

**Amendments to the text of Sections 4, 7, 8 and 18 and to  
Schedule 19.4 of the Central Otago District Plan resulting  
from Plan Change 12 as modified by the Council's  
decision.**

Notes:

1. Amended text is presented in *red*.
2. Not all pages in Sections 4, 7, 8 and 18 and Schedule 19.4 are included. The pages included are those that contain amended text; and those other pages that are required to assist in the understanding of the amended provisions in terms of their context.

## SECTION 4 : RURAL RESOURCE AREA

### 4.1 INTRODUCTION

The Rural Resource Area comprises the rural environment of the District. This area has been identified as distinct from the urban areas of the District on the basis of its environmental character. The amenity values of the rural environment are dominated by Central Otago's unique, semi-arid landscape of broad basins separated by low mountain ranges with sparse vegetation, covered in tussock grassland and exotic pasture, and broken by schist rock outcrops. This landscape retains a high natural character and has significant scenic values and some of it is identified in this District Plan as an outstanding natural landscape or outstanding natural feature. These values can be enhanced by human made elements which include orchards and vineyards; homesteads accompanied by stands of trees (often poplars); remnant stone cottages; small irrigation and stock water dams and water races; energy generation facilities; and shelter belts of trees. Former mining sites also give the District a distinctive character. For a full description of the District's landscape refer to Section 2.3.1 page 2:6. It is apparent that the character of the landscape is an important element in making Central Otago an attractive place to live in and to visit. For many people it is the reason they reside and recreate here, and that became particularly apparent during the community consultation phase of the Rural Study which was carried out in 2005 and 2006.

Activities that locate within the rural environment do so generally for one of four reasons.

- (i) They are reliant upon the resources of the rural area. For example, farming activities need large areas of open land, while horticulture and viticulture activities need particular soil types in combination with a number of other factors, particularly climatic conditions and irrigation.
- (ii) They need to be close to an activity that is reliant upon the resources of the area. For example, a pack house or a juice factory needs to locate near the fruit source and a winery/wine making facility needs to locate near the grape source.
- (iii) They need a large open space where they can generate effects without significantly affecting more sensitive activities. For example, an abattoir which generates discharges (including odour) or a transport yard which generates high levels of traffic.
- (iv) Persons wish to enjoy the lifestyle opportunities offered by its open space, landscape and natural character amenity values.
- (v) They need to locate directly adjacent to the resource. For example, mineral extraction and related activities do not have the ability to locate anywhere other than directly adjacent to where the deposit occurs.

The provisions of Section 4 apply within the area shown as Rural Resource Area on the planning maps.

See also Section 5 – Water Surface and Margin Resource Area and Section 13 Infrastructure, Energy and Utilities that provide for various types of development in the rural environment.

## 4.4 POLICIES

The policies contained in this section apply to the Rural Resource Area. Some of these policies also apply in the Water Surface and Margin Resource Area. The policies contained in the following sections are also relevant to the subdivision, use, development and protection of land in the Rural Resource Area;

- Section 3.4 (Manawhenua)
- Section 12.4 (District Wide Issues)
- Section 13.4 (Infrastructure, Energy and Utilities)
- Section 14.4 (Heritage)
- Section 15.4 (Financial Contributions)
- Section 16.4 (Subdivision)
- Section 17.4 (Hazards)

4.4.1 **Policy - Outstanding Natural Landscapes and Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area**

To recognise the District's outstanding natural landscapes and outstanding natural features and land in the Upper Manorburn/Lake Onslow Landscape Management Area which:

- (a) Are unique to the district, region or New Zealand; or
- (b) Are representative of a particular landform or land cover occurring in the Central Otago District or of the collective characteristics and features which give the District its particular character; or
- (c) Represent areas of cultural or historic significance in the district, region or New Zealand; or
- (d) Contain visually or scientifically outstanding geological features; or
- (e) Have characteristics of cultural, historical and spiritual value that are significant to Kai Tahu ki Otago;
- (f) Have high natural character values and high landscape quality that can be distinguished from the general landscapes of the Central Otago District

and provide protection for them from inappropriate subdivision, use and development.

Explanation

Section 6(b) of the Act requires Council to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development as a matter of national importance. There are activities that have the potential to compromise the values of these areas. In these circumstances resource consents will be required to enable a thorough environmental impact assessment to take place. This assessment must include recognition of the fact that people and communities often utilise these areas to provide for their social, economic and cultural wellbeing. Landscapes and natural features considered to be outstanding in the Central Otago District are identified in Sections 2.3.1 and 2.3.2 commencing on page 2:6

*Cross Reference*  
*Objectives: 4.3.1,*  
*4.3.2*  
*Method: 4.5.6*  
*Rule: 4.7.6 L*

and are identified on the planning maps. Land in the Upper Manorburn/Lake Onslow Management Area is also identified on the planning maps.

#### 4.4.2 Policy – Landscape and Amenity Values

To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:

- (a) The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,
- (b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,
- (c) The ability to adequately dispose of effluent on site,
- (d) Controlling the generation of noise in back country areas,
- (e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,
- (f) Controlling the spread of wilding trees.
- (g) Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.
- (h) Strongly discouraging buildings in the Rural Resource Area of the Wooing Tree Overlay Area to ensure a vineyard or treed park-like character with an absence of built form.**

#### *Cross Reference*

*Objectives: 4.3.1, 4.3.3, 4.3.4, 4.3.5, 4.3.8*

*Method: 4.5.6*

*Rules: 4.7.1 to 4.7.6*

#### Explanation

Central Otago has a unique landscape in the context of New Zealand. The District is dominated by parallel mountain ranges separated by broad valley basins and has a semi-arid character. This type of landscape is sensitive to modification. To sustainably manage what is considered a significant resource of the District, for both present and future generations, care must be taken with respect to the impact of activities on landscape and natural character.

The open space and natural character of the rural environment is also seen as a significant resource of the District. These values are capable of being compromised by commercial, industrial and/or residential forms of development not traditionally found in a rural context.

Some activities, particularly those involving motorised vehicles, can also adversely impact on the amenity values of back country areas. The effects of such activities need to be addressed through the resource consent process.

## 4.7 RULES

Note: In considering a resource consent application under rules in this Plan, in the absence of specific policy in this Plan the Council may have regard to other policies related to assessment matters, including the relevant policies in the Regional Policy Statement for Otago, and regional plans.

See also Sections 3 and 14 of the Plan – Manawhenua and Heritage Buildings, Places, Sites, Objects and Trees

### 4.7.1 PERMITTED ACTIVITIES

*Cross Reference  
Policies: 4.4.1 to  
4.4.16*

#### (i) Compliance with Standards

Any activity that is not listed as either a controlled, discretionary (restricted), discretionary, non-complying activity or prohibited activity and that complies with the rules and standards set out in Sections 12 to 15 of this Plan, and the standards set out in section 4.7.6 is a permitted activity.

#### Reason

*The standards set out in section 4.7.6 will ensure that adverse effects on the environment are kept to a minimum. The standards relate to -*

1. *Bulk and location of buildings*
2. *Traffic generation and characteristics of activities*
3. *Tree planting*
4. *Visual effect of buildings*
5. *Noise*
6. *Storage*
7. *Provision of services*
8. *Signs*
9. *Riparian margins*
10. *Earthworks for access tracks and extractive activity*
11. *Areas of significant indigenous vegetation, habitats of indigenous fauna, and wetlands.*
12. *Outstanding landscapes, land over 900 metres and land in the Upper Manorburn/Lake Onslow Landscape Management Area.*

*Activities that comply with these standards and are not identified in sections 4.7.2 to 4.7.5A are considered to have no more than a minor effect on the environment.*

Note: *Sections 12 to 15 contain a number of general provisions and rules that apply across the district. Section 12 addresses access, parking, noise, signs, lightspill and vibration. Section 13 deals with the development of infrastructure, energy production facilities and utilities. Section 14 addresses general heritage issues. Section 15 deals with matters relating to financial contributions. Section 16 that relates to subdivision and Section 17 that relates to hazards contain general provisions to complement Resource Area rules. Section 18 contains definitions of terms used in the Plan.*

6. Any objectives and policies relevant to the above matters.
7. Methods to avoid, remedy or mitigate the effects of existing activities including potential for reverse sensitivity, the provision of screening, landscaping and methods for noise control.
8. Provision of services, including fire fighting water supply.

**4.7.3(vii)**  
(cont'd)

Notes: 1. Any buildings (including buildings for residential activity and accommodation facilities) on Outstanding Natural Landscapes and in the Upper Manorburn/Lake Onslow Landscape Management Area are a full discretionary activity in terms of Rules 4.7.6L(1) and 4.7.4(i).  
2. Applicants under this rule will be expected to erect suitable profile poles to enable the assessment of matters listed in discretionary matters (1) – (7) above.

**(viii) Seasonal Workers Accommodation**

Seasonal workers accommodation to accommodate a maximum of 60 persons is a discretionary (restricted) activity.

Council shall restrict the exercise of its discretion to the following matters:

1. Visual effects.
2. Management of the adverse effects of noise.
3. Management of the adverse effects of activities conducted on site that are incidental to the seasonal workers accommodation.
4. The effect on the safe and efficient operation of the roading network and the provision of parking.
5. The management regime for the operation of the seasonal workers accommodation.
6. The provision of water, wastewater, electricity and telecommunication services.

**4.7.4 DISCRETIONARY ACTIVITIES**

*Cross Reference  
Policies: 4.4.1,  
4.4.2, 4.4.3,  
4.4.4, 4.4.6,  
4.4.8, 4.4.10*

**(i) Breach of Standards**

Any activity that fails to comply with the following rules:

4.7.2(i) Residential Activities  
(b), (c), (e) and (f)

4.7.2(ia) Residential Activities in Rural  
Resource Area (3)  
(a), (b), (c), (d), (e) and (f)

4.7.2(vi) Outstanding Natural Landscapes,  
and Land in the Upper  
Manorburn/Lake Onslow  
Landscape Management Area

4.7.2(vii)(b) Accommodation Facilities

and considered. The hazardous substances listed in Schedule 19.14 generally follow those identified in the Explosives Act, Dangerous Goods Act, Pesticides Act and the Hazardous Substances and New Organisms Act 1996 and are listed for information purposes. Timber preservatives and chlorinated solvents have also been added because of their potential adverse effects on the environment. The quantities that can be used or stored as of right reflect the existing legislation controlling these substances and community expectations within the various Resource Areas of the District. Exemptions for temporary and emergency service activities recognise that activities such as fire fighting appliances and military training activities involve the use of hazardous substances. The use of such substances by these organisations is generally only on a small scale but may sometimes exceed these limits and is controlled by other legislation. It is also acknowledged that industry developed design standards are also in existence to manage effects on the environment and that codes of practice and guidelines recognised by industry may be relevant to the consideration of applications. Examples include the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems 1992; Supplement No 1 Management of Existing Underground Petroleum Storage Systems. June 1995; Environmental Guideline for Above ground Bulk Tank Containment Systems; and the Australian/New Zealand Standard 1596:1997 LP Gas Storage and Handling and Supplement 1, 1994 Siting of LP Gas Automotive Outlets.

**4.7.4(ii)**  
(cont'd)

**(iii) Subdivision**

Except as otherwise provided for in Rule 4.7.2(ii)(b) subdivision that:

- (a) Creates an allotment fails to comply with any of the standards set out in Rules 4.7.2(ii)(a)(iii) to (v), OR
- (b) Creates allotments with an average allotment area of no less than 8 hectares and a minimum allotment area of no less than 2 hectares in an area not identified on the planning maps as Rural-Residential, Rural Resource Area (1) or Rural Resource Area (2) or Rural Resource Area (3), OR
- (c) Creates allotments that are not in accordance with Rule 4.7.2(ii)(a)(i) in an area identified on the planning maps as Rural Resource Area (3), OR
- (d) Involves land that is subject to or potentially subject to, the effects of any hazard as identified on the planning maps, or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source,  
is a discretionary activity.

For the purposes of Rule 4.7.4(iii)(b) allotments in excess of 16 hectares are deemed to be 16 hectares for averaging purposes,

Any application made under (a) and (b) will generally not be publicly notified where it is accompanied by the written approval

Cross Reference  
Policy 4.4.2,  
4.4.10

of every person that may be adversely affected including the owners and occupiers of every adjacent property and NZ Transport Agency where a State highway is affected and Transpower New Zealand Limited where a transmission asset is affected. When assessing an application made under (a) and (b) the following matters will be given particular consideration:

1. The effects of subdivision and future development on:
  - Open space, landscape, natural character and amenity values,
  - Reserves, all public conservation land managed by the Department of Conservation and recreation facilities, including the provision and maintenance of such facilities,
  - Heritage sites, including archaeological sites and waahi tapu, and heritage landscapes.
  - Sites, lakes and rivers and their margins and other features of cultural value to Kai Tahu ki Otago,
  - Notable trees, and areas of significant indigenous vegetation and significant habitats of indigenous fauna, and,
  - The natural character of water bodies and their margins.
2. Potential for visual absorption of future built development with particular attention being given to those areas identified as outstanding natural landscapes and significant amenity landscapes on the planning maps.
3. Capability for sustainable use of the productive land and soil resource.
4. The potential for reverse sensitivity effects and methods to address such effects on existing rural production activities and on existing infrastructure, including the use of separation distances and yards.
5. The adequacy of the allotment in respect of its ability to safely dispose of effluent and stormwater on-site, without compromising health, and the quality of ground and surface water resources.
6. The provision of an adequate water supply, given the intended use of the allotments, unless an allotment is incapable of being occupied by a dwelling.
7. The location, design and construction of access, and its adequacy for the intended use of the allotments.
8. The provision of adequate utility services, (including roading), and in particular the location, design and construction of these services.
9. Earthworks necessary to prepare the site for occupation and/or use.
10. The provision of access to back land.
11. The provision of esplanade reserves and strips and access to them.
12. Any financial contributions necessary for the purposes set out in Section 15 of this Plan.
13. Any amalgamations or easements that are appropriate.



14. The identification of potential building platforms that are encouraged in locations that will maintain the open natural character of hills and ranges, without compromising the landscape and amenity values of prominent hillsides and terraces.
15. Whether or not the clustering of lots would be beneficial in terms of avoiding or mitigating adverse environmental effects.
16. Whether or not the applicant will commit or has committed to work or services as environmental compensation (such as the control of wilding pines) and if so committed, whether it is or will be :
  - to remedy at least in part any adverse effects of onsite works; or
  - on the site or within the same general area, landscape or environment as the proposed activity; and/or
  - effective by way of conditions, bond or covenant; and/or
  - the product of public consultation or participation.
17. The appropriate size of any allotment bearing in mind any of the above factors.
18. Any objectives and policies relevant to the above matters.
19. Any other matters provided for in section 220 of the Act.
20. **In the Wooing Tree Overlay Area:**
  - (i) **The use of covenants, consent notices or other legal instruments necessary to ensure the long-term management of the Rural Resource Area so as to bring about an attractive and high amenity highway corridor featuring grapevine plantings or treed park-like character. The covenants, consent notices or other legal instruments shall take account of the potentially changing circumstances and ownership over time in such a way that appropriate ongoing maintenance and management is ensured into the future;**
  - (ii) **The provision for pedestrian and cyclist movement within and through the area, including the provision of footpaths and cycling infrastructure.**

Any application made in terms of Rule 4.7.4(iii)(c) will generally be publicly notified.

Any application made under (d) will generally not be publicly notified but is to be accompanied by written comment obtained from a qualified professional that addresses the risk associated with the hazard and any remedial measures necessary to avoid, remedy or mitigate the adverse effects of the hazard.

Reason

*Proposals for subdivision under (a) and (b) will be subject to*

*slope, and exposure to wind; the neighbouring land use and the amenity and ecological values of the neighbouring land, having particular regard to land downwind of the site; and whether management plans are prepared for the eradication and/or control of wilding spread.*

(x) **Seasonal Workers Accommodation**

Seasonal workers accommodation to accommodate more than 60 persons is a discretionary activity.

#### 4.7.5 **NON-COMPLYING ACTIVITIES**

(i) **Building on Land Subject to Hazards**

Any building that fails to comply with **Rule 4.7.6A(j) Land Subject to Hazards** or any building to be erected upon land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a non-complying activity.

*Cross Reference  
Policy 17.4.3 (pg  
17:5)*

*Reason*

*Locating buildings in known land subject to a hazard can compromise the health and safety of people and communities. Establishment of buildings in these areas would need to avoid, remedy or mitigate risk before being permitted.*

(ii) **Waste Disposal and Hazardous Substances on Land Subject to Hazards**

Any activity that involves the disposal or storage of waste or the storage or use of commercial quantities of hazardous goods or substances in any area identified on the planning maps as being subject to a hazard or involves land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source, is a non-complying activity.

*Cross Reference  
Policy 17.4.5 (Pg  
17:6)*

Provided that this rule does not apply to cleanfill landfills, farm tips, silage pits and offal pits permitted by the Regional Waste Plan.

For the purpose of this rule “commercial quantities” means quantities used or stored for the purpose of supplying or offering a service to the general public and does not include substances or goods to be used solely on the property upon which it is kept for the purpose of maintaining or improving the health of stock, crops, land quality or for eradicating pests and/or undesirable weeds or plants from that property.

Note: Consent from the Regional Council may be required to authorise any discharge of contaminants.

*Reason*

*The effects of these activities have great potential to cause significant environmental damage if associated with a natural*

*features of the Central Otago landscape worthy of greater protection than the landscape as a whole. The effect of any building activity is unlikely to be suitable in visual terms.*

**(vii) Buildings in the Rural Resource Area in the Wooing Tree Overlay Area.**

Any building in the Rural Resource Area in the Wooing Tree Overlay Area is a non-complying activity.

Reason

*The Rural Resource Area in the Wooing Tree Overlay Area has been designed to be an open space buffer from the adjoining State Highways. As such it is appropriate to strongly discourage buildings within this area to maintain the open space values.*

#### **4.7.5A PROHIBITED ACTIVITIES**

**(i) Planting of Lodgepole Pine**

Tree plantings with Lodgepole pine (*Pinus contorta*) is a prohibited activity.

Reason

*Lodgepole pine is a tree species that has the greatest spreading vigour and propensity to create the adverse effect of wilding tree spread. This species is not to be planted in the district.*

#### **4.7.6 STANDARDS**

The following standards relate specifically to activities which occur within the Rural Resource Area. There are other rules and standards contained in Sections 12, 13, 14 and 15 of this Plan which may also apply to activities which occur in the Rural Resource Area.

**A. Bulk and Location Requirements**

Buildings and any area used for storage purposes (including the stockpiling of materials) that is not enclosed or partly enclosed by a building shall be located to conform with the following standards.

**(a) Yards**

Except as provided for in (c) below, a minimum side and rear yard of 25 metres and a front yard of 10 metres for buildings used for residential activity and/or an accommodation facility except on land subject to the Rural Residential notation; and a minimum yard of 10 metres for all other buildings and buildings used for residential activity and/or an accommodation facility on land subject to the Rural Residential notation shall be provided to all adjoining property boundaries (including roads) provided that a minimum yard of 20 metres shall be provided to all State highways and Arterial Roads listed in Schedule 19.7.

Note: See also Rule 4.7.6A(h) and Rule 12.7.7.

*Breach:  
discretionary  
(restricted)  
activity see Rule  
4.7.3(i)*



simple” when the Commissioner of Crown Land’s adoption of a substantive proposal takes effect under section 89 of the Crown Pastoral Land Act 1998.

- (5) Rule 4.7.6L(1)(a), (b) and (c) shall not apply to that part of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River.
- (6) No activity shall have the effect of erecting any structure (excluding post and wire fences) or building on that part of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River.

*Breach:*  
*controlled*  
*activity see Rule*  
*4.7.2(ib)*

Reason

*The effects of these activities have the potential to compromise the values of these landscapes and features. Resource consent will enable all effects of the activity to be considered in terms of its impact on the special values of these areas and impact on the natural and historic values of these areas including the characteristics identified in the description of the outstanding natural features and outstanding natural landscapes in Schedule 19.6.2.*

*The properties freeholded under tenure review are excluded from the application of Rule 4.7.6L(1) because the tenure review process provides an alternative statutory means to identify and address on a site specific basis the values which are the subject of this Rule.*

**4.7.6L**  
*(cont'd)*

**M. Management of the Rural Resource Area in the Wooing Tree Overlay Area.**

*Breach: non-*  
*complying activity*  
*see Rule 4.7.5(vii)*

The Rural Resource Area in the Wooing Tree Overlay Area shall be maintained in either predominantly vineyard plantings or a treed park-like character.

Reason

*The Rural Resource Area in the Wooing Tree Overlay Area has been designed to be an open space buffer from the adjoining State Highways. As such it is appropriate to strongly discourage buildings within this area to maintain the open space values.*