, units and materials composing the same, together with the frame, background or structure and support or anchorage, any specially constructed device, whether painted, printed, written, carved, inscribed, endorsed or projected onto a place or otherwise fixed or attached to any wall, roof, fence, rock, stone, structure, canvas or stationary vehicle.

Sign does not include any advertising matter placed on or within a display window of a shop or business within the Commercial Zone.

**Site**

Any corner site, front site, rear site or through site that is:

- Comprised in a single certificate of title; or
- contained in a single allotment as an approved survey plan of subdivision for which a separate certificate of title could be issued without further consent of the Council; or
- an area of land which is composed of two or more certificates of title where such titles are:-
  - (i) subject to a condition imposed under S75 of the Building Act or S643 of the Local Government Act 1974; or
  - (ii) held together in such a way that they cannot be dealt with separately without prior consent of the Council.

Except in the case of land subdivided under the Unit Titles Act 1972 or the cross-lease system, "site" shall be deemed to be the whole of the land subject to unit development or cross lease. In determining the area of rear sites any access strip shall not be included in the calculation for that site.

**Site Coverage**

(Which is expressed as a percentage) means that portion of a site which may be covered by buildings, but not including fences, terraces, decking or retaining walls.

**Special Lot**

Any land subdivided for the purpose of:

- Containing a network utility or special public purpose (e.g. reserves, electricity substations) which require only a small area of land.

- Creating an esplanade reserve or esplanade strip.

**Statutory Acknowledgment** An acknowledgment by the Crown of Ngai Tahu's particular cultural, spiritual, historical or traditional association with specified areas. Refer to Part 12 of the Ngai Tahu Claims Settlement Act 1988.

**Street** Includes road, avenue, cul-de-sac, parade, lane and means a prepared surface or route for the movement of motor vehicles and people.

**Taiapure** Fishery areas in New Zealand waters (being estuarine or littoral coastal waters) that have customarily been of special significance to any iwi or hapu either as a source of food or for spiritual or cultural reasons.

**Take-Off, Climb-Approach Surface** The surfaces rising at a specific gradient from the level of the lowest part of each of the main and subsidiary strip ends. Each take-off, climb-approach surface extends over a horizontal distance specified below and is symmetrically disposed about the extended centre line of the strip with its sides diverging uniformly outwards at a rate of 15% (8 degrees, 32') from the corners of each strip end:

- The take-off, climb-approach surfaces off the ends of the main strip rise at a gradient of 1.6% (1:62.5) for a horizontal distance of 18,000 metres.
- The take-off, climb-approach surface off each end of the two subsidiary strips rise at a gradient of 2.5% (1:40) over a horizontal distance of 3,000 metres.

**Telecommunication Facilities** Refers to the types of network communication systems including radio, telephone and television. Structures would include exchanges, booths, masts, towers, antenna/aerials, buildings, lines, wires, cables and any other facilities associated with the installation of network utility systems.

**Telecommunication Line** A wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication; and includes any pole, insulator, casing, minor fixture, tunnel, or other equipment or material used or intended to be used for supporting,

enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a line.

<b>Temporary Activity</b>	Any use of land or structure of short-term duration incidental to a construction project or private leisure; or for demolition, temporary storage, temporary homes, or sporting, festive or similar events.
<b>Temporary Military Training Activity</b>	An activity undertaken for Defence Purposes in accordance with the Defence Act 1990. The Defence Act also enables access to Defence Areas, which includes areas utilised for temporary military training activities to be restricted.
<b>Temporary Signs</b>	Any sign which is displayed for a specified period of time before being physically removed (excluding Election Hoardings Signs).
<b>Te Runanga O Ngai Tahu</b>	The governing body representing the 18 Papatipu Runanga of Ngai Tahu Whanui (as established by Section 6 of Te Runanga O Ngai Tahu Act 1996).
<b>Tourist Related Activity</b>	Any activity which primarily caters for, and provides a service to visitors to the District, and which relies on the natural and physical resources of the District as an attraction and integral part of the business activity.
<b>Transitional Surfaces</b>	Surfaces which extend towards and outwards from the side of each take-off, climb-approach surface rising at a gradient of 14.3° (1:7) to intercept the horizontal surface. Transitional surfaces also extend upwards and outwards from the sides of each strip at a gradient of 14.3° (1:7) to intercept the horizontal surface.
<b>Trivision Signs</b>	A mounted permanent sign panel containing a changing display with a rotating set of signs.
<b>Verandah Fascia Sign</b>	A sign located on the fascia of a street verandah.
<b>Yard</b>	A part of a site which is required by this Plan to be unoccupied and unobstructed by buildings except fences from the ground upwards, except as otherwise provided by this Plan.

## PART 11 SCHEDULE OF DESIGNATED LANDS

### 11.1. Schedule of Designated Lands

\* Denotes conditions attached to the designation

NO.	NAME	LOCATION	PURPOSE	LEGAL DESCRIPTION	REQUIRING AUTHORITY
1.		Wharf Road, Karamea	Police Station	Part Lot 5, DP 264 Block XIV Oparara Survey District	Minister of Police
2.		State Highway 67, Waimangaroa	Electricity Substation and Radiocommunication Repeater	Lot 3 DP 15652 (CT 10B/1008) Lot 4 DP 15652 (CT10B/1009) Block I Kawatiri Survey District	Transpower New Zealand Limited
3.		Broadway, Reefton	Police Station	Sections 165 and 166 Town of Reefton (CT10A/1160)	Minister of Police
4.		11-13 Wakefield Street, Westport	Police Station	Part Section 988 Town of Westport	Minister of Police
5.		State Highway 67, Granity	Police Station	Lot 7, DP 96 Block VI Ngakawau Survey District	Minister of Police
6.		Inangahua Junction Nelson-Westport Highway (State Highway 6)	Electricity Substation	Part Section 33 Block V Inangahua Survey District (SO 9464, CT9C/760)	Transpower New Zealand Limited
7.		McKay Road, Westport	Electricity Substation	Part Section 11 Block I Steeples Survey District (SO 10028, CT9C/756)	Transpower New Zealand Limited
8.		State Highway 69, Waitahu	Electricity Substation	Part Section 112 Block IX Reefton Survey District (SO 9652, CT9C/755)	Westpower Limited
9.	Vacant				

10.		Wakefield Street, Westport	Courthouse	Pt Section 988; Section 1066 Town of Westport Block III Kawatiri Survey District	Minister for Courts
11.		Wakefield Street, Westport	Probation, Reporting, and Periodic Detention Centre	Lots 2, 3 & 4, DP 301; Lot 1, DP 14153 Block III Kawatiri Survey District	Minister of Corrections
12.		Ngakawau Bridge State Highway 67	State Highway	Part Section 57 Block I Ngakawau Survey District and Part Crown Land (part Ngakawau River Bed)	New Zealand Transport Agency
13.		Springs Junction Intersection of State Highway 65 and State Highway 7	State Highway		New Zealand Transport Agency
14.	Vacant				
15.	Vacant				
16.		Fox River	Scenic	Sections 8 & 9 Block V Brighton Survey District	Minister of Conservation
17.		Te Ana Matuku Caves	Historic	Unformed Legal Road	Minister of Conservation
18.	Vacant				
19.	Vacant				
20.	Buller High School	Derby Street, Westport	Secondary School	Part Section 1002, DP 3055 Town of Westport Block III Kawatiri Survey District (SO 7986, SO 8235)	Minister of Education
21.	Buller High School	Pakington Street, Westport	Secondary School Playing Fields	Lot 2, DP 18326 Town of Westport Block III Kawatiri Survey District	Minister of Education

22.	Westport North School	Cobden Street, Westport	Primary School	Part Section 1002, DP 3055 and Section 353 SO 10339 Town of Westport Block III Kawatiri Survey District and Section 49 SO 7928 Block III Kawatiri Survey District	Minister of Education
23.	Westport South School	Disraeli/Haselden Street, Westport	Primary School	Lots 83, 84, 85, DP 47; Town of Westport Block III Kawatiri Survey District and Part Lot 82 DP 47 on DP3212 Being PT Section 1001 Town of Westport Situated in Block III Kawatiri Survey District	Minister of Education
24.	Karamea Area School	Waverley Street, Karamea	Composite School, Pre-School and Teacher's Residence	Lot 2, DP 9632 being Part Section 19 Square 152; Section 116 on SO 13155, Square 152 Block XIV Oparara Survey District	Minister of Education
25.	Vacant				
26.	Granity School	Torea Street, State Highway 67, Granity	Primary School and Pre-School	Section 25 on SO 9580 and Section 22 on SO 9039; Part Section 2, DP 1889; Part Section 2 on SO 9488 Block VI Ngakawau Survey District	Minister of Education
27.	Maruia School	School Road (State Highway 65), Maruia	Primary School and Teacher's Residence	Sections 1, 2 and 3 on SO 8084 Village of Maruia Block IV Rahu Survey District	Minister of Education

28.	Inangahua Junction School	Brown Creek Road and Upper Buller Junction	Primary School and Teacher's Residence	Section 6 on SO 8428; Section 55 on SO 10299 Block V Inangahua Survey District	Minister of Education
29.	Vacant				
30.	Reefton Area School	Intersection of Victory/Pitt Street and Crampton Road, Reefton	Composite School	Lots 1-3, DP 191; Lots 1-11, DP 62; Sections 908-910, 912-920, 924-932 SO 9594; Sections 1350, 1351, SO 9637; Section 1360 SO 9951; Section 1362 SO 10057; Section 1376 SO 11016; Town of Reefton Block XIV Reefton Survey District	Minister of Education
31.	Vacant				
32.	Vacant				
33.	Vacant				
34.		Karamea	Cemetery	Section 17A Block XIV Oparara Survey District	Buller District Council
35.		Mokihinui	Cemetery	Part R230 Section 4A Block X Mokihinui Survey District	Buller District Council
36.		Waimangaroa	Cemetery	Section 42 Block I Kawatiri Survey District	Buller District Council
37.		Orowaiti	Cemetery	Lots 1-2, DP 6239; Part Section 2; Sections 62, 335; Part Section 173, Square 141; Lot 1, DP 123 Block III Kawatiri Survey District	Buller District Council



38.		Addisons	Cemetery	Section 33 Block II Waitakere Survey District	Buller District Council
39.		Charleston	Cemetery	Section 3 Block III Waitakere Survey District	Buller District Council
40.		Boatmans	Cemetery	Section 4 Block VI Reefton Survey District	Buller District Council
41.		Inangahua	Cemetery	Part Section 28, Square 134 Block V Inangahua Survey District	Buller District Council
42.		Reefton	Cemetery	Section 7 Block IX Reefton Survey District	Buller District Council
43.		Reefton	Cemetery	Part Section 1329 Town of Reefton	Buller District Council
44.		Lyell	Cemetery	Section 26 Block I Maruia Survey District	Buller District Council
45.		Karamea Memorial Domain	Recreation Reserve	Lot 2, DP 7104; DP 3858 Block XIV Oparara Survey District	Buller District Council
46.		Arapito	Gravel Reserve	Lot 1, DP 6459; Part Section 55 Block XV Oparara Survey District	Buller District Council
47.		Little Wanganui Subdivision	Recreation Reserve	Lot 1, DP 8768 Block III Kongahu Survey District	Buller District Council
48.		Little Wanganui Subdivision	Recreation Reserve	Lot 42, DP 9897 Block III Kongahu Survey District	Buller District Council
49.		Little Wanganui Hall	Recreation	Sections 45, 47 Block II Kongahu Survey District	Buller District Council
50.		Mokihinui	Recreation Reserve	Section 162 Block X Mokihinui Survey District	Buller District Council

51.		Seddonville Soldiers Memorial Park	Recreation Reserve	Part Sections 91-92; Sections 83-84 Block XV Mokihinui Survey District	Buller District Council
52.		Hector Domain & Ngakawau	Recreation Reserve	Part Section 79A, 165, Lot 1 DP 3961; Lot 1 DP 4904; Lots 1 & 2 DP 5634; Lot 3 DP 4010; Section 13 Block I Ngakawau Survey District	Buller District Council
53.		Waimangaroa Reserve	Recreation Reserve	Sections 195-198, 205-208 223-225 Block I Kawatiri Survey District	Buller District Council
54.		Brougham Street, Westport	Recreation Reserve	Lot 14, DP 5689; Lot 2, DP 5150 Block III Kawatiri Survey District	Buller District Council
55.		Eastons Road, Westport	Recreation Reserve/Esplanade Reserve	Lot 17 & 18, DP 5830 Block III Kawatiri Survey District	Buller District Council
56.		Eastons Road, Westport	Esplanade Reserve	Lot 7, DP 7427 Block III Kawatiri Survey District	Buller District Council
57.		Snodgrass	Esplanade Reserve	Section 13 SO 10407 Block III Kawatiri Survey District	Buller District Council
58.		Orowaiti Road	Esplanade Reserve	TR 1598 Part Section 50 Block III Kawatiri Survey District	Buller District Council
59.		Westport Domain	Recreation Reserve	Section 1021, 1153 Town of Westport	Buller District Council
60.		Comerford Reserve, Westport	Recreation Reserve	Part Section 472, Town of Westport	Buller District Council
61.		Derby Street Playground, Westport	Recreation Reserve	Lot 68, DP 47 Town of Westport	Buller District Council
62.		Mill Street Reserve, Westport	Recreation Reserve	Section 1186 Town of Westport	Buller District Council

63.		Victoria Square, Westport	Recreation Reserve	Section 987, Closed Road Town of Westport	Buller District Council
64.		Squash Courts, Hunter Street, Westport	Recreation Reserve	Lot 22, DP 12525 Town of Westport	Buller District Council
65.		Adjacent to Waterfront Building, Westport	Recreation Reserve	Lot 77B Westport Colliery Reserve Town of Westport	Buller District Council
66.		Kilkenny Park	Recreation Reserve	Part Res 30 Block III Kawatiri Survey District	Buller District Council
67.		Rayner Park	Recreation Reserve	Section 1167 Town of Westport	Buller District Council
68.	Vacant				
69.		Carters Beach Reserve	Recreation Reserve	Part Section 33, 35 & 37 Block II Steeple Survey District	Buller District Council
70.		Omau Reserve	Recreation Reserve	Section 8, 19- 22; Lot 1 & 2, DP 6191 Steeple Survey District	Buller District Council
71.		Inangahua Junction Hall	Recreation Reserve	Section 8 Town of Buller Block V Inangahua Survey District	Buller District Council
72.		Reefton Reserve	Recreation Reserve	Sections 47- 60, 62-67, 78- 90; Part Section 1338; Part Section 1344; Lots 1-2 DP 363; Lot 1 DP 4267 Town of Reefton Block XIV Reefton Survey District	Buller District Council
73.		King George V Jubilee Park War Memorial	Recreation Reserve	Sections 441- 503, 1347 Town of Reefton	Buller District Council
74.		Children's Playground, Church Street, Reefton	Recreation Reserve	Sections 386- 391 Town of Reefton	Buller District Council

75.		Reefton Swimming Pool	Recreation Reserve	Pt 1363 Pt 1338 Town of Reefton	Buller District Council
76.		Crampton Road Playground	Recreation Reserve	Lots 6 & 34, DP 4267 Town of Reefton	Buller District Council
77.		Mawheraiti (Old School)	Recreation Reserve	DP 1097; DP 2738; Part Section 17 Block III	Buller District Council
78.	Vacant				
79.		Blacks Point (Old School)	Recreation Reserve	Section 258 Block XIV Reefton Survey District	Buller District Council
80.		Springs Junction	Recreation Reserve	Sections 15-16, 26, 33, 50 Springs Junction Block III Lewis Survey District	Buller District Council
81.		Maruia Hall	Recreation Reserve	Section 12 Maruia Village Block IV Rahu Survey District	Buller District Council
82.		Yellow Metal Pit	Gravel Extraction	Part Section 21 Block I Otumahana Survey District	Buller District Council
83.		Brunings Pit	Gravel Extraction	Section 2 SO 14783 Block II Steeple Survey District	Buller District Council
84.	Vacant				
85.	Vacant				
86.		The Esplanade, Westport	Esplanade Reserve	Section 1168 Town of Westport Block III Kawatiri Survey District	Buller District Council
87.	Vacant				
88.		Clocktower Chambers	Council Offices	Lot 1, DP 2058; Part Section 1003 Town of Westport	Buller District Council
89.		Brougham Chambers, Westport	Council Offices	Section 3 SO 14491 Town of Westport	Buller District Council

90.		Reefton Service Centre	Council Offices	Sections 178-179 Town of Reefton	Buller District Council
91.	Vacant				
92.		Karamea	Council Depot	Road Reserve adjacent DP 2678 Block IX Oparara Survey District	Buller District Council
93.		Peel Street, Westport	Council Depot	Section 579; Lot 4, DP 10109 Town of Westport	Buller District Council
94.		Russell Street, Westport	Council Depot	Sections 196-198; Part Section 199; DP 1483 Town of Westport	Buller District Council
95.		Reefton	Council Depot	Section 1386; Sections 845-854, 1354, 1357 Town of Reefton	Buller District Council
96.		Westport Community Hall including Memorial Hall, PYC Hall site and Band Hall	Community Facility	Lot 1, DP 5204; Lot 1, DP 5067; Part Section 1025 Town of Westport	Buller District Council
97.	Vacant				
98.		Reefton Community Centre	Community Facility	Local Purpose Reserve Sections 356-359 Town of Reefton	Buller District Council
99.		Karamea	Refuse Tip	Lot 1 DP 17940 Block IX Oparara Survey District	Buller District Council
100.		Birchfield	Refuse Tip	Part Section 109 Block II Kawatiri Survey District	Buller District Council
101.		Westport	Refuse Tip	Sections 41 & 42 Block III Kawatiri Survey District and Reclamation	Buller District Council

102.		Charleston	Refuse Tip	Section 1 SO 15097 Block VI Waitakere Survey District	Buller District Council
103.*		Reefton Resource Recovery Park	Collection, Storage, and Transfer of Solid Waste	Part Section 135 Square 131, Section 264 Square 131, Section 12 Block XIV SO 7456	Buller District Council
104.		Inangahua Junction	Refuse Tip	Legal Road Adjacent Brown Creek Road	Buller District Council
105.		Reefton	Refuse Tip	Legal Road and River Adjacent Inangahua River	Buller District Council
106.		Mawheraiti	Refuse Tip	SO 12953 LG 2223 Section 32 Block III Mawheraiti Survey District	Buller District Council
107.		Ikamatua	Refuse Tip	Lot 2, DP 5606 Block XI Mawheraiti Survey District	Buller District Council
108.		Maruia Recreation Reserve	Recreation Reserve	Section 7 & 9 Block VII Rahu Survey District	Buller District Council
109.		Little Wanganui	Water Supply Catchment	Part Section 3 Block III Kongahu Survey District	Buller District Council
110.		Ngakawau	Water Supply Catchment	Sections 10 & 12 Block II Ngakawau Survey District	Buller District Council
111.	Vacant				
112.		Waimangaroa	Water Supply Catchment	Sections 14, 46 Block VI Kawatiri Survey District	Buller District Council
113.	Vacant				
114.	Vacant				
115.	Vacant				
116.		Mokihinui	Water Supply Catchment	Part of Lot 1, DP 13090 Block XI	Buller District Council

117.*		Westport Wastewater Treatment Plant	Treating and Discharging Sewage and Trade Waste	Part Section 130 Block III Kawatiri Survey District	Buller District Council
118.		Little Wanganui Subdivision	Oxidation Ponds	Legal Road adjacent LG 1903 Section 30 Block III Kongahu Survey District	Buller District Council
119.		Reefton Sewage Treatment Plant	Treating and Discharging Sewage and Trade Waste	Section 263 Square 131 SO 13043; Part Section 135 Square 131 SO 4134	Buller District Council
120.		Cnr Camp Street and Darkies Terrace Road, Charleston	Telecommunication and Radio Communication and Ancillary Purposes	Section 465; Town of Charleston Block VI Waitakere Survey District	Telecom New Zealand Limited
121.		Main Road, Granity	Telecommunication and Radio Communication and Ancillary Purposes	Lot 1, DP 18093 Block VI Ngakawau Survey District	Telecom New Zealand Limited
122.		Waverley Street, Karamea	Telecommunication and Radio Communication and Ancillary Purposes	Part Lot 1, DP 6667; Part Section 20 Square 152 Block XIV Oparara Survey District	Telecom New Zealand Limited
123.		Memorial Lane, Maruia	Telecommunication and Radio Communication and Ancillary Purposes	Part Section 11 Town of Maruia Block IV Rahu Survey District	Telecom New Zealand Limited
124.		Cnr Bridge and Shiel Street, Reefton	Telecommunication and Radio Communication and Ancillary Purposes	Lot 1, DP 18669 Town of Reefton	Telecom New Zealand Limited
125.		Cnr Stewart and McGill Streets, Waimangaroa	Telecommunication and Radio Communication and Ancillary Purposes	Section 93 Block II Kawatiri Survey District	Telecom New Zealand Limited
126.		Buller District State Highways State Highway 6, State Highway 7, State Highway 65, State Highway 67, State Highway 67A, State Highway 69	State Highway	Legal Road	New Zealand Transport Agency

127.		Railway Line (and associated land) from boundary at Grey River at Ikamatua to Westport and Ngakawau	Railway purposes	Refer Planning Maps	New Zealand Railways Corporation
128.		Westport Airport	Westport Automatic Weather Station - Meteorological Purposes	Part Section 17 Block II Steeples Survey District (CT96/3)	Meteorological Service of New Zealand Limited
129.		Charleston	Cemetery	Section 3R Town of Charleston Block VI Waitakere Survey District	Buller District Council
130.*		Mt Rochfort, Westport	Broadcast and Telecommunications	Part of Section 1, SO 7462 Block IX Kawatiri Survey District	Broadcast Communications Limited
131.*		Blacks Point, Reefton	Broadcast and Telecommunications	Part Section 5 Block XIV Reefton Survey District	Broadcast Communications Limited
132.*		Solid Energy Centre, Westport	Community Facility	Lot 2 LT 360521	Buller District Council
133.		Cape Foulwind	Radio Communication and Telecommunication (including broadcasting) Purposes and Ancillary Purposes and Land Uses	Part Lot 2 DP 353986	Radio New Zealand Limited

## 12.2. Designation Conditions

Designation Number: 103 – Reefton Resource Recovery Park

Conditions:

1. The access to the site from Willowbank Road shall be formed and sealed as a two lane road, to NZS 4404:2004, prior to the opening of the Resource Recovery Park.
2. All buildings shall comply with the relevant standards in the Rural Zone of the Buller District Plan.
3. Screen planting, of native species such as Flax, Toitoi, Manuka, shall be provided around the entire perimeter of the Operational Area.
4. A security fence shall be erected and lined with wind cloth.
5. A lockable gate shall be installed on the Wastewater Treatment Plant access road to prevent access to the railway.



Designation Number: 117 – Westport Wastewater Treatment Plant

Conditions:

70. An area of land contained within 150m radius of the site containing the wastewater treatment plant (excluding legal road) shall at all times during the operation *and decommissioning* of the wastewater treatment plant be in the ownership or control of Buller District Council for the purpose of mitigating potential effects.
71. Existing planting shall be retained on the site containing the wastewater treatment plant. Further planting shall take place on the western and eastern boundaries of the buffer zone referred to in condition 70 for the purpose of screening the ponds from surrounding properties provided that the planting shall not significantly affect the air flow into the treatment site. Planting shall have been carried out by the time the wastewater treatment plant is commissioned. *The requiring authority shall thereafter be required to maintain the planted areas from where the wastewater treatment plant is commissioned until the time the plant is decommissioned.*

Designation Number: 130 – Mt Rochfort, Westport

Conditions:

1. The erection of all new ancillary structures and equipment, including antennas, shall be confined to the modified areas of the site and, where possible structures such as antennas shall be put on existing structures.
2. If any areas are distributed as the result of future work, those areas shall be revegetated and reinstated to their original condition.
3. Broadcast Communications Limited shall control all weeds and wilding pines on the site.
4. There shall be only one permanent tower on the site unless a temporary tower is required while remedial work is undertaken on the existing tower or while a new permanent tower is under construction.
5. The following equipment shall be permitted on the designated area:-
  - a. A single tower with a maximum height of 55 metres.
  - b. Four supplementary poles each having a maximum height of 15 metres, or including an existing antenna or lightning spike, 20 metres.
  - c. A Transmission building (including ancillary buildings) with a maximum area of 250 square metres.
  - d. The following equipment attached to or erected on the existing tower and buildings or at the site on a permanent basis (in addition to the masts referred to above):-
    - i. One dish antenna with a diameter greater than 4.0 metres but less than 10 metres (erected at ground level).
    - ii. Up to six dishes with a maximum diameter greater than 2.5 metres but less than 4.0 metres.
    - iii. Broadcasting, telecommunication and radio communication antennas including whip, grid, yagi, dipoles and panels or similar, and ancillary equipment, but no single dish or panel antenna shall have a solid frontal surface area greater than 7 square metres or

2.5 metres in diameter in the case of dish antenna unless otherwise coming within (a) or (b) above.

6. Where practicable, all new structures and equipment erected on this site are to be finished in colours that do not reflect light.
7. In those areas accessible to the public, the levels of electro-magnetic radiation emissions from the facilities on the site are to meet the New Zealand Standard NZS6609 Part 1:1990 Radiofrequency Radiation.
8. Any additional works other than those referred to above shall be subject to the requirements of Section 176A of the Resource Management Act 1991.
9. That all actual and reasonable costs incurred by this Council in administration of this requirement shall be met by the applicant.

Designation Number: 131 – Blacks Point, Reefton

**Conditions:**

1. The erection of all new ancillary structures and equipment, including antennas, shall be confined to the modified areas of the site and, where possible structures such as antennas shall be put on existing structures.
2. If any areas are distributed as the result of future work, those areas shall be revegetated and reinstated to their original condition.
3. Broadcast Communications Limited shall control all weeds and wilding pines on the site.
4. There shall be only one permanent tower on the site unless a temporary tower is required while remedial work is undertaken on the existing tower or while a new permanent tower is under construction.
5. The following equipment shall be permitted on the designated area:-
  - a. A single tower with a maximum height of 55 metres.
  - b. Three supplementary poles each having a maximum height of 15 metres, or including an existing antenna or lightning spike, 20 metres.
  - c. A Transmission building (including ancillary buildings) with a maximum area of 250 square metres.
  - d. The following equipment attached to or erected on the existing tower and buildings or at the site on a permanent basis (in addition to the masts referred to above):-
    - i. One dish antenna with a diameter greater than 4.0 metres but less than 10 metres (erected at ground level).
    - ii. Up to six dishes with a maximum diameter greater than 2.5 metres but less than 4.0 metres.
    - iii. Broadcasting, telecommunication and radio communication antennas including whip, grid, yagi, dipoles and panels or similar, and ancillary equipment, but no single dish or panel antenna shall have a solid frontal surface area greater than 7 square metres or 2.5 metres in diameter in the case of dish antenna unless otherwise coming within (a) or (b) above.
6. Where practicable, all new structures and equipment erected on this site are to be finished in colours that do not reflect light.

7. In those areas accessible to the public, the levels of electro-magnetic radiation emissions from the facilities on the site are to meet the New Zealand Standard NZS6609 Part 1:1990 Radiofrequency Radiation.
8. Any additional works other than those referred to above shall be subject to the requirements of Section 176A of the Resource Management Act 1991.
9. That all actual and reasonable costs incurred by this Council in administration of this requirement shall be met by the applicant.

Designation Number: 132 - Solid Energy Centre, Westport.

Conditions:

1. That the development proceeds generally in accordance with the Notice of Requirement and submitted plans, except where the following conditions takes precedence.
2. The operating hours for the Stadium and indoor facilities are restricted to Monday to Friday 0600 to 2100, and Saturday and Sunday 0800 to 1900.
3. The operating hours for the outdoor hockey field are restricted to Monday to Saturday 0800 to 2100, and Sunday 1000 to 1800.
4. Light spill on adjacent residential properties from outdoor lighting on the designated site is not to exceed 10 lux (horizontal or vertical), measured 2.0 metres inside the boundary of the adjacent site. Prior to operation of the lights, certification shall be provided to the Regulatory Manager of the Buller District Council that design and mitigation measures have been implemented to ensure that compliance will be achieved on all such sites.
5. Construction noise emanating from the designated site shall not exceed the limits recommended in, and measured and assessed in accordance with, the provisions of *New Zealand Standard 6803:1999 Construction Noise*.
6. The following noise levels, as a result of outdoor activities, measured at the boundary of any land used for residential purposes shall not exceed:

Monday to Friday	- 0800 to 2100	55dBA L10 70dBA Lmax
Saturday	- 0800 to 1900	55dBA L10 70dBA Lmax
Sunday	- 1000 to 1800	55dBA L10 70dBA Lmax
At all other times including public holidays		45dBA L10 70dBA Lmax
7. Dust management measures shall be implemented during construction to ensure that dust does not affect adjoining sites. A dust management plan shall be developed and submitted to, and approved by, the Regulatory Manager of the Buller District Council prior to construction commencing on the site.
8. The site and buildings shall not be used for commercial advertising purposes.
9. That earthy colours, of a nature similar to those provided in the plans accompanying the Notice of Requirement, shall be used on the exterior of all buildings and structures on the site.

10. Landscaping is to be undertaken and established, as provided in the Plans submitted, prior to operation of the facility. Such landscaping is to utilise mature trees to ensure mitigation of the scale of building development from adjoining sites. The details of the proposed trees and vegetation to be used, including sizes, is to be submitted to, and approved by, the Regulatory Manager of the Buller District Council for approval prior to planting.
11. This designation shall lapse 10 years from the date of this decision if it has not been given effect.

## PART 12 ROADING HIERARCHY

### **Strategic Routes**

Westport - Mokihinui River (State Highway 67)  
Mokihinui River – Kohaihai River (Route 67)  
Westport - Punakaiki (part State Highway 6)  
Upper and Lower Buller Gorge (State Highway 6)  
Lewis Pass - Ikamatua (part State Highway 7)  
Inangahua Junction - Reefton (State Highway 69)  
Springs Junction - Boundary Road (Shenandoah) (part State Highway 65)  
Westport - Milburn Cement Works (Cape Foulwind Road) (State Highway 67A)  
Ikamatua - Rough River Bridge (Atarau Road) (Bypass off State Highway 7)

### **Arterial Routes**

Mokihinui – Seddonville Road (State Highway 67)  
Millerton Track (Granity to Stockton)  
Denniston Track (Waimangaroa to Denniston)  
Mill Street (Palmerston Street to Domett Street)  
Abattoir Road (Domett Street to Kew Road)  
Kew Road (Abattoir Road to Stephen Road)  
Stephen Road (Kew Road to Caledonian Road)  
Caledonian Road (Stephen Road to State Highway 67)  
Buller Road (Potter Street to Walsh Street)  
Walsh Street (Buller Road to Broadway)

### **Collector Routes**

Oparara Road  
Kongahu Swamp Back Road  
Cobden Street (Palmerston Street to Domett Street)  
Orowaiti Road (Domett Street to Brougham Street)  
Domett Street (Cobden Street to Mill Street)  
Derby Street (Cobden Street to Mill Street)  
Queen Street (Brougham Street to Stafford Street)  
Nine Mile Road (Stafford Street to Victoria Road)  
Palmerston Street (Brougham Street to Gladstone Street)  
Cape Foulwind Road (End of State Highway 67A to Tauranga Bay Road)  
Tauranga Bay Road  
Wilson's Lead Road  
Beach Road (Charleston)  
Brown Creek Road  
Gannons Road (State Highway 69 to Waitahu River)  
Maimai Road  
Hukarere Road, State Highway 7 to Mossy Creek Road  
Thomson Road  
The Esplanade (Westport)

**Limited Access Road**

State Highway 6 from Punakaiki River to Dolomite Point

**Local Roads**

The remainder of the roads in the District are local roads. These perform a function of vital importance to the District and its residents and carry a great deal of produce. However, they do not qualify as collector routes in this classification.

## **PART 13**

### **INFORMATION TO BE INCLUDED IN APPLICATIONS FOR RESOURCE CONSENT**

#### **13.1. General Information Requirements**

##### **13.1.1. Resource Management Act 1991**

The Resource Management Act 1991 (the Act) specifies information that must be included with an application for resource consent.

All applications for resource consent must contain sufficient information to enable an assessment of the effects of the activity.

As well as the general information requirements found in the Act, the specific information outlined below must also be included, where relevant, in every application for resource consent.

##### **13.1.2. Further Information Requests**

Section 92 of the Act allows Council to request an applicant for resource consent to provide further information relating to the application.

The requirements outlined in this part of the Buller District Plan do not inhibit Council from requiring such further information as may be necessary to better understand the proposal, any possible environmental effects, or any likely mitigation measures that could be undertaken.

##### **13.1.3. Information to be included with all Resource Consent Applications**

The following information is to be included with all applications for resource consent:

- (a) The full name and address of the applicant
- (b) A full description of the activity for which consent is sought
- (c) The name/s and address/es of the owner and occupier of the site, if different from the applicant
- (d) The street address and legal description of the site
- (e) A copy of the Computer Freehold Register (CFR) for the site, printed no more than three months prior to the date the complete application is formally received by the Council. If a CFR is not provided, or the CFR provided is more than three months old, Council staff will obtain a CFR at the applicant's cost
- (f) A statement specifying any other resource consents the applicant may require in regard to any aspect of the proposed activity, and whether the applicant has applied for such consents
- (g) An assessment of environmental effects in sufficient detail to correspond with the scale and significance of the effects that the proposed activity

- may have on the environment, prepared in accordance with the Fourth Schedule of the Resource Management Act
- (h) Identification of any affected or interested persons, including details of any consultation undertaken
  - (i) Any other information required by the Buller District Plan, the Resource Management Act or any regulations made under that Act
  - (j) Two complete copies of the application, including plan(s).

## **13.2. Specific Information Requirements**

### **13.2.1. Subdivision**

In addition to the general requirements in 13.1.3., the following information must be included with all applications for subdivision consent:

- (a) Plan(s), either prepared by or certified as to accuracy by a Licensed Cadastral Surveyor, drawn to an identified metric scale, on either A3 or A4 sized paper, containing sufficient information to adequately define, where appropriate:
  - 1. The position of all new boundaries, including restrictive covenant boundaries for cross-lease applications, and unit, accessory unit and common property boundaries for unit title applications.
  - 2. The areas of all new allotments (except for a subdivision by grant of cross lease or company lease or by the deposit of a unit title).
  - 3. The location and areas of new reserves to be created including esplanade reserves, esplanade or access strips, and any proposed improvements (paths, play areas, landscaping, etc).
  - 4. The location and areas of any land below Mean High Water Springs of the sea, or any part of the bed of a river or lake, which is required under Section 237A of the Act to be shown on the survey plan as land to be vested in the Crown.
  - 5. The location and areas of land to be set aside as new road.
  - 6. The location and area of any proposed easements shown within a memorandum and/or existing easements shown within a schedule.
  - 7. Abutting and underlying title boundaries and existing building line restrictions and existing subject easements.
  - 8. The balance area of the property to be subdivided showing any proposals for future development.
  - 9. Contours (based on mean sea level) at an interval sufficient for the design of accessways and services or to show the general topography of the area, particularly around proposed house sites.
  - 10. Any features, including areas of vegetation and/or individual trees, to be protected by covenant or other methods.
  - 11. The principal topographic and geological features, including areas of loose fill and faultline or fault traces.
  - 12. Areas of land that may be subject to any natural hazards including frequent flooding or inundation, liquefaction, erosion, landslip or subsidence.
  - 13. Areas of wetlands and bush.



14. All watercourses having an average normal waterway width of 3m or greater.
15. Existing water supply, sewer and stormwater drainage system with invert and manhole levels.
16. Existing power, telecommunication and gas infrastructure.
17. Existing groundwater bores and their Regional Council reference number.
18. Existing and proposed septic tanks, soakage areas, and irrigation systems.
19. Existing fences.
20. Existing structures (including buildings), and whether such structures will be retained, relocated or removed.
21. Existing roads, carriageways, and pathways to which connection will be made.
22. Location of closest accesses onto the road on both sides of the road and sight distances from proposed accesses.
23. Proposed roads, access points onto the allotment(s), accessways, and service lanes with relevant widths, areas and gradients.
24. Proposed areas of excavation and fill, together with the proposed finished contours for cuts and fills greater than 1m<sup>3</sup>.
25. Any designations applying to all or part of the site.
26. Any heritage or cultural sites identified in Part 14.
27. Any notable tree/s identified in Part 15.
28. The identification and location of any high voltage transmission assets, including support structures.

(b) Information on the following matters, where appropriate:

1. *Public Utilities:* Information on the availability or otherwise of common public utilities, such as electricity and telecommunications, for each new allotment being created.
2. *Water Supply:* Information on the provision for water supply to each proposed lot.
3. *Stormwater Drainage:* Information on the provision for stormwater drainage off the site, including whether the discharge will change drainage patterns, and/or increase stormwater flows and velocity beyond the capacity of existing infrastructure, and whether it meets the permitted regional rule.
4. *Sewage Disposal:* Information on the provision for sewerage and effluent disposal for each lot, including whether the discharge meets the permitted regional rule for on-site sewage effluent discharges to land, and whether a reticulated sewage effluent disposal system was considered as an alternative.
5. *Stability:* Information on whether there is uncontrolled fill on the site and/or evidence of:
  - (i) liquefaction potential: soil type, water table level, filled creek/river channels;
  - (ii) slope hazard potential: soil creep, slumping, alluvial fans, debris fans or flows, previous slips;
  - (iii) and/or any other uncontrolled fill or site instability.

6. *Faultlines*: Information on whether the subdivision may be affected by any active faultline, and if so, a full geotechnical report must be submitted.
  7. *Hazardous Substances*: Information about where hazardous substances have been used, stored or disposed of on the land being subdivided.
  8. *Heritage or Cultural Sites*: If the subject land contains an identified feature of archaeological, historical or cultural importance (including sites of traditional importance to iwi), the application must include information about the feature and any proposed methods of protecting the feature.
  9. *Watercourses*: Information on the presence of any watercourses having an average normal waterway width greater than 1 metre and less than 3 metres.
- (c) Where the land being subdivided is part of a larger future development, information on the overall concept and proposed timeframe of the development shall be submitted.

### **13.2.2. Land use**

In addition to the general requirements in 13.1.3., the following information must be included with all applications for land use consent:

- (a) Plan(s) drawn to an identified metric scale, on either A3 or A4 sized paper, containing sufficient information to adequately define, where appropriate:
1. The position of all boundaries.
  2. Contours (based on mean sea level) at an interval sufficient for the design of accessways and services or to show the general topography of the area, particularly around proposed building sites.
  3. Any features, including areas of vegetation and/or individual trees, to be protected by covenant or other methods.
  4. The principal topographic and geological features, including areas of loose fill and faultline or fault traces.
  5. Areas of land that may be subject to any natural hazards including frequent flooding or inundation, erosion, landslide or subsidence.
  6. Areas of wetlands and bush.
  7. Individual trees taller than 3m.
  8. All watercourses having an average normal waterway width greater than 1m.
  9. Existing fences.
  10. Existing structures (including buildings), and whether such structures will be retained, relocated or removed.
  11. Proposed structures, including ground floor area, site coverage and setback distances from boundaries.
  12. Existing roads, carriageways, and pathways to which connection will be made.
  13. Location of closest accesses onto the road on both sides of the road and sight distances from proposed accesses.

14. Proposed areas of excavation and fill, together with the proposed finished contours for cuts and fills greater than 1m<sup>3</sup>.
15. Any designations applying to all or part of the site.
16. Any heritage or cultural sites identified in Part 14.
17. Any notable tree/s identified in Part 15.
18. The identification and location of any high voltage transmission assets, including support structures.

(b) Information on the following matters, where appropriate:

1. Bulk, height and location in relation to boundaries of all existing and proposed structures.
2. Hours of operation.
3. Exterior lighting.
4. Anticipated noise levels.
5. Storage of hazardous substances, including details of compliance with Part 6.3 of the Plan.
6. Vehicle movements, differentiating between heavy vehicle movements and car and light utility vehicle movements.
7. Provision for car parking.
8. Existing and/or proposed services, including water supply, sewage and stormwater, telecommunications and electricity.
9. The value of the proposal and whether a development contribution under Part 8 of the Plan is applicable.
10. Anticipated odour and dust emissions.
11. Any proposed planting and landscaping.
12. Any proposed signage, including details of compliance with Part 7.7 of the Plan.
13. If the subject land contains an identified feature of archaeological, historical or cultural importance (including sites of traditional importance to iwi), the application must include information about the feature and any proposed methods of protecting the feature.



## PART 14

### SCHEDULE OF HISTORIC BUILDINGS AND SITES

#### 14.1. Historic Places

REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
1	K29	81800 36900	Occupation
2	K29	82000 36400	Oven(s)
3	K29	81900 35900	Shell Midden
4	K29	81600 35600	Shell Midden
5	K29	81600 35800	Village
6	K29	83300 38700	Tunnel
7	K29	91600 38500	Village
8	K29	91200 38800	Midden/ovens
9	K29	85200 38700	Shell Midden
10	K29	93400 37600	Village
11	K29	83000 30700	Shell Midden
12	K29	82900 31000	Shell Midden
13	K29	82500 32200	Midden/Oven Layer
14	K29	81800 34700	Shell Midden
15	Vacant		
16	K29	82400 33300	Hut
17	Vacant		
18	K29	82100 33000	Shell Midden
19	K29	82100 33300	Shell Midden
20	K29	82000 33600	Shell Midden
21	Vacant		
22	K29	81900 34000	Shell Midden
23	K29	82100 33400	Shell Midden
24	K29	82500 31200	Midden/Charcoal
25	K29	82500 31100	Shell Midden
26	K29	83000 30600	Shell Midden
27	K29	82700 30300	Shell Midden
28	Vacant		
29	K29	98500 29900	Ferry Site
30	K29	08700 26300	Pa
31	K29	08300 26200	Camp Site
32	K29	02800 38000	Gold Workings
33	K29	08400 26200	Canoe
34	K29	82600 20500	Pits

REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
35	K29	81600 22800	Artefact Finds
36	K29	82800 23100	Gold Workings
37	K29	83200 23200	Gold Workings
38	Vacant		
39	K29	84000 23900	Water Race
40	K29	82600 31000	Shell Midden
41	K29	82600 29900	Shell Midden
42	K29	82400 32300	Find Site
43	Vacant		
44	K29	82200 32400	Shell Midden
45	Vacant		
46	K29	87100 38300	Shipwreck
47	K29	82100 35900	Pits
48	K29	88800 37300	Gold Workings
49	K29	88800 34600	Gold Workings
50	K29	88500 38100	Railway Formation
51	Vacant		
52	K29	82700 31900	Flax Mill
53	K29	83400 30500	Shell Midden
54	K30	78200 15700	Source Site
55	K30	76000 07200	Cave
56	K30	73700 02300	Rock Shelter
57	K30	74700 05000	Sea Caves
58	K30	72500 00300	Sea Caves
59	K30	72500 00600	Sea Caves
60	K30	72800 01100	Sea Caves
61	K30	74500 04700	Flint Source
62	K30	80900 17800	Gold Workings
63	K30	81100 18000	Gold Workings
64	K30	81300 17900	Gold Workings
65	K30	76700 06800	Historic Cemetery
66	K30	81200 19600	Gold Tailings
67	K30	81000 19700	Battery Site
68	K30	81200 19000	Gold Sluicing
69	K30	81200 13600	Water race/dam
70	K30	80800 17400	Gold Workings
71	K30	80500 17400	Gold Mine Dams
72	K30	81400 19900	Miners Hut
73	K30	81200 17900	Goldmining
74	K30	81800 18900	Goldmining
75	K30	72500 98700	Midden

REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
76	K30	73600 01800	Grave
77	K30	83000 02400	Grave
78	K31	06000 88100	Goldmining
79	K31	08500 82600	Sawmill
80	K31	09700 78500	Goldmine
81	L25	39000 41300	Pit
82	L25	43500 46100	Ovenstones
83	L26	35000 24100	Middens/Ovens/etc.
84	L26	35100 24100	Midden
85	L26	34700 24000	Ovenstones
86	L26	35100 21800	Occupation Layer
87	L26	34500 10400	Ovens
88	L26	34900 17500	Midden
89	L27	36700 99400	Middens
90	L27	34600 08700	Artefact Findspot
91	L27	34800 08100	Adze Findspot
92	L27	35000 94900	Midden
93	L27	34800 93800	Midden
94	L28	21200 63800	Midden
95	L28	16800 54600	Railway
96	L28	27900 60600	Track
97	L28	15100 52400	Tramway
98	L28	16500 51700	Coal Mine
99	L28	15800 51500	Coal Mine
100	L28	16100 51700	Building Remains
101	L28	15700 51900	Dam
102	L28	16600 52000	Dam
103	L28	14600 50600	Coal Mine/Tramway
104	L28	14100 50300	Coal Tramway
105	L28	14900 50400	Tramway
106	L28	16900 50600	Mining Settlement
107	L28	14500 52500	Coke Oven
108	L28	16700 54500	Tramway
109	L28	17600 52700	Coal Tramway
110	L29	22000 28000	Rock Shelter
111	L29	32400 34400	Mining Battery
112	L29	33600 35000	Quartz Battery
113	L29	31000 34000	Mining Town
114	L29	29500 34400	Cemetery
115	L29	15700 26800	Boundary Marker
116	L29	13500 26800	Hotel and Township

REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
117	L29	22200 26900	Ferry Site/Artefact Find
118	L29	21600 27000	Hotel & Township
119	Vacant		
120	L29	18900 24800	Hunting Camp
121	L29	31300 34100	Cemetery
122	L29	11600 42400	Coalmine/Incline
123	L29	12100 43300	Goldmine/Track
124	L29	28900 34300	Miner's Track
125	L29	10000 47300	Foundry
126	L29	16400 49200	Mining Settlement
127	L29	13800 27500	Goldmining
128	L29	22300 27900	Hotel Site
129	L30	14900 95900	Bricked-up Coal Mine Drive
130	L30	18400 95900	Quartz Battery
131	L30	14800 91300	Slab Hut Creek Claim
132	L30	18600 01100	Surprise Coalmine
133	L30	16600 97700	Powerhouse Site
134	L30	16400 97600	Brick Works
135	L30	23800 07400	Quartz Mine
136	L30	19000 11400	Goldmining
137	L30	23700 07700	Track
138	L30	20100 06000	Track
139	L30	24400 06000	Sawmill
140	L30	19800 03100	Water Race/Coal Mine
141	L30	20000 01700	Miner's Track
142	L30	22400 97300	Track
143	L30	18700 96900	Mine/Battery
144	L30	18900 94700	Battery/Water Race
145	L30	19000 93000	Miner's Track
146	L30	18300 92700	Goldmine
147	Vacant		
148	L30	19300 90600	Miner's Track
149	Vacant		
150	L30	18300 90500	Battery
151	L30	21300 91900	Miner's Track
152	L30	18000 90700	Coal Mines
153	L30	18400 90500	Goldmine
154	L30	15000 93700	Goldmine
155	L30	15000 94800	Miner's Track
156	L30	19200 04100	Goldmining
157	L30	20400 97900	Goldmining



REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
158	L30	19500 97500	Goldmining
159	L30	19700 96300	Mining Town
160	L30	18700 95700	Goldmine
161	L30	19900 95600	Goldmining
162	L30	18500 96600	Goldmine
163	L30	19400 97300	Miner's Track
164	L30	19800 96300	Coal Tramway/Coal Mine
165	L30	19700 95800	Coal Tramway
166	L30	19200 97200	Miner's Track
167	L30	20500 97300	Miner's Road
168	L30	10800 96500	Tramway
169	L30	20400 97300	Coal Tramway
170	L30	19100 95100	Water Race
171	L30	19900 94000	Water Race
172	L30	18100 97200	Goldmines
173	L30	18700 96800	Goldmine
174	L30	19300 96900	Goldmines
175	L30	19500 96800	Goldmine
176	L30	20000 97100	Goldmines
177	L30	20400 97400	Goldmines
178	L30	18900 95800	Goldmine
179	L30	19100 95400	Goldmine
180	L30	19600 95200	Goldmining
181	L30	18600 95700	Town Site
182	L30	20300 97300	Coal Mine
183	L30	20900 95200	Coal Mine
184	L30	20500 97200	Coal Mine
185	Vacant		
186	L30	20600 96900	Coal Mines
187	L30	19800 95800	Coal Mine
188	L30	17600 96600	Mining Town
189	L30	28100 99300	Goldmine/Battery
190	L30	20600 04000	Town Site
191	L31	28400 60900	Findspot
192	L31	37500 69400	Artificial Cave
193	L31	19700 83900	Quartz Mine
194	L31	18700 84200	Quartz Mining
195	L31	19800 84300	Saw Mill
196	L31	20400 84900	Coal Mine/Tram
197	L31	19600 82300	Mining Dam
198	L31	28900 60100	Findspot

REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
199	L31	29800 60000	Findspot
200	L31	42400 71600	Adze Findspot
201	L31	42500 71400	Occupation
202	L31	22600 75500	Gold Mining
203	L31	10300 89300	Hotel Site
204	L31	10300 89100	Gold Workings
205	L31	10400 89200	Pack Track
206	L31	10600 89200	Gold Workings
207	L31	10500 89000	Miners Hut Site
208	L31	10700 88700	Gold Workings
209	L31	10300 88800	Gold Workings
210	L31	10200 88900	Gold Workings
211	L31	10100 89200	Gold Workings
212	L31	10000 89300	Miners Hut Site
213	L31	10300 89800	Gold Workings
214	L31	10600 88300	Water Race
215	L31	18700 89300	Goldmine
216	L31	18100 88200	Miners' Track
217	L31	18300 87500	Goldmine/Battery
218	L31	20300 87500	Goldmine/Battery
219	L31	19500 87100	Goldmine/Battery
220	L31	18900 84000	Track
221	L31	11000 83500	Water Race
222	L31	10400 89400	Miners' Track
223	L31	23800 89500	Water Race
224	L31	13000 78500	Goldmine
225	L31	14400 70400	Track
226	L31	13100 77600	Power House/Water Race
227	L31	13400 79200	Goldmine/Cableway/Pipeline /Tramway
228	L31	13000 78100	Goldmine
229	L31	13100 77900	Goldmine
230	Vacant		
231	L31	13300 78100	Tramway
232	L31	13600 78400	Goldmine
233	Vacant		
234	Vacant		
235	Vacant		
236	L31	13300 79100	Ore Processing
237	Vacant		
238	Vacant		

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<b>REF NO.</b>	<b>CLASS MAP</b>	<b>GRID REFERENCE</b>	<b>DESCRIPTION</b>
239	L31	12700 77400	Goldmine
240	L31	12800 77100	Goldmine/Battery
241	L31	12300 76400	Goldmine
242	L31	11500 77900	Water Race
243	L31	13900 80000	Goldmining
244	L31	13600 79000	Goldmine
245	L31	13300 78800	Goldmine
246	L31	40900 68300	Miners' Track
247	L32	28600 59200	Findspot
248	L32	29000 59900	Findspot
249	M27	76900 98700	Goldfield
250	L28	24900 61600	Keruru Waka

## 14.2. Historic Buildings And Structures

REF NO.	ITEM	LOCATION	CRITERIA FOR SCHEDULING	BUILDING DATE
250	Banbury Arch	Denniston	Historic	1878
251	Blackwater School	Waiuta Road Blackwater	Historic	1913
252	Buller County Chambers	161 Palmerston Street Westport	Historic	1940
253	Buller Field Station University of Canterbury Geology Dept	40 Queen Street Westport	Historic	-
254	Cape Foulwind Lighthouse	Cape Foulwind	Historic	1926
255	Church of Saint John the Evangelist	Corner Lyndhurst and Queen Streets Westport	Historic	1924
256	Clerk of the Court and Survey Office House	Bridge Street Reefton	Historic	-
257	Vacant			
258	Vacant			
259	Courthouse	11 Wakefield Street Westport	Historic	1903
260	Furnace Birchfields Foundry	Main Road Birchfield	Historic	1898
261	Gates of Remembrance	Cnr Brougham & Russell Streets Westport	Historic	-
262	Granity Public Library	93 Torea Street, Granity	Historic	1903
263	Vacant			
264	House	32 Henley Street Westport	Historic	-
265	House	51 Queen Street Westport	Historic	-
266	House	55 Queen Street Westport	Historic	-
267	House	75 Queen Street Westport	Historic	1895
268	Postie Fashions Warehouse (former school)	7 Lyndhurst Street	Historic	-
269	House	30 Wakefield St	Historic	-
270	House	32 Wakefield St	Historic	-

REF NO.	ITEM	LOCATION	CRITERIA FOR SCHEDULING	BUILDING DATE
271	House	34 Wakefield St	Historic	-
272	Manager's House (Behind Museum)	Blacks Point Reefton	Historic	-
273	Martin's Mitre 10 Homecentre (Verandah)	168-172 Palmerston Street	Historic	-
274	Masonic Lodge Hall (Former Racecourse Stand)	38 Shiel Street Reefton	Historic	1892
275	Masonic Lodge Hall	51 Russell Street Westport	Historic	-
276	Mines Survey Office	Torea Street Granity	Historic	-
277	Municipal Chambers	113-119 Palmerston Street	Historic	1940
278	Vacant			
279	O'Connor House	Nine Mile Road Westport	Historic	-
280	Oddfellows Hall	56 Bridge Street Reefton	Historic	1876
281	Pennington House & Horse Trough	15 Shiel Street Reefton	Historic	-
282	Post Office	Corner Palmerston & Brougham Streets Westport	Historic	-
283	Racecourse Stand	Racecourse Reefton	Historic	-
284	Railway Workshop	Adderley Street Westport	Historic	1873
285	Reefton Courthouse (former)	47 Bridge Street Reefton	Historic	1873
286	Powerhouse Foundations	Rosstown Road Reefton	Historic	1888
287	School of Mines	22 Shiel Street Reefton	Historic	1887
288	Sacred Heart Church (Catholic)	Church Street Reefton	Historic	1879
289	St Stephen's Church (Anglican)	Church Street Reefton	Historic	1878
290	State Mine Store	Granity	Historic	-
291	Stone Retaining Wall	Denniston	Historic	-
292	Tramway Hotel (Former)	Millerton		
293	Trippins Guest House (Victorian Home)	72 Queen Street Westport	Historic	-
294	War Memorial	Torea Street Granity	Historic	-

REF NO.	ITEM	LOCATION	CRITERIA FOR SCHEDULING	BUILDING DATE
295	War Memorial Obelisk	Cnr Buller Rd and Walsh Street Reefton	Historic	-
296	Westpac Building (Former Bank NSW)	143 Palmerston Street Westport	Historic	1901
297	Westport Carnegie Free Library	Lyndhurst St Westport	Historic/Athenaeum Reserve	-
298	Brunner Plaque	Buller Gorge Highway No. 6	Cultural/ Historic	1962
299	Karamea Special Settlement Plaque	Karamea	Cultural/Historic	1975
300	Cannibal Gorge Plaque	Mouth of Cannibal Gorge, Lewis Pass State Highway No. 7	Cultural/Historic	1962
301	Reefton Hydro Electric Plaque	Buller Road Reefton	Cultural/Historic	1960
302	Bard of Inangahua Plaque	Inangahua Railway Station	Cultural/Historic	-
303	Electricity Centennial Plaque	Adjacent Dawsons Hotel, Reefton	Cultural/Historic	1988
304	Buller Bridge Plaque	East Side of Bridge, Adjacent to Esplanade	Historic	1976
305	Abel Tasman Plaque	Cape Foulwind Walkway	Historic/Cultural	1981
306	Denniston Incline Plaque	Head of Incline, Denniston	Historic/Cultural	1992
307	Replica Streetlight Standards	Broadway, Reefton	Historic/Cultural	1988
308	Replica Streetlight Standards	Sinamon Street, Reefton	Historic/Cultural	1988
309	Replica Streetlight Standards	State Highway 7, Reefton Domain, Reefton	Historic/Cultural	1988
310	Newmans Lookout	Earthquake Slip Location	Historic/Cultural	

### 14.3. Other Locations Of Historic/Cultural Significance

REF NO.	CLASS MAP	GRID REFERENCE	DESCRIPTION
311	K29	95000 30600	Pa Site
312	K29	93500 34600	Urupa
313	K29	93300 36200	Urupa
314	K29	93200 36100	Urupa
315	K29	96100 38700	Urupa
316	K29	96500 37600	Urupa
317	K29	93500 34400	Urupa (possibly three graves)
318	K29	93800 33100	Pa & Urupa (one grave)
319	K29	93900 34000	Old Ferry Site Earlier than Te Kuha Site





## PART 15 SCHEDULE OF NOTABLE TREES

NO.	SPECIES	LOCATION & LEGAL DESCRIPTION	REASON FOR PROTECTION
1	Rimu ( <u>Dacrydium cupressium</u> )	Mawheraiti Scenic Reserve Section 23 Block III Mawheraiti Survey District	Recreational & Scientific Value
2	Himalayan Cedar ( <u>Cedrus deodara</u> )	15 Anderson Street, Reefton Town of Reefton Section 981, 982 & 983 SO 9594	Scientific, Landmark & Functional Value
3	California Big Tree ( <u>Sequoiaderdron giganteum</u> )	Reefton Hospital Grounds Town of Reefton Local Purpose (Hospital) Reserve Approx. Sections 295 and 296	Landmark & Functional Value
4	Cherry Tree ( <u>Prunus spp.</u> )	Blacks Point Recreational Reserve Section 258 SO 12718 Blacks Point	Recreational and Historic Value
5	Common Oak ( <u>Quercus robar</u> )	46 Brougham Street, Westport Lot 1 Deposited Plan 343 Town of Westport	Landmark and Function Value
6	Liquidambar ( <u>Liquidambar styrocliflua</u> )	96 Peel Street, Westport Section 566 Town of Westport	Landmark and Function Value
7	Rimu ( <u>Dacrydium cupressinum</u> )	Westport Domain Section 1171 Town of Westport	Recreational and Scientific Value
8	Kahikatea ( <u>Dacrycarpus dacrydioides</u> )	Westport Domain Section 1171 Town of Westport	Recreational and Scientific Value
9	Japanese Cedar ( <u>Cedrus spp</u> )	Westport Domain Section 1171 Town of Westport	Recreational and Scientific Value
10	Common Oak ( <u>Quercus robar</u> )	Reedys Road, Westport Lot 1 Deposited Plan 366595	Landmark and Function Value
11	Matai ( <u>Prumnopitys taxifolia</u> )	Bullock Creek, Punakaiki Section 7 Block X Brighton Survey District	Recreational and Scientific Value
12	Northern Rata ( <u>Metrosideros robusta</u> )	Oparara Loop Road, Karamea Section 25 Block IX Oparara Survey District	Landmark Value
13	Northern Rata ( <u>Metrosideros robusta</u> )	Umere Road, Karamea Lot 2 Deposited Plan 18463	Landmark Value

NO.	SPECIES	LOCATION & LEGAL DESCRIPTION	REASON FOR PROTECTION
14	Kahikatea ( <u>Dacrycarpus dacrydioides</u> )	Arapito Road, Karamea Part Section 14 Block XIV Oparara Survey District	Landmark Value
15	Nikau Palms ( <u>Rhopalostylis sapida</u> )	North Beach, Karamea Section 3 Block I Oparara Survey District	Landmark Value
16	Cabbage Trees (x3) ( <u>Cordyline australis</u> )	Corner Mill & North Beach Roads, Karamea Part Section 14 Block V Oparara Survey District	Landmark Value
17	Rimu ( <u>Dacrydium cupressinum</u> )	Umere Road, Karamea Part Section 79 Block XV Oparara Survey District	Recreational and Scientific Value
18	Northern Rata ( <u>Metrosideros robusta</u> )	Market Cross Cemetery, Karamea Lot 2 Deposited Plan 14302	Landmark Value
19	Matai ( <u>Prumnopitys taxifolia</u> )	Karamea Bluff Section 11 Block XII Mokihinui Survey District	Recreational and Scientific Value
20	Macrocarpa ( <u>Cupressus macrocarpa</u> )	Little Wanganui River Mouth Part Section 2 Block III Kongahu Survey District	Landmark Value
21	Matai ( <u>Prumnopitys taxifolia</u> )	Ohikaiti River Bridge, Buller Gorge	Landmark Value
22	Common Oaks (x 4) ( <u>Quercus robar</u> )	The Strand, Reefton Part Section 1338 Town of Reefton	Landmark and Function Value
23	Rimu ( <u>Dacrydium cupressinum</u> )	Truman Track, Punakaiki Section 22 Block IX Brighton Survey District	Recreational and Scientific Value
24	Pines (x 3) ( <u>Pinus radiata</u> )	Windy Point, Buller Gorge Road Reserve Approx.	Historic and Landmark Value

## **PART 16**

# **STATUTORY ACKNOWLEDGMENTS AND NOHOANGA ENTITLEMENTS**

### **16.1. Statutory Acknowledgments**

- 16.1.1. A statutory acknowledgment is an acknowledgment by the Crown\* of a statement of Ngai Tahu's particular cultural, spiritual, historical or traditional association with specified areas. Statutory acknowledgments relate to statutory areas which include areas of land, geographic features, lakes, rivers, wetlands and coastal marine areas with which Ngai Tahu has a particular association. Statutory acknowledgments are only given over Crown owned land. With water bodies such as lakes, rivers or wetlands, the statutory acknowledgment applies to the whole lake, river or wetland, except any part of the bed not in Crown ownership or control. The locations of statutory acknowledgments are marked on survey office (SO) plans. These plans are not intended to delineate the precise boundaries of the statutory areas but indicate as nearly as possible the location of the statutory areas.
- 16.1.2. The Ngai Tahu Claims Settlement Act, in providing for statutory acknowledgments:
- requires the Council to forward summaries of all relevant resource consent applications to Te Runanga o Ngai Tahu; and
  - requires the Council to have regard to a statutory acknowledgment relation to a particular area in forming an opinion as to whether Te Runanga o Ngai Tahu is an affected party in relation to resource consent applications concerning the relevant statutory area; and
  - enables statutory acknowledgments to be used in submissions to consent authorities, the Environment Court and the Historic Places Trust as evidence of Ngai Tahu's association with a statutory area; and
  - requires local authorities within the Ngai Tahu claims area to record all relevant statutory acknowledgments in the District Plan.
- 16.1.3. Statutory acknowledgments are noted on the district plan maps.

### **16.2. Nohoanga Entitlements**

- 16.2.1. Nohoanga entitlements are created and granted by the Crown to Te Runanga o Ngai Tahu over Crown owned land in the Ngai Tahu claim area. The entitlements are for the purpose of permitting members of Ngai Tahu Whanui to occupy land close to waterways on a non-commercial basis, so as to have access to waterways for lawful fishing and gathering of other natural resources.
- 16.2.2. Nohoanga entitlements are noted on the district plan maps. Any additional nohoanga entitlements created during the tenure of the district plan will be noted on a non-statutory database held at the Council offices.