

Mackenzie District Plan

Section 7 – Rural Zone

4 Earthworks and Tracking

4.1 Permitted Activities - Earthworks and Tracking

4.1.1 Any earthworks or tracking involving excavation and/or fill 300m³ or less, or bare exposed soil 1000m² or less which complies with all the following standards:

4.1.1.b Slope

No earthworks or tracking shall be located on slopes with an angle greater than 25°.

(Refer 4.2 Controlled Activities or 4.3 Discretionary Activities.)

4.1.1.c Riparian Areas

On any land in a lake, river or wetland or within:

- 20m of the bank of the main stem of any river listed in Schedule B to the Rural Zone, or
- 10m of the bank of any other river, or
- 75m of any lake listed in Schedule B to the Rural Zone, or
- 50m of a wetland or any other lake

earthworks shall not exceed:

- 20m³ (volume) per hectare in any continuous 5-year period, or
- 50m² (area) per hectare in any continuous 5-year period.

4.3 Discretionary Activities - Earthworks and Tracking

4.3.1 Any Earthworks or Tracking which are not provided for as a Permitted or Controlled Activity.

15.2 Discretionary Activities

15.2.1 Any activity, other than those specified in Clauses 3 to 14 of the Rural Zone, which do not comply with one or more of the following standards for Permitted Other Activities:

15.1.1.g Earthworks.

Assessment

The earthworks will involve excavation and/or fill of more than 300m³ and bare exposed soil of 1000m².

Earthworks will also exceed 20m³ and 50m² within 50m of the wetlands.

Therefore, consent is required as a **Discretionary Activity** under Rule 4.3.1.

Other Activities

15.1.1.f Traffic Generation

Activities shall not generate, during any week, an average of more than 40 vehicle trips per day.

Assessment

The activity will generate most vehicle trips during construction but is unlikely to generate an average of more than 40 vehicle trips per day. The activity will meet the permitted activity standards.

15.1.1.j Power Generation Facilities

Construction, commissioning and operation of power generation facilities outputting up to 25 kilowatts outside the areas scheduled under Rule 13 above.

15.2 Discretionary Activities

15.2.1 Any activity, other than those specified in Clauses 3 to 14 of the Rural Zone, which do not comply with one or more of the following standards for Permitted Other Activities:

15.1.1.f Traffic Generation

15.1.1.j Power Generation Facilities

Assessment

It is proposed to construct, commission and operate a power generation facility that will output more than 25 kilowatts outside the areas scheduled under Rule 13 above. Consent is therefore required as a **Discretionary Activity** under Rule 15.1.1.j.

Section 10 – Hazardous Substances

1.b The use and/or storage of hazardous substances identified in Schedule 1 to these rules, in quantities not exceeding those specified in Column A of Table 1 for the relevant zone with the following exception:

Notwithstanding this rule and Table 1, the use and/or storage of up to 100,000 litres of petrol, 50,000 litres of diesel and 6 tonnes of LPG by service stations within Business Zones shall be a Permitted Activity.

5.a Primary and secondary containment systems shall be employed wherever hazardous substances (including hazardous waste) are used or stored on all or part of a site.

For the purposes of this Plan containment means the retention of a hazardous substance in a way that prevents the hazardous substance from uncontrolled entry into the surrounding environment. Primary containment means the primary container; for example, the primary containment for a can of petrol would be the can.

Secondary containment means a structure or installation that contains the hazardous substance should the primary container fail; for example, secondary containment for a can of petrol could be the building it is stored in.

5.b To achieve a, the following specifications are required:

- i the volume of any secondary containment system shall be 100% of the maximum volume of the hazardous substance to be stored, used, loaded or unloaded when the site is roofed or;
- ii the volume of any secondary containment system shall be 120% of the maximum volume of the hazardous substance to be stored, used, loaded or unloaded when the site is unroofed;
- iii the secondary containment system shall be designed in such a way as to ensure containment of any hazardous substance that spills due to the collapse of any container (eg. tank), and the containment from the direct leakage from any container;
- iv the primary and secondary containment systems shall be sealed with impervious materials that are resistant to breakdown from the particular hazardous substances which they are designed to contain;
- v the integrity of the primary and secondary containment systems shall be maintained at all times.

5.c The storage of petrol or diesel in above ground tanks in Rural Zones shall be exempt from standards a and b, providing the tank is at least 20m away from any natural water course or water race.

5.h Any electrical transformer installation with an oil capacity of less than 1000 litres is excluded from the provisions of Rule 5a and 5b above, where operated by a network utility operator as defined in the Resource Management Act 1991.

Assessment

The Plan permits the storage of 2,000 litres of petrol and 3,000 litres of diesel per tank, to a total of 10,000 litres in the Rural Zone subject to meeting the relevant standards in the Plan.

Standard 5.c exempts the storage of petrol or diesel in above ground tanks in Rural Zones from standards a and b, providing the tank is at least 20m away from any natural water course or water race. All petrol and diesel will be located above ground, at least 20m from the wetlands on the Site and in accordance with HSNO requirements.

The storage of hazardous substances is therefore a **Permitted Activity** under Rule 1.b.

Section 15 - Transportation

Vehicle Crossings

2.1 Standards of Vehicle Crossing

Vehicle access to any site shall be by way of a vehicle crossing constructed pursuant to Council standards, from the roadway to the road or service lane boundary of the site and shall be at the owners expense. Vehicle crossings shall be constructed to the following standards:

i For 10 or less residential units or activities which generate fewer than 100 normal car traffic movements per day: standard vehicle culverts and crossings to carry car traffic i.e. 225mm.

2m Length of Vehicle Crossings

The following crossing lengths shall apply:

	Minimum	Maximum
Other:	4	9

2.n Distance of Vehicle Crossings from Intersections

No part of any vehicle crossing shall be located closer to the intersection of any roads than the distances permitted in the following Table.

2.p Visibility from Accesses

All private accesses shall be located to ensure continuous visibility up to the minimum sight distances in the following table are achieved.

Speed limit (km/h)	Sight Distance (m) Private Access
100	250

2.q Private Vehicle Access

i All private vehicular access to fee simple title allotments, cross leases, unit titles or leased premises shall be in accordance with the standards set out in the table below.

Table 6 - Private Vehicular Access

Zone	Potential no of lots	Length	Legal width (m)	Carriage way Width (m)	Turning Area	Passing Bay	Footpaths
Rural	0-6	All lengths	6	4	Required	Optional	Optional

2.r Standard of Vehicle Access

Rural and Rural Residential Zones

Accessways in the Rural and Rural-Residential zones shall:

- be designed to minimise edge break;
- be designed to ensure that vehicles using the access do not reduce the safe and efficient functioning of the adjacent road;
- be formed, sealed and maintained to an all weather standard with the first 5.5 metres of the access (as measured from the formed road surface) being formed to ensure that material such as mud, stone chips, or gravel is not carried onto the road.

For the purpose of this rule 'all weather standard' means sealing of accesses on sealed roads and compacted level metal surfacing on unsealed roads.

- be designed to ensure that the efficient drainage of surface flows in the road reserve is not impeded. This will be achieved by the provision of culverts where necessary, being adequately sized, of sufficient length to limit blockages, and with properly formed inlets and outlets.

1 Any activity which does not provide for parking, access and loading in accordance with the following Standards shall be a Discretionary Activity in respect of the matter(s) of non-compliance.

Assessment

The activity will generate fewer than 100 normal car traffic movements per day, therefore the standard vehicle crossing width of 225mm applies.

It is proposed to form vehicle accesses in accordance with the District Plan requirements, being:

- A minimum vehicle crossing length of 4m.
- A minimum vehicle access width of 6m and a formed width of 4m.

The accesses are more than 1km from an intersection and sight distances in both directions exceed 250m. The vehicle accesses will be formed, sealed and maintained to an all-weather standard with the first 5.5 metres of the accesses being comprised of compacted level metal surfacing as Braemar Road is unsealed.

As such, the proposal meets the requirements of 2.l to 2.r and is a **Permitted Activity**.

Section 16 - Utilities

Lines

1.1a

- ii Lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA per circuit;
- iv Associated support structures including towers, masts and poles;

Standards

1.2.b Any support structure for lines within Rural Zones and Rural-Residential Zones shall be setback a minimum distance of 15m from any intersection, measured parallel from the centreline of the carriageways, at the point where the roads intersect.

1.2.l i No underground lines (except for underground telecommunications lines within 5 metres of a formed road) shall be located:

- Within Sites of Natural Significance identified on the Planning Maps.

1.5 Discretionary Activities

The following activities shall be Discretionary Activities throughout the District:

- a Any activity listed as a Permitted Activity which does not comply with any one or more Standards applying to that Activity shall be a Discretionary Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in that standard.
- b Any activity listed as a Permitted Activity which is located within the Lakeside Protection Area.
- c Weather Radar.
- d Lines and support structures for conveying electricity at a voltage exceeding 110KV and a capacity exceeding 100MVA.
- e Any other utility not specifically listed as a Permitted or Discretionary Activity.

Assessment

It is proposed to install two new underground lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA per circuit from the Site to the 33kv line that runs on the opposite side of Braemar Road to Mount Cook. One line will be associated with Phase 1 and be located in the northwest corner of the Site and the other with Phase 2 and will be located in the northeast corner of the Site.

The lines will not be located in a Lakeside Protection Area, on land above 900 metres in altitude, in a Scenic Viewing Area or a Site of Natural Significance identified on the Planning Maps.

The proposed lines are therefore considered to be a **Permitted Activity** under Rule 1.5.

Buildings

1.2.f Buildings more than 10m² in ground floor area and/or over 3.5m in height shall be setback from the road boundary by a distance of not less than half the height of the structure.

1.2.l

iii No utility buildings or structures shall be located:

- In Sites of Natural Significance identified on the Planning Maps.
- In any Lakeside Protection Area identified on the Planning Maps.
- In any Scenic Viewing Area identified on the Planning Maps.
- Within 50m of a wetland, or 20m of a river.
- On any land above 900 metres in altitude.

This rule shall not apply to:

- Utility buildings up to 9m² in ground floor area and 2.5m in height located immediately adjacent to telecommunication lines and/or immediately adjacent to the base of associated support structures.

1.5 Discretionary Activities

The following activities shall be Discretionary Activities throughout the District:

a Any activity listed as a Permitted Activity which does not comply with any one or more Standards applying to that Activity shall be a Discretionary Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in that standard.

b Any activity listed as a Permitted Activity which is located within the Lakeside Protection Area.

c Weather Radar.

d Lines and support structures for conveying electricity at a voltage exceeding 110KV and a capacity exceeding 100MVA.

e Any other utility not specifically listed as a Permitted or Discretionary Activity.

Assessment

All buildings more than 10m² in ground floor area and/or over 3.5m in height will be setback from the road boundary by a distance of more than half the height of the structure.

The solar panels will not be located in a site of Natural Significance, a Lakeside Protection Area, a Scenic Viewing Area or above 900 metres in altitude. However, there will be panels located within 50m of a wetland.

Therefore, consent is required as a **Discretionary Activity** under Rule 1.5 a.

Furthermore, the solar array as a generation facility is not specifically provided for in the Utility section.

Therefore, consent is required as a **Discretionary Activity** under Rule 1.5 e.

Section 19: Ecosystems and Indigenous Biodiversity

1.1 Permitted Activities – Indigenous Vegetation Clearance

1.1.1 Clearance of indigenous vegetation is a permitted activity provided one or more of the following conditions are met:

1. The clearance is within 2m of, and for the purpose of:
 - a) the maintenance or repair of, existing fence lines, vehicle tracks, roads, stock tracks, stock crossings, firebreaks, drains, ponds, dams, stockyards, farm buildings, water troughs and associated reticulation piping, or airstrips; or
 - b) the operation, maintenance, repair or upgrade of network utilities permitted by Rule 16.1.1.(j).
2. The clearance is of indigenous vegetation which has been planted and is managed specifically for the purpose of harvesting and subsequent replanting of plantation forest within 5 years of harvest and the clearance is not within a location specified in Rule 1.3.2; or
3. The clearance is of the indigenous understorey to plantation forest, and is incidental to permitted or otherwise authorised plantation forest clearance and the clearance is not within a location specified in Rule 1.3.2; or
4. The clearance is of indigenous vegetation which has been planted and/or is managed as part of a domestic garden or has been planted for amenity purposes or as a shelterbelt and the clearance is not within a location specified in Rule 1.3.2; or
5. The clearance is of indigenous vegetation carried out by or on behalf of a local authority for erosion and flood control works, including within 75m of a lake, 20m of the bank of a river, or 50m of any wetland;
6. The clearance is of indigenous vegetation within a defined Farm Base Area (see Appendix R); or
7. The clearance is of indigenous vegetation within an area of improved pasture and the clearance is not within a location specified in Rule 1.3.2

1.2 Restricted Discretionary Activity – Indigenous Vegetation Clearance

1.2.1 Intentionally blank

1.2.2. Other than as permitted by Rule 1.1.1 the clearance of up 5000m² of indigenous vegetation within a site, or per 100ha where a site is greater than 100ha, in any 5-year continuous period is a restricted discretionary activity provided the following conditions are met:

1. The clearance is not within:

- a) an area of significant indigenous vegetation or a significant habitat of indigenous fauna;
- b) land above 900m in altitude;
- c) 75m of a lake;
- d) 20m of the bank of a river; or
- e) 50m of any wetland; and

2. A Farm Biodiversity Plan is prepared in accordance with Appendix Y for the farming operation and submitted with the application for resource consent

1.2.3. The clearance of indigenous vegetation within 75m of a lake, 20m of the bank of a river, or 50m of any wetland, for the purpose of installing a fence to exclude stock, is a restricted discretionary activity.

The Council will restrict its discretion to the following matters:

- i. The location of the fence.
- ii. Managing the effects of the intended clearance of indigenous vegetation.

1.3 Non-Complying Activity – Indigenous Vegetation Clearance

The following activities are Non-complying activities:

1.3.1 Any indigenous vegetation clearance not categorised as a Permitted Activity or Restricted Discretionary Activity.

1.3.2 Any indigenous vegetation clearance in the following locations, unless specified as a permitted activity under Rule 1.1.1.1, 1.1.1.5 or 1.1.1.6 or a restricted discretionary activity under Rule 1.2.31:

- 1. Within an area of significant indigenous vegetation or significant habitat of indigenous fauna.
- 2. Above 900m in altitude.
- 3. Within 75m of a lake, 20m of the bank of a river, or 50m of any wetland.

Assessment

The clearance of vegetation within an area of significant indigenous vegetation or significant habitat of indigenous fauna is a **Non-Complying Activity** under 1.3.2.1 if it does not meet the Permitted Activity or Restricted Discretionary rule requirements.